



CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
City Hall 200 North Spring Street Los Angeles CA 90012
NOTICE OF PUBLIC HEARING

- To Owners:** Within a 100-Foot Radius
 Within a 500-Foot Radius
 Abutting a Proposed Development Site
- And Occupants:** Within a 100-Foot Radius
 Within a 500-Foot Radius
And: Interested Parties/Others

This notice is sent to you because you own property or are an occupant residing near a site for which an appeal from a Department action was filed with the Department of City Planning. All interested persons are invited to attend the public hearing where you may listen, ask questions, and/or present testimony regarding the project. The environmental document, if applicable, will be among the matters considered at the hearing. The Commission may consider all the testimony presented at the hearing, written communications received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. **Please note that your attendance at the hearing is optional.**

Project

Site: **5442-5446 West Sierra Vista Avenue; 5443-5445 West Romaine Street**

Case No. ZA-2016-4729-ZV-1A

Council No: 13 – O’Farrell

CEQA No. ENV-2016-4730-CE

Related Cases: N/A

Held By: Central Los Angeles Area Planning Commission

Date: **August 27, 2019**

Plan Area: Hollywood

Time: **After 4:30 p.m.**

Zone: RD1.5-1XL

Place: Los Angeles City Hall
200 North Spring Street, 10th Floor
Los Angeles, CA 90012
(Please use the 201 N. Main Street entrance)

Plan Overlay: N/A

Land Use: Low Medium II Residential

Staff Contact: Nuri Cho, City Planning Associate
200 North Spring Street, Room 621
Los Angeles, CA 90012
Nuri.Cho@lacity.org
(213) 978-1177

Applicant: Lila Eilat and Mark Silber,
Sierra Romaine, LLC

Representative: Nicole Kuklok-Waldman, Collaborate, Inc.

Appellant: Doug Haines, The La Mirada Avenue
Neighborhood Association of Hollywood

Representative: Robert Silverstein, The Silverstein Law Firm

PROPOSED PROJECT:

Conversion of an existing manager’s office and storage rooms to four residential units consisting of a one-bedroom unit and three studios within an existing multi-family residential building that is permitted to have a maximum of 32 units per the previous R4 zone designation, prior to the Zone Change from R4 to RD1.5 in 1989 per Ordinance No. 164,690. The project site consists of three lots developed with two buildings. The proposed conversion is for the building located on Lots 33 and 34 fronting on Sierra Vista Avenue.

APPEAL:

Appeal of the Zoning determination, dated February 28, 2019, to approve a Zone Variance from Los Angeles Municipal Code (LAMC) Section 12.09.1 B.4 to permit a 36 dwelling-unit density within an existing multi-family residential building in lieu of a maximum 32 dwelling-unit density allowed by the previous R4 zone designation, prior to the Zone Change from R4 to RD1.5 in 1989 per Ordinance No. 164,690, with additional terms and conditions.

Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300

GENERAL INFORMATION

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.**

AGENDAS AND REPORTS- Commission agendas are posted for public review in the Main Street lobby of City Hall East, 200 N. Main Street, Los Angeles, California. Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

TESTIMONY AND CORRESPONDENCE - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

REQUIREMENTS FOR SUBMISSION OF MATERIALS - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. When required, hard copies must be presented on letter size (8 ½ " x 11") or legal size (8 ½ " x 14") paper. All oversized exhibits must be folded to fit into a legal-sized folder. Plans (i.e. site plans, floor plans, grading plans) must be presented on paper size not smaller than ledger size (11" x 17"). The case number must be written on all communications, plans and exhibits.

- **Regular Submissions** – Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page. In addition, an **original plus six (6) copies** must be submitted to the Commission Office directly at **200 North Spring Street, Room 272, Los Angeles, CA 90012** in attention to the Commission Executive Assistant.
- **Secondary Submissions** - All written materials in response to an Appeal Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting)**. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.
- **Day of Hearing Submissions** - Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "*File Copy. Non-complying Submission*". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzied here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

ACCOMMODATIONS - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other services, such as translation between English and other languages, may also be provided upon written request submitted a minimum of seven (7) working days in advance to: per.planning@lacity.org. Be sure to identify the language you need English to be translated into, and indicate if the request is for oral or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

**DETERMINATION
BY
ZONING
ADMINISTRATOR**

ESTINEH MAILIAN
INTERIM CHIEF ZONING ADMINISTRATOR
ASSOCIATE ZONING ADMINISTRATORS
JACK CHIANG
HENRY CHU
THEODORE L. IRVING
ALETA D. JAMES
FRANKLIN N. QUON
CHARLES J. RAUCSH JR.
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

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<http://planning.lacity.org>

February 28, 2019

Lila Eilat and Mark Silber (A)(O)
Sierra Romaine, LLC
508 N. Larchmont Boulevard,
Los Angeles, CA 90004

Nicole Kuklok-Waldman (R)
Collaborate Inc.
555 West 5th Street, # 3500,
Los Angeles, CA 90013

CASE NO. ZA-2016-4729-ZV
ZONE VARIANCE
5442 - 5446 W. Sierra Vista Avenue and
5443 - 5445 W. Romaine Street
Hollywood Community Plan
Zone : RD1.5-1XL
D. M. : 144B193
C. D. : 13 – O'Farrell
CEQA : ENV-2016-4730-CE
Legal Description: Lot Nos. 33 and 34;
Sierra Vista Tract, and Lot 9; Block A;
Kenneth Place Tract

Pursuant to California Environmental Quality Act (CEQA), I hereby DETERMINE:

based on the whole of the administrative record, that on October 10, 2018, the project was issued a Notice of Exemption No. ENV-2016-4730-CE for a Categorical Exemption. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15301. There is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies; and,

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code (LAMC) Section 12.27, I hereby APPROVE:

a variance from LAMC Section 12.09.1 B.4 to permit a 36 dwelling-unit density within an existing multi-family residential building in lieu of a maximum 32 dwelling-unit density allowed by the previous R4 zone designation, prior to the Zone Change from R4 to RD1.5 in 1989 per Ordinance No. 164,690,

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A," except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for attachment to the subject case file.
7. Approved herein is a 36 dwelling-unit density for four (4) additional dwelling units at the basement level within an existing 32-unit multi-family residential building. The 33rd unit (Unit 1 in Exhibit "A") shall not exceed 599 square feet. The 34th unit (Unit 2 in Exhibit "A") shall not exceed 476 square feet. The 35th unit (Unit 3 in Exhibit "A") shall not exceed 422 square feet. The 36th unit (Unit 4 in Exhibit "A") shall not exceed 324 square feet.
8. Prior to issuance of building permits, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make the four (4) dwelling units available to affordable housing, at two (2) dwelling units set for Low Income Households and two (2) dwelling units set for Moderate Income Households, as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in the case file. The project shall comply with any monitoring requirements established by HCIDLA. Copies of documentation that such process has been initiated with HCIDLA, including a copy of the final covenant, shall be submitted to the Department of City Planning for inclusion in the case file.

9. No reduction of any required parking, parking variance, or deviation from any other Sections of LAMC has been requested or approved herein for the project. The required parking for four (4) additional dwelling units shall be provided in compliance with the provisions of the Municipal Code.
10. In lieu of registering the 33rd through 36th units as affordable housing units, the applicant may select other units within the building that are comparable in size and type with the 33rd through 36th units, but not less than 324 square feet, and register said four (4) units as Low Income Affordable Housing Units, subject to the review and approval of HCIDLA.
11. The applicant shall obtain all necessary building permits for the 33rd through 36th units to the satisfaction of the Department of Building and Safety and HCIDLA.
12. Prior to the issuance of a Certificate of Occupancy for the 33rd through 36th dwelling units, the applicant shall submit a plot plan for review and approval to the Fire Department. Said Department's approval shall be provided in the form of a stamp on the plans submitted for sign off to the Department of City Planning, Development Services Center.
13. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after MARCH 15, 2019, unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Downtown
Figueroa Plaza
201 North Figueroa
Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard,
Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on September 26, 2017, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a Variance as enumerated in Section 562 of the City Charter and Section 12.27 B.1 of the Los Angeles Municipal Code (LAMC) have been established by the following facts:

BACKGROUND

The project site consists of three (3) relatively flat, rectangular-shaped, contiguous lots totaling approximately 25,896 square feet in size. The site is considered a through lot with Lots 33 and 34 fronting Sierra Vista Avenue to the north and Lot 9 fronting Romaine Street to the south and street frontages of approximately 100 feet and 50 feet, respectively. The property has varying lot depths of approximately 189 feet along the westerly property line and 329 feet along the easterly property line.

The site is zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. There are two (2) building on the subject site: (1) a two-story, apartment building on Lots 33 and 34, permitted for 32 dwelling units with 22 required parking spaces per the Certificate of Occupancy issued on July 18, 1955 by the Los Angeles Department of Building Safety (LADBS); and (2) a two-story, apartment building on Lot 9, permitted for eight (8) dwelling units and six (6) required parking spaces per the Certificate of Occupancy issued on September 25, 1919 by LADBS. Both buildings are subject to the Rent Stabilization Ordinance.

According to the building permits issued for the construction of these two buildings, the project site was zoned R4, which allowed a total of 40 dwelling units on the subject property. However, the site's zone designation changed from R4 to RD1.5 in 1989 per Ordinance No. 164,690 as part of Assembly Bill (AB) 283 for the General Plan/Zone Consistency Program, making 40 existing dwelling units legally non-conforming. The variance request is to permit four (4) additional dwelling units (33rd through 36th units) in

an existing 32-unit apartment building on Lots 33 and 34. These four (4) units are converted from the existing manager's office and storage rooms located at the basement level of the apartment building. There are no existing tenants occupying these four (4) proposed new units.

Ordinance No. 184,907, known as the Unpermitted Dwelling Unit (UDU) Ordinance, became effective as of May 17, 2017. The Ordinance established a voluntary program that allows property owners to legalize qualifying unpermitted units, assuming all life-safety conditions are met. The proposed project to convert from the existing manager's office and storage rooms does not qualify to utilize the UDU Ordinance, as there have been no tenants occupying these areas.

The surrounding properties are zoned RD1.5-1XL and developed with single- and multi-family residential buildings.

Sierra Vista Avenue, adjoining the subject property to the north, is a Local Street with a designated right-of-way width of 60 feet and roadway width of 36 feet.

Romaine Street, adjoining the subject property to the south, is a Local Street with a designated right-of-way width of 60 feet and roadway width of 36 feet.

Previous zoning related actions on the site include:

Ordinance No. 164,690 – On May 16, 1989, the Ordinance changing the zone of the subject property from R4 to RD1.5 became effective.

Certificate of Occupancy Nos. 1954LA81195 and 1954LA93407 – On July 18, 1955, LADBS issued a Certificate of Occupancy for a new two-story, 32-unit apartment house, garage and office space with 22 required parking spaces on Lots 33 and 34.

Certificate of Occupancy No. 1954LA01705 – On April 22, 1955, LADBS issued a Certificate of Occupancy for a new two-story, eight-unit apartment house with six (6) required parking spaces on Lot 9.

Building Permit No. 1954LA81195 – On February 18, 1954, LADBS issued a building permit for the construction of a new two-story, 32-unit apartment house on Lots 33 and 34.

Building Permit Nos. 1919LA08275 and 1919LA08276 – On September 25, 1919, LADBS issued building permits for the construction of a new two-story, eight-unit apartment house on Lot 9.

Previous zoning related actions in the surrounding area include:

ZA-2011-0409-ZV – On March 7, 2013, the Zoning Administrator dismissed a variance from Ordinance No. 164,690 to permit 4,062 square feet of floor area in lieu of the 2,103 square feet otherwise allowed, and a variance from Ordinance No. 164,690 to permit a total of 11,904 square feet of floor area in lieu of the 9,252 square feet otherwise allowed in conjunction with the conversion of 5,212 square feet of attic

space into medical office/clinic, inasmuch as the ordinances no longer apply to the subject property. The Zoning Administrator also dismissed a variance from LAMC Section 12.21 A.4(d) to permit 25 required parking spaces in lieu of the 32 otherwise required for the medical office/clinic; and a variance from LAMC Section 12.21 A.4 to permit seven (7) of the 32 required parking spaces to be located off-site via a lease agreement in lieu of a recorded covenant, inasmuch as 21 parking spaces will be provided on-site and 10 parking spaces are being provided off-site by covenant for a project located at 1080 North Western Avenue.

ZA-2004-5148-ZV – On December 14, 2004, the Zoning Administrator denied a variance from LAMC Section 12.16 A.2(a)(8) to permit the operation of a 1,539-square-foot pool and billiards hall with seven (7) tables located in an existing mini-shopping center within 500 feet of a residential zone and having hours of operation from 6 p.m. to 2 a.m. daily for a project located at 936 ½ North Western Avenue.

ZA-1999-0604-ZV – On November 23, 1999, the Zoning Administrator denied a variance from LAMC Sections 12.16 A and 12.70 C to permit the establishment and operation of a 4,000-square-foot acupuncture therapy center within 500 feet of a residential zone and having hours of operation from 10 a.m. to 10 p.m. daily for a project located at 5665 Santa Monica Boulevard.

ZA-1997-0428-ZV – On July 30, 1997, the Zoning Administrator approved a variance from LAMC Section 12.21 A.4(d)(3) to permit the establishment of a 1,938-square-foot dental clinic/office and laboratory in an existing one-story mini-shopping center with 50 parking spaces, of which eight (8) spaces to be allocated to the proposed dental facility in lieu of the 10 spaces otherwise required in the C4-1D Zone for a project located at 954 North Western Avenue.

PUBLIC HEARING

A hearing was held on Tuesday, September 26, 2017, at approximately 9:30 a.m. in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles CA 90012. However, it was discovered later that the required hearing notices were never mailed out since no certified mailing affidavit was in the record or can be produced by the City's contract mailer. Therefore, the Zoning Administrator required a second hearing. A Notice of Public Hearing for the second hearing was sent to all property owners and occupants within 500 feet of the subject site. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. The lawfully notified hearing was held on Tuesday, January 15, 2019, at approximately 10:00 a.m. in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles, CA 90012.

The applicant provided the following comments:

- This is a second hearing of the same project.
- The property has three (3) lots with existing apartment buildings.
- The project is a conversion of several storage rooms and a manager's unit to four (4) dwelling units.

- The units will be located at the lowest level of the building.
- The applicant will set aside all four (4) units for affordable housing restricted to Low Income and Moderate Income levels, which is at 80 percent of Area Median Income (AMI) level with the Housing Department for 55 years.
- The applicant met with the Hollywood Studio District Neighborhood Council, and has been waiting for a response to go to the full board for a year.
- The new Ordinance for legalizing unpermitted dwelling units does not work for this project, because the proposed four (4) units are not occupied.
- There are no tenants in the proposed units currently. The project is a conversion, not a legalization of existing units.
- Parking will be compliant to the Code.
- The total floor area of the four (4) units will be approximately 1,820 square feet. There is no change in the building footprint or increase in the existing floor area.
- The plan check with LADBS is complete, and we are only waiting for the Planning sign off.

Keith Cornella, Hollywood Studio Neighborhood Council, Planning Land Use Management (PLUM) Committee:

- The use does not meet the Zone, and the applicant cannot make the hardship finding for the variance.
- There is no special circumstance to be considered for the variance.
- There is no merit in the justification for an approval.

Doug Haines, Hollywood Studio Neighborhood Council, PLUM Committee:

- The PLUM Committee unanimously vetoed the project; however, the project was never voted in the full board.
- The current zone only allows 17 units.
- Many areas are downzoned in the City.
- This is the densest area in Hollywood.
- Housing affordability has no relevance to the variance.
- Transit Oriented Communities program with a density increase would allow 29 units and yield more affordable units.
- It is a surprise to see Planning Department even accept the application at the counter.
- There is no change in the community plan. An approval is counter to AB283.

Ed Hunt, Hollywood Studio Neighborhood Council, PLUM Committee:

- He is a 40-year resident in the area.
- He echoes the comments of previous speakers.
- Parking in the area is extremely bad. There is no place to park.

At the closing of the September 26, 2017 hearing the Zoning Administrator stated that he is inclined to approve the project as requested, but he would take the case under advisement until a recommendation from the Neighborhood Council or Council District 13 is provided.

On May 3, 2018, the applicant stated that they met with the Neighborhood Council a few times, the Board not have a quorum to vote on the project one time; and then in a special meeting, the Land Use Committee of the Neighborhood Council voted to oppose the project. However, no formal recommendation from the Hollywood Studio District

Neighborhood Council was ever received. It is unclear whether or not the full Neighborhood Council reviewed the project. However, since it was discovered that the project never had a proper hearing notification, the case was reheard on January 15, 2019. The Zoning Administrator asked the Hollywood Studio Neighborhood Council PLUM members for a full board recommendation. If the Neighborhood Council still cannot form a quorum, the Zoning Administrator will close the advisement period on February 15, 2019, and issue a determination thereafter.

Communication

Council District 13 recommended that two (2) units be restricted to the Low Income level, and two (2) units be restricted to the Moderate Income level for affordable housing, on November 16, 2017.

Abundant Housing Los Angeles submitted a letter on August 26, 2017, in support of the project, stating that the greater Los Angeles region has a severe housing shortage, and the project is doing its part to address the shortage. The project is close to Metro Bus service and employment centers in Hollywood and Koreatown, and many neighborhood amenities, such as restaurants and retails, are within walking distance.

Hollywood Studio District Neighborhood Council submitted a letter on February 15, 2019, stating that its Planning and Land Use Management Committee oppose the variance request and voted accordingly.

VARIANCE FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and LAMC Section 12.27 must be made in the affirmative. Following is a delineation of the findings and the application of the relevant facts of the case to same:

- 1. The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The variance entails a request to permit 33rd through 36th dwelling units within the basement level of a two-story apartment building that is permitted for 32 dwelling units per the previous R4 Zone designation of the site, prior to the Zone Change to RD1.5 under Ordinance No. 164,690. Under the current RD1.5 Zone, the maximum density permitted by right for the entire 25,896-square-foot site is 17 dwelling units. However, building permit records and Certificates of Occupancy issued between 1919 and 1955 for the two existing building on the subject site, prior to the Zone Change in 1989, indicate that the building fronting on Sierra Vista Avenue to the north was permitted for a maximum of 32 dwelling units, and the building fronting on Romaine Street to the south was permitted for a maximum of eight (8) dwelling units, totaling 40 dwelling units on the site. The variance is required as the maximum density of 1,500 square feet of lot area per dwelling unit in the RD1.5 Zone does not allow four (4) additional units by right on the site. The

applicant proposes to convert a manager's office and six (6) storage rooms to three (3) studio units and one (1) one-bedroom unit.

Based on a review of the submitted radius map and a verification of the assessor's information on City's Zone Information Map Access System (ZIMAS), it is found that a proposed 36-unit density would be consistent with the existing development pattern on the same side of the block. Lots along the Sierra Vista Avenue on the northern side of the block including the project site have uniform dimensions of 50 feet by 189 feet. Several apartments, including the subject building, were developed occupying two lots. Many properties on the same block as the project site were constructed with high density, multi-family residential buildings. Lot Nos. 31 and 32 have a 45-unit apartment building; Lot Nos. 36 and 37 have a 50-unit apartment building; and Lot Nos. 44, 45, 46 and 47 have two separate 42-unit apartment buildings. Thus, the proposed 36-unit apartment conforms to the existing multiple family development pattern. In addition, when comparing to unit density per lot area in each lot on the same block, the project has lesser density per lot area count at an 18-unit density per its lot area compared to other lots. Lot No. 30 has a 32-unit density; Lot Nos. 31 and 32 have a 22.5-unit density each; Lot No. 35 has a 20-unit density; Lot Nos. 36 and 37 have a 25 unit density each; Lot No. 42 has a 24-unit density; and Lot Nos. 44, 45, 46, and 47 have a 21-unit density each. Therefore, the proposed 36-unit apartment density is consistent with other large size apartment buildings and the density per each lot area compared to other lots on the same block.

The strict application of the Zoning Code would result in practical difficulties inconsistent with the general purposes and intent of the zoning regulation. The strict application of the Zoning Code would also result in a hardship for the subject property in achieving a consistent legal non-conforming density and affordable housing while many immediate properties observe higher densities and housing production. The proposed site currently has spaces for four (4) potential residential units that could be occupied, when legally improved as dwelling units. However, these units are currently not habitable and available despite the strong demand for housing in the City. The variance is requested mainly due to the units not being occupied resulting in existing unpermitted dwelling units, which disqualifies the proposed dwelling units from utilizing the City's Unapproved Dwelling Unit Ordinance No. 184,907 to legalize these four (4) dwelling unit through a by-right building permit process. Had the previous owner or the applicant disregarded City laws and converted the spaces into dwelling units and rented them out to tenants, the dwelling units would have been able to be permitted under City's Unapproved Dwelling Unit Ordinance No. 184,907. The project does not propose any increase in the floor area, height, or building footprint. The existing mass, scale and bulk of the building will remain the same.

The denial of a variance would surly penalize the applicant for taking the appropriate development and the City permitting course and steps. The benefit of the variance grant is that the City gained four (4) affordable units for Low and Moderate Income households for 55 years. This grant recognizes the importance of the findings and notes that under this request, allowing four (4) dwelling units can result in the provision of affordable housing units. The grant also recognizes

the fact that the property was zoned R4 at one time which would yield a 64-unit density on the project site. Unlike this underdeveloped property, there are many properties in the area which were developed with a higher density according to the previous R4 Zone as aforementioned. In this instance, the variance grant has been tied to the 33rd through 36th units being reserved Low Income and Moderate Income Households as defined by the State and implemented and monitored by the Los Angeles Housing and Community Investment Department (HCIDLA). The approval of the units is contingent upon setting aside four (4) dwelling units for affordable housing units for a minimum period of 55 years, which must be registered with HCIDLA through a covenant.

Recently, the City announced a plan to build 100,000 new residential units in Los Angeles by 2021. Citing the immense housing shortage as well as the lack of affordable housing within the City, the Mayor announced a commitment to build and retain new housing units, and develop and retain affordable housing units. Recognizing the housing shortage the City is currently experiencing, the requirement to maintain four (4) units as affordable units will be a form of benefit provided to the community as well as the City to meet the stated goal of increasing the number of housing and affordable units in Los Angeles. However, it must be noted that without the ability to make the 33rd through 36th units affordable for Low Income and Moderate Income Households, the findings for the grant of a variance would otherwise be compromised. As such, a denial of the variance would create an unnecessary hardship in that the resulting density would not provide and retain additional needed affordable housing which can be accommodated on-site without any significant changes to the existing development pattern in the area or to the footprint of the existing building.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The project site consists of three (3) relatively flat, rectangular-shaped, contiguous lots totaling approximately 25,896 square feet in size. The site is considered a through lot with Lots 33 and 34 fronting Sierra Vista Avenue to the north and Lot 9 fronting Romaine Street to the south and street frontages of approximately 100 feet and 50 feet, respectively. The property has varying lot depths of approximately 189 feet along the westerly property line and 329 feet along the easterly property line. The site is zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. There are two (2) building on the subject site: (1) a two-story, apartment building on Lots 33 and 34, permitted for 32 dwelling units and 22 required parking spaces; and (2) a two-story, apartment building on Lot 9, permitted for eight (8) dwelling units and six (6) required parking spaces. The surrounding properties are also relatively flat, rectangular-shaped, zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. The area is developed with single- and multi-family developments.

There is a special circumstance that the project site has a lower density that do not apply generally to other properties on the same block. Many multiple family

developments took the full advantage of the allowable density under the previous R4 Zone, whereas the subject property was underdeveloped with a much less number of units. If the property was to build to the R4 density, the property would have 64 dwelling units. As aforementioned, based on a review of the assessor's information, the proposed 36-unit density would be consistent with the existing development pattern. Many properties along the southerly side of Sierra Vista Avenue were constructed with high density multiple family residential buildings. Lot Nos. 31 and 32 have a 45-unit apartment building; Lot Nos. 36 and 37 have a 50-unit apartment building; and Lot Nos. 44, 45, 46 and 47 have two separate 42-unit apartment buildings. Thus the proposed 36-unit apartment conforms to the existing multiple family residential development pattern. Also, when comparing to unit density per lot area in each lot on the same block, the project has a lesser density per lot area count at an 18-unit density per its lot area comparing to other lots. Lot No. 30 has a 32-unit density; Lot Nos. 31 and 32 have a 22.5-unit density each; Lot No. 35 has a 20-unit density; Lot Nos. 36 and 37 have a 25 unit density each; Lot No. 42 has a 24-unit density; and Lot Nos. 44, 45, 46, and 47 have a 21-unit density each. Therefore, the proposed 36-unit apartment density is consistent with other large size apartment buildings and the density per each lot area compared to other lots on the same block.

Also, the previous owner of the property and the applicant have been complying with the law without illegally converting the usable spaces to dwelling units and renting the units to tenants. Without the illegal rentals, the project does not qualify for the City's Unapproved Dwelling Unit Ordinance No. 184,907. The denial of a variance would surely penalize the applicant for taking the appropriate development and the City permitting course and steps. Additionally, the granting of the variance would allow for four (4) dwelling units to be set aside for Low Income and Moderate Income Households, and thereby increase the number of affordable housing units as well as the general housing supply in the City, which is currently experiencing a severe housing shortage.

3. **The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.**

The subject property is located in an area that is developed predominantly with multi-family residential developments with some single-family residences. All neighboring properties are zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. A majority of the existing developments along the southerly side of Sierra Vista Avenue exceed the by-right density requirement of 1,500 square feet of lot area per dwelling unit as these properties took the full advantage of the density permitted by the previous R4 Zone. Additionally, there are two (2) buildings on the same block that have more units than the proposed 36 dwelling units on the site. Additionally, based on the density per lot area, there are even more lots that contain higher density as their lot areas are half of the project site's area, but contain higher densities. The subject property would yield a 64-unit density had it been developed according to the R4

Zone density allowance. As such, the granting of the subject variance would allow the applicant the enjoyment of a substantial property use possessed by other properties within the vicinity while providing additional much needed affordable housing units the City. The approval of the four (4) dwelling units will result in the provision of affordable housing units for Low and Moderate Income Households in exchange for allowing four (4) additional units over the legally non-conforming density on the site. The approval of the units is contingent upon setting aside four (4) dwelling units for affordable housing units for a minimum period of 55 years, which must be registered with HCIDLA through a covenant.

4. **The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The 33rd through 36th units are converted from the existing manager's office and storage rooms located at the basement level of the existing apartment building. The applicant is not proposing any increase in the building's floor area, height, scale or mass. In fact, the existing building footprint will remain the same without any expansion. The property has maintained existing dwelling units with no detrimental impacts to the community. Since no request to waive any required parking has been submitted, the applicant will be required to provide parking in compliance with the Municipal Code. The subject property would continue to operate as a multi-family residential use, as it currently does. The applicant is required per a Condition of Approval to set aside four (4) units for Low and Moderate Income Households, which will serve as a benefit to the community and the City as a whole, which is experiencing a severe housing shortage. Additionally, the applicant is required to have the project reviewed and approved by other City Departments, including LADBS, Fire Department, and HCIDLA. Although the PLUM Committee of the Hollywood Studio Neighborhood Council opposes the variance, there is no other opposing comments received from abutting neighbors, nearby local residents, or interest parties. The applicant representative indicated that she attended the Neighborhood Council meeting held on February 11, 2019, during which the PLUM voted 6:5 to recommend denial, which demonstrates that there is still a strong support for the project despite the final vote. Aside from the PLUM Committee members, no other interested parties attended the public hearing on January 15, 2019, to speak against the project. Council District 13 is supportive of the project provided that the four (4) new dwelling units are subject to an affordable housing covenant for 55 years. Therefore, approval of four (4) units is not expected to be materially detrimental to the public welfare or impact nearby properties or improvements.

5. **The granting of the variance will not adversely affect any element of the General Plan.**

The General Plan sets forth goals, objectives, and programs that serve as the foundation for all land use decisions. The City of Los Angeles' General Plan consists of the Framework Element, seven State-mandated Elements including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Air Quality, Service Systems and Plan for a Healthy

Los Angeles. The Land Use Element is comprised of 35 community plans that establish parameters for land use decisions within those communities of the City. The Project site is located within the Hollywood Community Plan designates the property for Low Medium II Residential land uses with corresponding zones of RD1.5 and RD2. The approval of the 33rd through 36th dwelling units within an existing 32-unit apartment building conforms to the following goals, objectives and policies of the City's General Plan Elements:

Housing Element 2013-2021

GOAL 1: 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.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Objective 1.2: Preserve quality rental and ownership housing for households of all income levels and special needs.

Hollywood Community Plan

Objective 3: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.

The granting of the variance to permit four (4) dwelling units on a site permitted for a maximum of 40 legally non-conforming units would allow the production of four (4) additional affordable dwelling units. This would help to achieve the Housing Element's goal by producing additional housing units, and thus increasing the supply of housing. Additionally, by requiring four (2) units to be restricted to Low Income Households and (2) units to be restricted to Moderate Income Households, the project would increase the supply of affordable housing and satisfy the varying needs and desires of all economic segments of the community. Furthermore, the Conditions of Approval imposed herein require the applicant to submit a plot plan to the Fire Department and obtain a Certificate of Occupancy from LADBS, which would ensure that the four (4) units being permitted are habitable and safe. As such, the granting of the variance will not adversely affect any element of the General Plan.

ADDITIONAL MANDATORY FINDINGS

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No.

172,081, have been reviewed, and it has been determined that this project is located in Zone C, areas of minimal flooding.

7. On October 10, 2018, the subject project was issued a Notice of Exemption, Log Reference ENV-2016-4730-CE, for a Categorical Exemption, Class 1 of the State CEQA Statute and Guidelines, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 1: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

The project involves the approval of a conversion from existing storage rooms and a manager's unit into four (4) additional dwelling units within an existing multi-family residential building, which is permitted to have a maximum of 32 units. The proposed project is not a construction of a new building, and the project will not increase the floor area, footprint, or height of the existing building. Only an interior remodel is involved with the project. The only state-designated scenic highway in the City of Los Angeles is State Route 27, which is located approximately 22 miles to the west of the project site. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on these information, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

Inquiries regarding this matter shall be directed to Nuri Cho, Project Planner for the Office of Zoning Administration at (213) 978-1177.



JACK CHIANG
Associate Zoning Administrator

JC: NC

cc: Councilmember Mitch O'Farrell
Thirteenth District
Adjoining Property Owners

**APPEAL
WITH
ATTACHMENTS**

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part

Are specific conditions of approval being appealed? Yes No

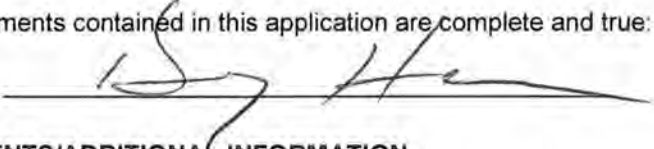
If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 03/14/2019

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

March 13, 2019

Doug Haines, La Mirada Avenue Neighborhood Association of Hollywood
P.O. Box 93596
Los Angeles, CA 90093-0596

Central Area Planning Commission
City of Los Angeles Planning Department
Los Angeles City Hall
200 N. Spring St., 2nd Floor
Los Angeles, CA 90012

Appeal of Case No.: ZA 2016-4729 (ZV); CEQA Case No.: ENV-2016-4730-CE.
Project Address: 5442-5446 Sierra Vista Ave., Hollywood.

Honorable Commission members:

This letter summarizes our neighborhood association's appeal of the grant of a variance to applicant Mark Silber of "Sierra Romaine, LLC" to allow an existing, non-conforming 32-unit apartment building constructed in 1954 to further increase its density to 36 units, despite the fact that for the past 30 years the established density permitted in this area would allow this site to have only a 12-unit apartment building.

In addition to our objections to the illegal grant of a variance, this case also raises due process concerns by the manner in which it has been improperly noticed and approved. The Notice of Public Hearing circulated to the public inaccurately describes the requested actions as including a Zone Variance "*to permit the conversion of an existing manager's office and storage rooms to four (4) residential units within an existing multi-family residential building on Lots 33 and 34 that is permitted to have a maximum of 32 units per the previous R4 zone designation, prior to the Zone change from R4 to RD1.5 in 1989 per Ordinance No. 164,690.*"

This description is deceptive and fails to alert the public to the requested action. The correct description of the request is for a Zone Variance to permit a total of 36 residential units in a non-conforming residential building, in lieu of the 12 units otherwise permitted in the RD1.5-1XL Zone.

Instead of basing his grant on the underlying RD1.5-1XL Zone, however, the Zoning Administrator's (ZA) determination letter repeatedly and improperly cites the High Density R4 Zone in its findings. The determination letter also improperly references a third parcel owned by the applicant that is improved with a different building and fronts another street. This third parcel has no relevance to the case except to confuse the public by inflating the combined lots' total square footage.

Other issues have not been addressed at all. The site is improved with a 2-level residential apartment building atop a sub-grade parking garage. The proposed four new dwelling units would be created by converting 3 existing storage rooms and a manager's office located in the basement into apartment units. The result would be s a 3-story residential building. Los Angeles Municipal Code (LAMC) Section 12.09.1.B.2(a) requires 5-foot side yards for two-story buildings, plus a foot for each additional story. The property currently has substandard side yards, and an additional entitlement is required. None of this has been addressed by the ZA.

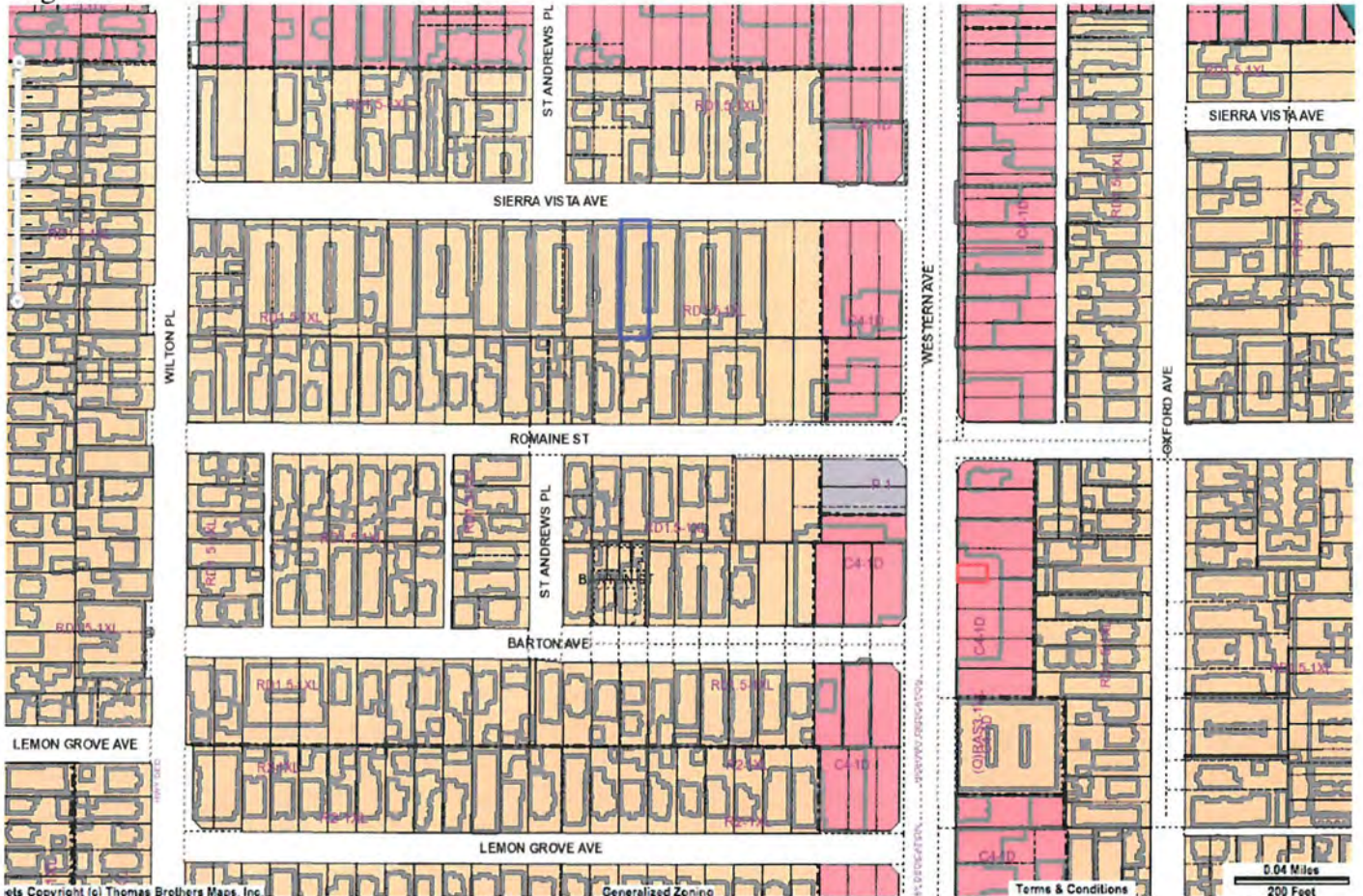
I. INTRODUCTION

The subject site is a level, 18,891 sq. ft. rectangular-shaped lot consisting of two parcels on Sierra Vista Ave. between Western Ave. and St. Andrews Pl. The property is located within the Hollywood Community Plan Area with a corresponding zone of Restricted Density RD1.5-1XL, which permits 1 unit per 1,500 sq. ft. of lot area and a 30-foot height limitation. The site is developed with a non-conforming, two-story, 23,344 sq. ft. courtyard apartment building constructed in 1954. There are 22 parking spaces for the 32 units, contained in a sub-grade basement garage. The applicant purchased the property in 2012.



Google Earth photo above of the subject property

The 5400 block of Sierra Vista Ave. consists of numerous non-conforming apartment buildings similar to the subject building, which has a density almost 300% greater than would be permitted today. The 1988 Hollywood Community Plan reduced the allowed density as a result of the imposition of Assembly Bill AB283, which required Los Angeles to make its community plans consistent with its General Plan. Subsequently, almost all of Hollywood – with the exception of the CRA Redevelopment Plan Area -- was downzoned from High Residential Density R4 to Restricted Density RD1.5 and lower. As a result, the subject site is non-conforming. If the existing apartment building were replaced with a new development, the underlying zoning would permit approximately 1/3rd the number of units it currently has.



Zoning map of subject site. All residential blocks in the area are similarly zoned Restricted Density RD1.5-1XL.



Google Earth photo showing aerial view of 5400 block of Sierra Vista Ave. .

The 1980s density change applies to all properties in the zone. Due to this, the applicant greatly benefits by possessing an apartment building with a unit count far in excess of what the law otherwise permits.

The applicant purchased the property in 2012 and was therefore fully aware of the limitations imposed upon this area, meaning that the applicant's subsequent claim of any hardship is entirely self-imposed.

II. OBJECTIONS

Before discussing the defects in the Zoning Administrator's findings, we respectfully note several other problems with the decision.

First, it is not proper for the applicant to seek a "variance" to convert a manager's office and storage rooms into residential units. The purpose of a variance is to remedy a disparity, not to circumvent the legislative intent of the City Council, which in this case designated the site thirty years ago for restricted density residential uses after being sued by the State of California. Further, the City Council does not propose to change that Restricted Density designation in the Hollywood Community Plan Update.

Government Code § 65906 states that a variance "shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property." Given that the subject property is zoned RD1.5, the grant of a variance to permit further densification of the site circumvents legislative review of a zone change, which would normally be sought for the proposed use.

As explained in Topanga Association for a Scenic Community v. County of Los Angeles (1974) 11 Cal. 3d 506, 509.

"In the absence of an affirmative showing that a particular parcel in a certain zone differed substantially and in relevant aspects from other parcels therein, a variance granted with respect to that parcel amounted to the kind of 'special privilege' explicitly prohibited by Government Code § 65906, establishing criteria for granting variances."

Second, there has been much discussion that the subject property was formerly located in the R4 Zone, and that the applicant's request of the variance is merely a slight increase from that designation. However, the prior allowed density is irrelevant to the current application. The prior permitted density was consistent with the previous zoning, but became a nonconforming use when the zoning was changed thirty years ago. It therefore does not stand as a precedent for a variance. A nonconforming use must be phased out, not continued or expanded.

As stated in County of San Diego v. McClurken, 37 Cal.2nd 683 (1951), "[g]iven the objective of zoning to eliminate nonconforming uses, courts throughout the country generally follow a strict policy against their extension or enlargement." In Sabek Inc. v. County of Sonoma (1987) 190 Cal. App. 3rd 163, the court held:

“The ultimate purpose of zoning is to confine certain classes of buildings and uses to particular localities and to reduce all nonconforming uses within the zone to conformity as speedily as is consistent with proper safeguards for the interests of those affected. Any change in the premises which tends to give permanency to, or expands the nonconforming use would not be consistent with this purpose.”

Because a nonconforming use “endangers the benefits to be derived from a comprehensive zoning plan” (City of Los Angeles v. Gage (1954) 127 Cal. App. 2nd 442, 459), the law aims to eventually eliminate it (City of Los Angeles v. Wolfe (1971) 6 Cal. 3rd 326, 337). “The underlying spirit of a comprehensive zoning plan necessarily implies the restriction, rather than the extension, of a nonconforming use of land...” County of Orange v. Goldring (1953) 121 Cal. App. 2nd 442, 447.

Third, the City Charter, the Municipal Code and California statutory law all require that a variance from a zoning ordinance must show that the applicant would suffer practical difficulties and unnecessary hardships in the absence of the variance, that these hardships result from special circumstances relating to the property that are not shared by other properties in the area, and that the exception is necessary to bring the applicant into parity with other property owners in the same zone and vicinity.

As explained by the California Supreme Court with reference to the standards for granting variances under Government Code Section 65906: “That section permits variances ‘*only* when, because of *special* circumstances applicable to the property, . . . the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.’” Topanga, supra at 520 (italics in original), quoting Gov. Code § 65906.

The ZA’s list of previous zoning related actions in the surrounding area offers no examples of variances being granted in the last twenty years. Case No. ZA-2011-0409-ZV, which sought a variance to allow the conversion of an attic in a commercial office building into additional floor area, was dismissed in 2013 over outrage from community members and the neighborhood council; similarly, Case Nos. ZA-2004-5148-ZV and ZA-1999-0604-ZV, which sought to allow unpermitted uses within 500 feet of residential zones, were both denied.

The applicant purchased the subject property in 2012 as non-conforming, 32-unit apartment building with 22 parking spaces in the RD1.5-1XL Zone when the zoning permits only 12 units on the site. The existing building would also require 50 parking stalls under the current LAMC requirements. The owner therefore enjoys special privileges in his ability to maintain a high-density building in a restricted density zone, with less than half of the parking stalls that would otherwise be required today. To grant the variance in this case to further increase the value of the property would not place the owner on parity with others, but would instead *establish* precedent.

Crucially, the City’s approvals disregard the core values underpinning our zoning system. As the California Supreme Court held in Topanga, a zoning scheme is a contract in which “*each party foregoes rights to use its land as it wishes in return for the assurance that the use of neighboring property will be similarly restricted, the rationale being that such mutual restriction can enhance total community welfare.*” (Id. at 517).

These principles led the Supreme Court to hold that “self-imposed burdens cannot legally justify the granting of a variance.” Broadway, Laguna, Vallejo Assn. v. Board of Permit Appeals of City and County of San Francisco (1967) 66 Cal.2d at 774, 778.

As further noted in Section 12.27.D of the Los Angeles Municipal Code (LAMC): “The Zoning Administrator may deny a variance if the conditions creating the need for the variance were self imposed.” In this case, the hardship is entirely self-imposed. The applicant therefore seeks to benefit by expanding his non-conforming use. This turns the purpose of a variance on its head.

It’s relevant to note that when the existing apartment building was constructed in 1954, the permit did not include the addition of a manager’s office and storage rooms. Instead, while the building was under construction an additional permit was sought to add the office and storage spaces “in the cellar.” This permit clearly states, however, “there will be no living quarters in cellar.”

3

APPLICATION TO ALTER, REPAIR, or DEMOLISH AND FOR A Certificate of Occupancy

CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY BUILDING DIVISION

Lot No. 33 E 34
 Tract SIERRA VISTA
 Location of Building 5446 Sierra Vista Ave
 (State Number and Street)
 Between what cross streets? Western Western
 Approved by City Engineer _____
 Deputy _____

USE INK OR INDELIBLE PENCIL

1. Present use of building APT. E. GARAGE Families 32 Rooms 96
(Where Specified, Apartment House, Hotel or other purpose)
 2. State how long building has been used for present occupancy Under const.
 3. Use of building AFTER alteration or moving Same Families 32 Rooms 98
 4. Owner Joseph Dean Phone 40-6841
 5. Owner's Address 1401 S. Broadway Dr. P. D. Los Angeles 34 Cal.
 6. Certified Architect _____ State License No. _____ Phone _____
 7. Licensed Engineer P. J. Tolien State License No. 55658 Phone WY 7706
 8. Contractor H. Klein State License No. _____ Phone YU 6841
 9. Contractor's Address 2401 S. Beverly Phone 1500 284 K

10. VALUATION OF PROPOSED WORK
(Including no labor and material cost of proposed work, including electrical, water, gas, plumbing, etc. materials, electrical wiring and elevator equipment, fixtures or devices)
 11. State how many buildings NOW on lot and give use of each. None
 12. Size of existing building 159 x 90 Number of stories high 2 Height to highest point 25
 13. Material Exterior Walls Stucco Exterior framework wood
(Wood, Steel or Masonry)
 14. Describe briefly all proposed construction and work.
Add office & storage rooms & 2 toilets & E. cellar
Managers
There will be no living quarters in cellar.
 (Signature) Joseph Dean

NEW CONSTRUCTION

15. Size of Addition _____ Size of Lot _____ x _____ Number of Stories when complete 1
 16. Footing: Width 24 Depth in Ground 24 Width of Wall 10 Size of Floor Joists 2x10 in. cell
 17. Size of Studs 2 x 6 Material of Floor Concrete Size of Rafters _____ Type of Roofing _____

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized hereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

Sign here _____
 (Name of Applicant Agent)

DISTRICT OFFICE _____
 By _____
 (Name of Assistant Agent)

PLAN CHECKING		OCCUPANCY SURVEY	
Valuation: \$200	1300	Area of Bldg: 50 sq. ft.	Investigator Fee: \$
Fee: 100	750	Per: \$	Cost of Occupancy Fee: \$
TYPE: <u>R</u>	GROUP: <u>32 families</u>	Permit Fee: \$	Total: \$
GROUP: <u>142, 63, 51</u>	GROUP: <u>R-4</u>	Permit Fee: \$	Permit Fee: \$
Permit Fee: \$	Permit Fee: \$	Permit Fee: \$	Permit Fee: \$
Permit Fee: \$	Permit Fee: \$	Permit Fee: \$	Permit Fee: \$
Permit Fee: \$	Permit Fee: \$	Permit Fee: \$	Permit Fee: \$

DO NOT WRITE BELOW THIS LINE

TYPE OF RECEIPT	DATE ISSUED	TRACER NO. (M)	RECEIPT NO.	CODE	FEES PAID
Plan Checking	Jun 27 54		K 51961		100 (6.8.5)
Supplemental Plan Checking	Jul 1 1954		LA54208		
Building Permit	Jul 6 1954		LA93407		

14. Describe briefly all proposed construction and work:
Add office & storage rooms & 2 toilets & cellar
Penangis
There will be no living quarters in cellar (Lechner)

NEW CONSTRUCTION

15. Size of Address... Size of Lot... x... Number of Stories... 1

It's implausible to grant a variance in this matter, as the applicant has presented no basis for a plausible hardship. As stated in McQuillin: The Law of Municipal Corporations, a leading treatise cited for a related point by the Supreme Court in Broadway, Laguna, supra, 66 Cal.2d at 775:

“In order for a landowner to be entitled to a hardship variance, the hardship must originate from circumstances beyond the control of the landowner and be of a type that does not generally affect other properties in the district. If the landowner can control the circumstances causing the hardship, then the granting of a variance is improper. No undue hardship is shown where the landowner could accomplish the same objective without a variance by changing his or her plans so that they conform to the existing zoning requirements.

“The concept might be better understood, however, by examining what ‘practical difficulty’ or ‘unnecessary hardship’ is not. It is not mere hardship, inconvenience, interference with convenience or economic advantage, disappointment in learning that land is not available for business uses, financial or pecuniary hardship or disadvantage, loss of prospective profits, prevention of an increase of profits, or prohibition of the most profitable use of property.” (8 McQuillin Mun.Corp. § 25:179.37, 3rd ed. 2010). (Emphasis added).

FINDINGS

There are five findings required for a variance and in order to grant the variance, all five findings must be made. If even a single finding cannot be made, the variance must be denied.

City Charter Section 562 and LAMC Section 12.27.D require that a variance approval must be supported by evidence of all of the following:

- 1) That strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;
- 2) That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;
- 3) That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone or vicinity but which, because of special circumstances and practical difficulties and unnecessary hardships is denied to the property in question;

- 4) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located; and
- 5) That the granting of the variance will not adversely affect any element of the General Plan.

In reviewing the Zoning Administrator's findings, it's important to keep in mind the special circumstances necessary to justify a variance -- that because of the subject property's size, shape and topography the land is otherwise unusable unless a variance is granted.

As noted, in the case of variances specifically, Topanga establishes a three-pronged analysis. In this case, the applications are devoid of any factual support to satisfy the showings. Instead of adhering to a rigorous standard of review, the Zoning Administrator treats this case as if the request is for a conditional use permit, where enhancing the built environment, providing essential services, and achieving neighborhood compatibility are the justifications necessary for approval.

As stated by the Court of Appeal in Orinda Association v. Board of Supervisors of Contra Costa (1986) 182 Cal.App.3d at 1147.

“[I]n focusing on the qualities of the property and Project for which the variance is sought, the desirability of the proposed development, the attractiveness of its design, the benefits to the community, or the economic difficulties of developing the property in conformance with the zoning regulations, lack legal significance and are simply irrelevant to the controlling issue of whether strict application of zoning rules would prevent the would-be developer from utilizing his or her property to the same extent as other property owners in the same zoning district.” Orinda Association v. Board of Supervisors of Contra Costa (1986) 182 Cal.App.3d 1145, 1166.

Required Finding Number 1

The first finding relates to practical difficulties or unnecessary hardships if the variance is not granted.

The fact that the owner may be able to make more money with a variance is not an unnecessary hardship. The question is whether, without the variance, he cannot make a reasonable return on the property. In considering – and overturning – another variance granted by the City in Stolman v. City of Los Angeles (2003) 114 Cal.App.4th 916, 926, the Court held that:

“If the property can be put to effective use, consistent with its existing zoning without the deviation sought, it is not significant that the variance sought would make the applicant's property more valuable, or that it would enable him to recover a greater income...Abuse of discretion is established if the court determines that the findings are not supported by substantial evidence in the light of the whole record.”

No such substantial evidence has been provided by the applicant or is documented within the first finding. Nor is the City to guess about the missing evidence. The burden is on the applicant to submit sufficient materials to support his application – and to have submitted it to the zoning administrator prior to or at the public hearing.

Yet the ZA never addresses this issue in his findings, which barely mention that the site is zoned Restricted Density RD1.5. Instead, the Zoning Administrator constantly references the R4 Zone as a basis for approving the grant, even though the site hasn't been zoned R4 for thirty years, and was downzoned by the elected legislative body in response to losing a lawsuit brought against it by the State of California.

The authority of the Zoning Administrator does not supersede the intent of the legislative body. The first finding requires that a determination be made that “*strict application of the provision of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*”

The purpose and intent of the RD1.5 Zone is to restrict density. LAMC Section 12.09.1.B.4 limits the number of units in the RD1.5 Zone to one per 1,500 sq. ft. of lot area. The variance sought by the applicant is not for relief from the restrictions of the R4 Zone, which limits density to one unit per 400 sq. ft. of lot area. Yet the ZA abuses his discretion by continually referencing the wrong zoning classification to justify his findings. The ZA has no authority to grant relief based upon the restrictions of a different zone.

The ZA bases his findings almost exclusively on a false narrative that “*the property was zoned R4 at one time which would yield a 64-unit density on the project site.*” This is flat out false on two fronts: 1) The ZA is including a third parcel to inflate the lot area, but the third parcel fronts a different street, is improved with a different building, will not have any construction related to the proposed conversions, and has no relevancy to the project except that it is a property also owned by the applicant. In other words, the reference is a ruse to make it appear that the site is entitled to a much greater density than is actually allowed. 2) Current zoning is the law, and it's the zoning administrator's duty to enforce the law.

By ignoring this fundamental requirement, the ZA has clearly abused his discretion. The ZA states in the first finding that increasing the project site's density “*conforms to the existing multiple family development pattern*” in the area, but whatever development pattern may have occurred decades ago is not a legal justification to ignore the zoning restrictions of today. The project seeks to increase the number of dwelling units in a nonconforming building that already has almost three times the number of permitted units. The “existing multiple family development pattern,” as mandated by the legislative body, is one residential unit per 1,500 sq. ft. of lot area. In the case of the subject site, that means 12 units are permitted, not 64.

The ZA further states that increasing the subject site's density “*would be consistent with the existing development pattern on the same side of the block.*” Again, the finding is whether or not the intensification of density would be consistent with the general purposes and intent of the zoning regulations, not whether or not a “development pattern” occurred in post World War II Hollywood.

The ZA further claims that the grant is justified because “*denial of a variance would surly (sic) penalize the applicant for taking the appropriate development and the City permitting course and steps.*” The implications of this statement are concerning: Pay the entitlement fee and get whatever zoning you desire.

The ZA further abuses his discretion when he concludes his first finding by justifying the grant because “the City announced a plan to build 100,000 new residential units in Los Angeles by 2021...Recognizing the housing shortage the City is currently experiencing, the requirement to maintain four (4) units as affordable units will be a form of benefit provided to the community as well as the City to meet the stated goal.”

The Mayor’s announcement of proposed housing goals does not supersede the General Plan designation for the site. A zone variance is a relief mechanism when the land is otherwise unusable, not a bargaining tool. As noted by the Orinda court:

“In the absence of a specific ‘bonus’ or ‘merit’ system of zoning enacted by the municipal or county legislature, a variance applicant may not earn immunity from one code provision merely by over compliance with others. Otherwise, the board charged with reviewing development proposals would be empowered to decide which code provisions to enforce in any given case. That power does not properly repose in any administrative tribunal” Orinda supra, at 1147.

Even though a project’s perceived benefits have no bearing on the grant of a variance, it’s important to dispute the false claim that Hollywood is suffering from a shortage of available rental housing. Note below 2017 estimated population figures for the site’s Census Tract 1917.20. According to the U.S. Census Bureau, the tract has experienced an overall 13.5% population decline since 2010 while Los Angeles County has seen a 2.7% population increase, and California has experienced a 4.3% increase over the same period:

2017 American Community Survey

American Community Survey: Census Tract 1917.20, Los Angeles County

Population

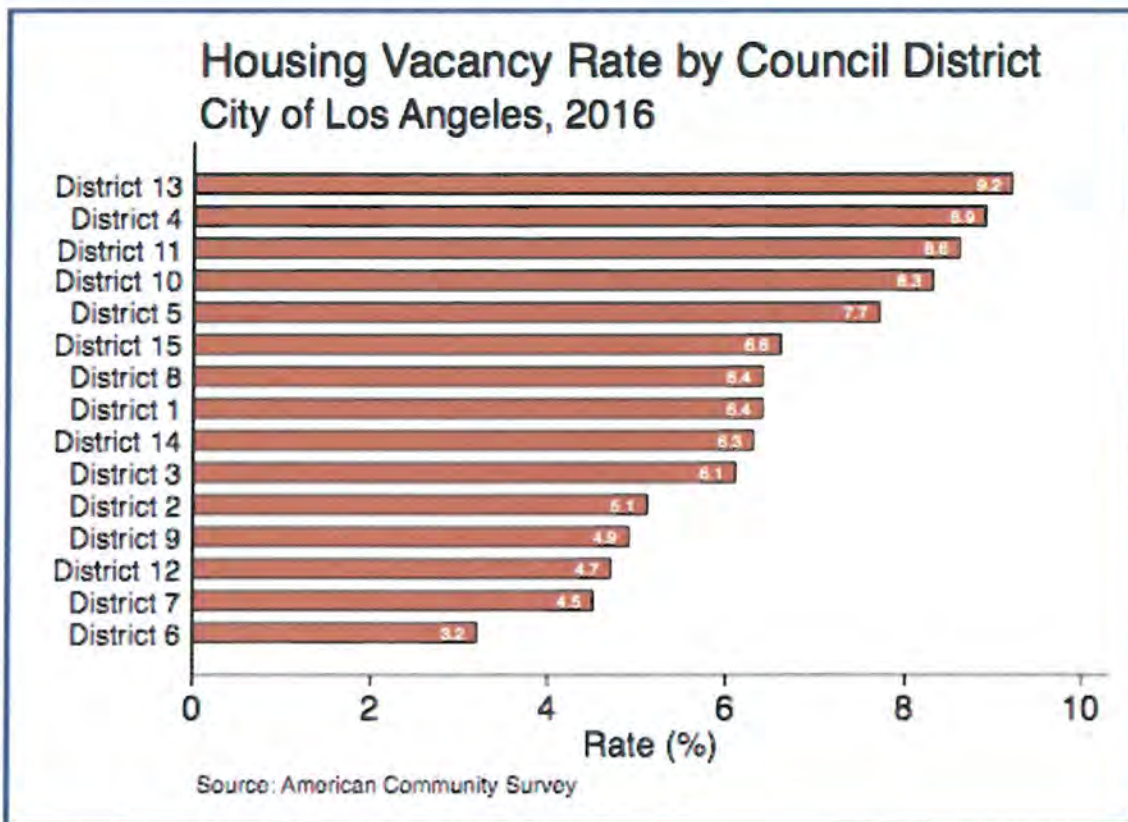
	Census Tract 1917.20, Los Angeles County, California	Los Angeles County, California	California	United States
Total Population	3,646	10,105,722	38,982,847	321,004,407
	-13.5% ↓	2.7% ↑	4.4% ↑	3.8% ↑
Total Population:	2,004	4,979,641	19,366,579	158,018,753
Male	55.0%	49.3%	49.7%	49.2%
	-11.7% ↓	2.6% ↑	4.3% ↑	3.9% ↑
Total Population:	1,642	5,126,081	19,616,268	162,985,654
Female	45.0%	50.7%	50.3%	50.8%
	-15.6% ↓	2.8% ↑	4.5% ↑	3.7% ↑

[← Back to Map](#)

The 2017 estimated population decline for Census Tract 1917.20 follows a 7.9% population decline for the tract from the year 2000 to 2010. Such numbers are consistent with Hollywood’s population losses overall, where the population has in fact experienced a steep and accelerating decline for decades. According to the official U.S. Census figures that were included in the 2012 Hollywood Community Plan Update Final EIR, the Hollywood Plan area declined in population by 3,088 persons from 1990 to 2000, and further declined by 12,596 people from 2000 to 2010. These measured decreases occurred while the Southern California Association of Governments (SCAG) was erroneously estimating that the Hollywood plan area was experiencing an increase of 25,000 people.

Ironically, some of the largest population declines in Hollywood were in census tracts adjacent to Metro subway stops. Similar significant population reductions were recorded in the census tracts radiating out from the Red Line stops, showing a consistent exodus of people from Hollywood. L.A.’s City Planning Department acknowledged this trend in its environmental analysis for the 2012 updated Hollywood Community Plan, eliminating all references in the Final EIR to population growth as a basis for approving more development in the Hollywood area.

According to the Los Angeles Area Chamber of Commerce in its annual “Economic Report by Council Districts,” council district 13 has the highest residential vacancy rate in Los Angeles at 9.2 percent. The second highest vacancy rate is within council district 4 at 8.9 percent. The greatest bordering area for those two council districts is Hollywood, with its declining population trend. What therefore is the justification for increases in development, rather than more *restrictions* on development?



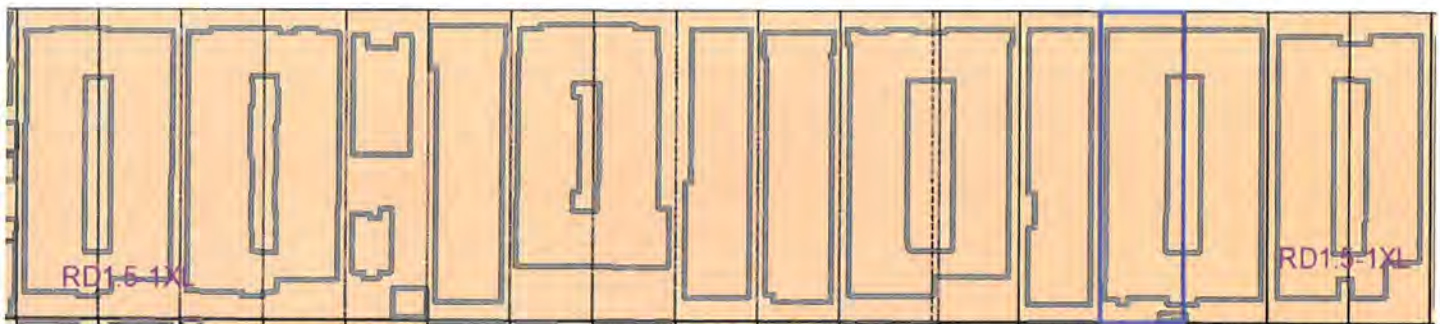
It is indisputable, therefore, that the strict application of the provisions of the zoning ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations, and the first finding cannot be made.

Required Finding Number 2

The “special circumstances” finding required for a variance involves distinguishing the property from other properties in the same zone and vicinity. Per California case law, special circumstances are typically limited to unusual physical characteristics of the property, such as its size, shape, topography, location, or surroundings that restrict its development.

Here the property is a level, rectangular, double lot with improvements that are remarkably similar to other improved lots in the 5400 block of Sierra Vista Ave. The zoning map in the record shows that the property is identical to other parcels in the land’s size, shape, topography, location and surroundings.

SIERRA VISTA AVE

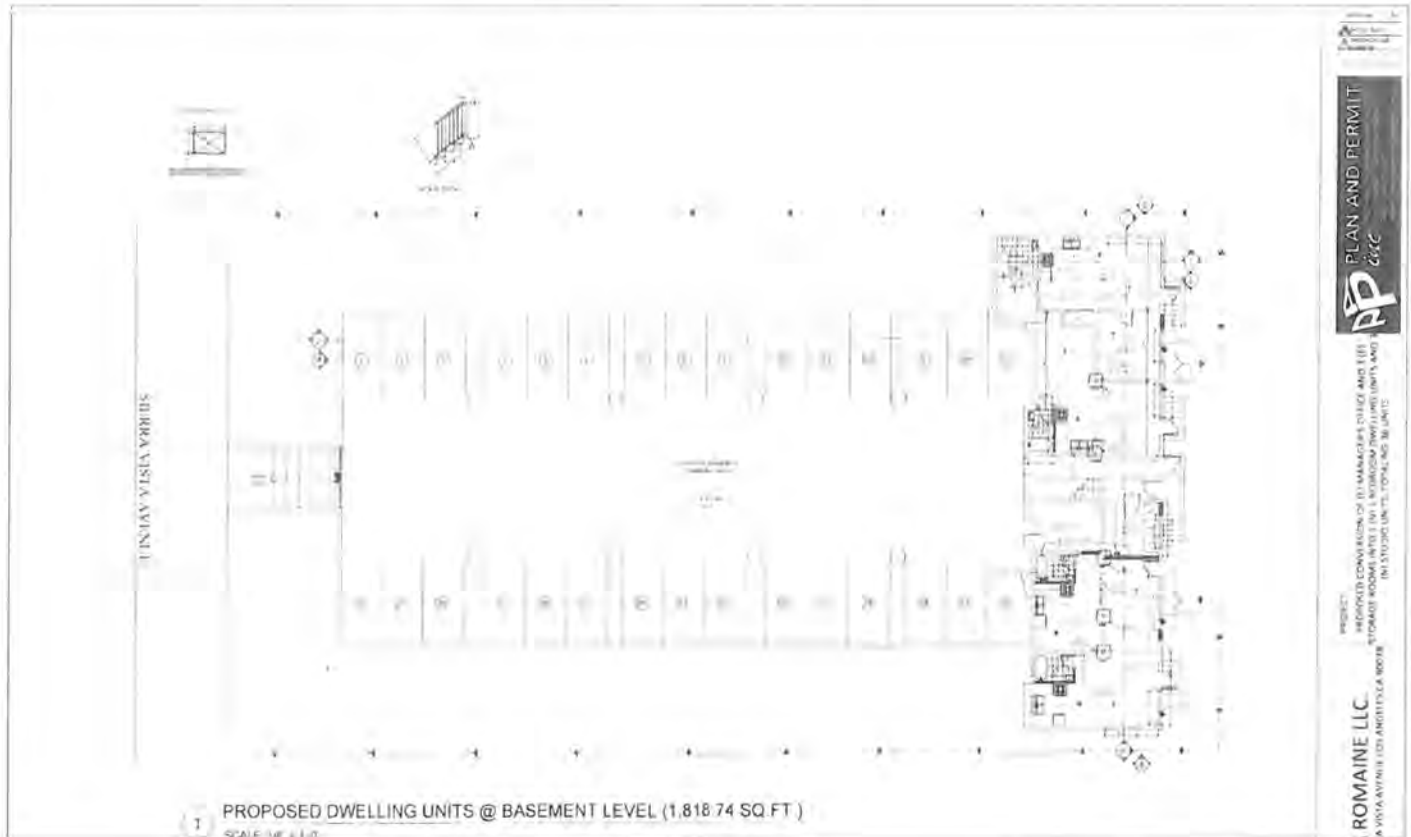


Yet the second finding again mischaracterizes the subject property, claiming: “*The project site consists of three (3) relatively flat, rectangular-shaped, contiguous lots*” when the proposed development is on two parcels, not three, and that the site is comprised of two buildings when there is only one. This finding also repeats the bald claim that the property could build 64 dwelling units, stating that the subject property is “underdeveloped,” and “*if the property was to build to the R4 density, the property would have 64 dwelling units.*”

The property cannot build to the R4 density. The ZA’s refusal to acknowledge this clear fact, and to instead ignore that the RD1.5 zoning restricts the site to 12 units is a clear abuse of discretion.

“There is no room for the zoning administrator to interpret the resolution contrary to its express terms, and we do not read these code sections so broadly as to grant to the zoning administrator this remarkable authority. That the administrator may choose among various enforcement mechanisms to secure compliance with the code, does not grant him authority to ignore the express requirement of the condition adopted by the commission. This is particularly the case where the condition is for the public benefit.” Terminal Plaza Corp. v. City and County of San Francisco (1986) 186 Cal.App.3d at 834.

Note below the applicant's submitted construction plan showing that the proposed 4 dwelling units are all located in the basement of the 32-unit, nonconforming apartment building on Sierra Vista Ave., and are not encroaching onto any adjacent parcels or buildings.



The second finding also repeats the ZA's contention from the first finding that *"the denial of a variance would surly (sic) penalize the applicant for taking the appropriate development and the City permitting course and steps,"* reasoning that the applicant could have instead illegally converted the storage rooms and then qualified for the City's Unapproved Dwelling Unit Ordinance No. 184,907. This is not only irrelevant to the grant of a hardship variance, but it is also simply not true.

The Unapproved Dwelling Unit Ordinance cannot be utilized unless the property complies with the applicable zoning code, with an allowance under Subdivision 10(d)(1) that the number of units to be legalized *"can be increased up to 35 percent over the otherwise maximum allowable residential density."* The underlying zoning permits 12 units on the site, not the 32 units that currently exist. A 35% density increase would permit 16 units total, or half of the 32 units that the site already has.

The Unapproved Dwelling Unit Ordinance also limits legalization of such units to those occupied between December 11, 2010 and December 10, 2015. The property owner submitted his variance request in June of 2016, and therefore cannot claim that the ordinance is somehow applicable – even if the Unapproved Dwelling Unit Ordinance were somehow relevant, which it is not.

Neither the Applicant nor the Zoning Administrator has provided any evidence demonstrating that the subject property cannot be put to effective use without the variance, when in fact the property has been effectively used for 65 years. There are simply no special circumstances related to the property's size, shape, topography, location or surroundings that distinguish it from other parcels in the same zone and vicinity. The finding therefore cannot be made and the variance must be denied.

Required Finding Number 3

Required finding number 3 relates to whether the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity, but which, because of special circumstances and practical hardships, is denied the property in question.

This required finding ties findings numbered 1 and 2 together: Are the special circumstances found in finding number 2 the cause of the hardship found in finding number 1? Is the variance necessary to bring the property owner into parity with other properties in the same zone and vicinity?

Conversely, California Government Code §65906 specifies that the exception cannot grant a special privilege:

“Any variance granted shall be subject to such conditions as will assume that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.”

The ZA fails to properly address this finding. The finding acknowledges that “*all neighboring properties are zoned RD1.5-IXL and designated for Low Medium II Residential land uses by the Hollywood Community Plan.*” The finding also confirms that other buildings in the vicinity are non-conforming. Yet the finding does not offer a single example of any of those nonconforming buildings having been granted a variance to further exceed the permitted density of the RD1.5 Zone. Nor does the finding identify any illegal units in those buildings that were legalized under Ordinance 184,907.

Instead, the finding again misrepresents the circumstances related to the required showings to grant a variance, falsely repeating that the subject property “*would yield a 64-unit density had it been developed according to the R4 Zone density allowance.*” Such nonsensical hardship claims are clearly attempts by the applicant to game the system.

“One who purchases property in anticipation of procuring a variance to enable him to use it for a purpose forbidden at the time of sale **cannot complain of hardship ensuing from a denial of the desired variance.**” City of San Marino v. Roman Catholic Archbishop of Los Angeles (1960) 180 Cal.App.2d at 673. (emphasis added).

The third finding cannot be made. The grant of a variance permitting further densification of a nonconforming 32-unit apartment building, when the underlying zoning would allow only 12 units on the site, is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity. The variance therefore must be denied.

Required Finding Number 4

The granting of the variance will be materially detrimental to the public welfare and injurious to the property or improvements in the same zone or vicinity in which the property is located in that it will establish precedent for similar requests, undermining the intent and purpose of the RD1.5-1XL Zone.

The granting of the variance will create precedent for a far more intensive densification in the subject area than was anticipated in the environmental analysis for the Hollywood Community Plan, which proposes no changes in the zoning for this area, and in the General Plan designation.

Yet rather than properly addressing this finding, the ZA evades the issue entirely, instead using the finding to discount community opposition as expressed by the Governing Board of the Hollywood Studio District Neighborhood Council, which did not support the requested entitlements at its February 11, 2019 regular meeting. Rather than adhere to the neighborhood council's official letter rejecting the application, the ZA instead quotes hearsay from the applicant's representative, twisting the neighborhood council's vote to deny the requested action into a demonstration of "*strong support for the project despite the final vote.*" This is complete hogwash.

The project claims to be categorically exempt from the California Environmental Quality Act (CEQA). Yet the proposed variance would create precedent to allow R4 density in the RD1.5 Zone. No analysis has been conducted to ascertain the potential cumulative impacts associated with other property owners seeking further densification in the same zone and vicinity that may be materially detrimental to the public welfare. These cumulative impacts may include traffic circulation/parking, public resources, population and housing, and others. The Zoning Administrator argues in the finding that a review of impacts to the public welfare is unnecessary because there were limited comments related to the entitlement request. This is an improper standard of review. An agency may not avoid its responsibility to prepare proper environmental analysis by failing to gather relevant data.

In Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296, 311, the First District Court of Appeal warned against such a "mechanical application" in situations where agencies have failed to gather the data necessary for an informed decision. The court indicated that CEQA review may be required even in the absence of concrete "substantial evidence" of potential significant impacts. The court explained that, because "CEQA places the burden of environmental investigation on government rather than the public," an agency "should not be allowed to hide behind its own failure to gather relevant data."

The ZA has failed to properly address this finding, and it therefore cannot be made.

Required Finding Number 5

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of Code requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Hollywood Community Plan designates the subject property for Multiple Dwelling land use with the corresponding zone of Restricted Density, RD1.5-1XL,

The General Plan specifically does not allow or encourage High Density Residential uses in the RD1.5-1XL Zone. The granting of the variance to allow triple the number of permitted residential units in the RD1.5 Zone is therefore inconsistent with the intent of the Hollywood Community Plan, and as such would adversely affect the Land Use Element of the General Plan.

Yet the text of the fifth finding purposely distorts the required analysis, stating that the grant of the variance conforms to the objectives and policies of the City's General Plan Elements "*on a site permitted for a maximum of 40 legally non-conforming units.*" This is patently false. Under the General Plan, the subject site is permitted to have a maximum of 12 residential units, not 40, and the variance is therefore in conflict with the restrictions of the General Plan.

Simply put, the granting of the variance and required finding number 5 cannot be made.

III. CONCLUSION

For the foregoing reasons, we respectfully request that the Commission reverse the decision of the Zoning Administrator.

Thank you,

A handwritten signature in black ink, appearing to read "Doug Haines". The signature is fluid and cursive, with a long horizontal stroke at the end.

Doug Haines, for the
La Mirada Avenue Neighborhood Association of Hollywood

DETERMINATION
LETTER

DETERMINATION
LETTER

DETERMINATION
LETTER

ESTINEH MAILIAN
INTERIM CHIEF ZONING ADMINISTRATOR
ASSOCIATE ZONING ADMINISTRATORS
JACK CHIANG
HENRY CHU
THEODORE L. IRVING
ALETA D. JAMES
FRANKLIN N. QUON
CHARLES J. RAUCSH JR.
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
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<http://planning.lacity.org>

February 28, 2019

Lila Eilat and Mark Silber (A)(O)
Sierra Romaine, LLC
508 N. Larchmont Boulevard,
Los Angeles, CA 90004

Nicole Kuklok-Waldman (R)
Collaborate Inc.
555 West 5th Street, # 3500,
Los Angeles, CA 90013

CASE NO. ZA-2016-4729-ZV
ZONE VARIANCE
5442 - 5446 W. Sierra Vista Avenue and
5443 - 5445 W. Romaine Street
Hollywood Community Plan
Zone : RD1.5-1XL
D. M. : 144B193
C. D. : 13 – O'Farrell
CEQA : ENV-2016-4730-CE
Legal Description: Lot Nos. 33 and 34;
Sierra Vista Tract, and Lot 9; Block A;
Kenneth Place Tract

Pursuant to California Environmental Quality Act (CEQA), I hereby DETERMINE:

based on the whole of the administrative record, that on October 10, 2018, the project was issued a Notice of Exemption No. ENV-2016-4730-CE for a Categorical Exemption. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15301. There is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies; and,

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code (LAMC) Section 12.27, I hereby APPROVE:

a variance from LAMC Section 12.09.1 B.4 to permit a 36 dwelling-unit density within an existing multi-family residential building in lieu of a maximum 32 dwelling-unit density allowed by the previous R4 zone designation, prior to the Zone Change from R4 to RD1.5 in 1989 per Ordinance No. 164,690,

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A," except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for attachment to the subject case file.
7. Approved herein is a 36 dwelling-unit density for four (4) additional dwelling units at the basement level within an existing 32-unit multi-family residential building. The 33rd unit (Unit 1 in Exhibit "A") shall not exceed 599 square feet. The 34th unit (Unit 2 in Exhibit "A") shall not exceed 476 square feet. The 35th unit (Unit 3 in Exhibit "A") shall not exceed 422 square feet. The 36th unit (Unit 4 in Exhibit "A") shall not exceed 324 square feet.
8. Prior to issuance of building permits, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make the four (4) dwelling units available to affordable housing, at two (2) dwelling units set for Low Income Households and two (2) dwelling units set for Moderate Income Households, as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in the case file. The project shall comply with any monitoring requirements established by HCIDLA. Copies of documentation that such process has been initiated with HCIDLA, including a copy of the final covenant, shall be submitted to the Department of City Planning for inclusion in the case file.

9. No reduction of any required parking, parking variance, or deviation from any other Sections of LAMC has been requested or approved herein for the project. The required parking for four (4) additional dwelling units shall be provided in compliance with the provisions of the Municipal Code.
10. In lieu of registering the 33rd through 36th units as affordable housing units, the applicant may select other units within the building that are comparable in size and type with the 33rd through 36th units, but not less than 324 square feet, and register said four (4) units as Low Income Affordable Housing Units, subject to the review and approval of HCIDLA.
11. The applicant shall obtain all necessary building permits for the 33rd through 36th units to the satisfaction of the Department of Building and Safety and HCIDLA.
12. Prior to the issuance of a Certificate of Occupancy for the 33rd through 36th dwelling units, the applicant shall submit a plot plan for review and approval to the Fire Department. Said Department's approval shall be provided in the form of a stamp on the plans submitted for sign off to the Department of City Planning, Development Services Center.
13. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after MARCH 15, 2019, unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Downtown
Figueroa Plaza
201 North Figueroa
Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard,
Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on September 26, 2017, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a Variance as enumerated in Section 562 of the City Charter and Section 12.27 B.1 of the Los Angeles Municipal Code (LAMC) have been established by the following facts:

BACKGROUND

The project site consists of three (3) relatively flat, rectangular-shaped, contiguous lots totaling approximately 25,896 square feet in size. The site is considered a through lot with Lots 33 and 34 fronting Sierra Vista Avenue to the north and Lot 9 fronting Romaine Street to the south and street frontages of approximately 100 feet and 50 feet, respectively. The property has varying lot depths of approximately 189 feet along the westerly property line and 329 feet along the easterly property line.

The site is zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. There are two (2) building on the subject site: (1) a two-story, apartment building on Lots 33 and 34, permitted for 32 dwelling units with 22 required parking spaces per the Certificate of Occupancy issued on July 18, 1955 by the Los Angeles Department of Building Safety (LADBS); and (2) a two-story, apartment building on Lot 9, permitted for eight (8) dwelling units and six (6) required parking spaces per the Certificate of Occupancy issued on September 25, 1919 by LADBS. Both buildings are subject to the Rent Stabilization Ordinance.

According to the building permits issued for the construction of these two buildings, the project site was zoned R4, which allowed a total of 40 dwelling units on the subject property. However, the site's zone designation changed from R4 to RD1.5 in 1989 per Ordinance No. 164,690 as part of Assembly Bill (AB) 283 for the General Plan/Zone Consistency Program, making 40 existing dwelling units legally non-conforming. The variance request is to permit four (4) additional dwelling units (33rd through 36th units) in

an existing 32-unit apartment building on Lots 33 and 34. These four (4) units are converted from the existing manager's office and storage rooms located at the basement level of the apartment building. There are no existing tenants occupying these four (4) proposed new units.

Ordinance No. 184,907, known as the Unpermitted Dwelling Unit (UDU) Ordinance, became effective as of May 17, 2017. The Ordinance established a voluntary program that allows property owners to legalize qualifying unpermitted units, assuming all life-safety conditions are met. The proposed project to convert from the existing manager's office and storage rooms does not qualify to utilize the UDU Ordinance, as there have been no tenants occupying these areas.

The surrounding properties are zoned RD1.5-1XL and developed with single- and multi-family residential buildings.

Sierra Vista Avenue, adjoining the subject property to the north, is a Local Street with a designated right-of-way width of 60 feet and roadway width of 36 feet.

Romaine Street, adjoining the subject property to the south, is a Local Street with a designated right-of-way width of 60 feet and roadway width of 36 feet.

Previous zoning related actions on the site include:

Ordinance No. 164,690 – On May 16, 1989, the Ordinance changing the zone of the subject property from R4 to RD1.5 became effective.

Certificate of Occupancy Nos. 1954LA81195 and 1954LA93407 – On July 18, 1955, LADBS issued a Certificate of Occupancy for a new two-story, 32-unit apartment house, garage and office space with 22 required parking spaces on Lots 33 and 34.

Certificate of Occupancy No. 1954LA01705 – On April 22, 1955, LADBS issued a Certificate of Occupancy for a new two-story, eight-unit apartment house with six (6) required parking spaces on Lot 9.

Building Permit No. 1954LA81195 – On February 18, 1954, LADBS issued a building permit for the construction of a new two-story, 32-unit apartment house on Lots 33 and 34.

Building Permit Nos. 1919LA08275 and 1919LA08276 – On September 25, 1919, LADBS issued building permits for the construction of a new two-story, eight-unit apartment house on Lot 9.

Previous zoning related actions in the surrounding area include:

ZA-2011-0409-ZV – On March 7, 2013, the Zoning Administrator dismissed a variance from Ordinance No. 164,690 to permit 4,062 square feet of floor area in lieu of the 2,103 square feet otherwise allowed, and a variance from Ordinance No. 164,690 to permit a total of 11,904 square feet of floor area in lieu of the 9,252 square feet otherwise allowed in conjunction with the conversion of 5,212 square feet of attic

space into medical office/clinic, inasmuch as the ordinances no longer apply to the subject property. The Zoning Administrator also dismissed a variance from LAMC Section 12.21 A.4(d) to permit 25 required parking spaces in lieu of the 32 otherwise required for the medical office/clinic; and a variance from LAMC Section 12.21 A.4 to permit seven (7) of the 32 required parking spaces to be located off-site via a lease agreement in lieu of a recorded covenant, inasmuch as 21 parking spaces will be provided on-site and 10 parking spaces are being provided off-site by covenant for a project located at 1080 North Western Avenue.

ZA-2004-5148-ZV – On December 14, 2004, the Zoning Administrator denied a variance from LAMC Section 12.16 A.2(a)(8) to permit the operation of a 1,539-square-foot pool and billiards hall with seven (7) tables located in an existing mini-shopping center within 500 feet of a residential zone and having hours of operation from 6 p.m. to 2 a.m. daily for a project located at 936 ½ North Western Avenue.

ZA-1999-0604-ZV – On November 23, 1999, the Zoning Administrator denied a variance from LAMC Sections 12.16 A and 12.70 C to permit the establishment and operation of a 4,000-square-foot acupuncture therapy center within 500 feet of a residential zone and having hours of operation from 10 a.m. to 10 p.m. daily for a project located at 5665 Santa Monica Boulevard.

ZA-1997-0428-ZV – On July 30, 1997, the Zoning Administrator approved a variance from LAMC Section 12.21 A.4(d)(3) to permit the establishment of a 1,938-square-foot dental clinic/office and laboratory in an existing one-story mini-shopping center with 50 parking spaces, of which eight (8) spaces to be allocated to the proposed dental facility in lieu of the 10 spaces otherwise required in the C4-1D Zone for a project located at 954 North Western Avenue.

PUBLIC HEARING

A hearing was held on Tuesday, September 26, 2017, at approximately 9:30 a.m. in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles CA 90012. However, it was discovered later that the required hearing notices were never mailed out since no certified mailing affidavit was in the record or can be produced by the City's contract mailer. Therefore, the Zoning Administrator required a second hearing. A Notice of Public Hearing for the second hearing was sent to all property owners and occupants within 500 feet of the subject site. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. The lawfully notified hearing was held on Tuesday, January 15, 2019, at approximately 10:00 a.m. in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles, CA 90012.

The applicant provided the following comments:

- This is a second hearing of the same project.
- The property has three (3) lots with existing apartment buildings.
- The project is a conversion of several storage rooms and a manager's unit to four (4) dwelling units.

- The units will be located at the lowest level of the building.
- The applicant will set aside all four (4) units for affordable housing restricted to Low Income and Moderate Income levels, which is at 80 percent of Area Median Income (AMI) level with the Housing Department for 55 years.
- The applicant met with the Hollywood Studio District Neighborhood Council, and has been waiting for a response to go to the full board for a year.
- The new Ordinance for legalizing unpermitted dwelling units does not work for this project, because the proposed four (4) units are not occupied.
- There are no tenants in the proposed units currently. The project is a conversion, not a legalization of existing units.
- Parking will be compliant to the Code.
- The total floor area of the four (4) units will be approximately 1,820 square feet. There is no change in the building footprint or increase in the existing floor area.
- The plan check with LADBS is complete, and we are only waiting for the Planning sign off.

Keith Cornella, Hollywood Studio Neighborhood Council, Planning Land Use Management (PLUM) Committee:

- The use does not meet the Zone, and the applicant cannot make the hardship finding for the variance.
- There is no special circumstance to be considered for the variance.
- There is no merit in the justification for an approval.

Doug Haines, Hollywood Studio Neighborhood Council, PLUM Committee:

- The PLUM Committee unanimously vetoed the project; however, the project was never voted in the full board.
- The current zone only allows 17 units.
- Many areas are downzoned in the City.
- This is the densest area in Hollywood.
- Housing affordability has no relevance to the variance.
- Transit Oriented Communities program with a density increase would allow 29 units and yield more affordable units.
- It is a surprise to see Planning Department even accept the application at the counter.
- There is no change in the community plan. An approval is counter to AB283.

Ed Hunt, Hollywood Studio Neighborhood Council, PLUM Committee:

- He is a 40-year resident in the area.
- He echoes the comments of previous speakers.
- Parking in the area is extremely bad. There is no place to park.

At the closing of the September 26, 2017 hearing the Zoning Administrator stated that he is inclined to approve the project as requested, but he would take the case under advisement until a recommendation from the Neighborhood Council or Council District 13 is provided.

On May 3, 2018, the applicant stated that they met with the Neighborhood Council a few times, the Board not have a quorum to vote on the project one time; and then in a special meeting, the Land Use Committee of the Neighborhood Council voted to oppose the project. However, no formal recommendation from the Hollywood Studio District

Neighborhood Council was ever received. It is unclear whether or not the full Neighborhood Council reviewed the project. However, since it was discovered that the project never had a proper hearing notification, the case was reheard on January 15, 2019. The Zoning Administrator asked the Hollywood Studio Neighborhood Council PLUM members for a full board recommendation. If the Neighborhood Council still cannot form a quorum, the Zoning Administrator will close the advisement period on February 15, 2019, and issue a determination thereafter.

Communication

Council District 13 recommended that two (2) units be restricted to the Low Income level, and two (2) units be restricted to the Moderate Income level for affordable housing, on November 16, 2017.

Abundant Housing Los Angeles submitted a letter on August 26, 2017, in support of the project, stating that the greater Los Angeles region has a severe housing shortage, and the project is doing its part to address the shortage. The project is close to Metro Bus service and employment centers in Hollywood and Koreatown, and many neighborhood amenities, such as restaurants and retails, are within walking distance.

Hollywood Studio District Neighborhood Council submitted a letter on February 15, 2019, stating that its Planning and Land Use Management Committee oppose the variance request and voted accordingly.

VARIANCE FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and LAMC Section 12.27 must be made in the affirmative. Following is a delineation of the findings and the application of the relevant facts of the case to same:

- 1. The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The variance entails a request to permit 33rd through 36th dwelling units within the basement level of a two-story apartment building that is permitted for 32 dwelling units per the previous R4 Zone designation of the site, prior to the Zone Change to RD1.5 under Ordinance No. 164,690. Under the current RD1.5 Zone, the maximum density permitted by right for the entire 25,896-square-foot site is 17 dwelling units. However, building permit records and Certificates of Occupancy issued between 1919 and 1955 for the two existing building on the subject site, prior to the Zone Change in 1989, indicate that the building fronting on Sierra Vista Avenue to the north was permitted for a maximum of 32 dwelling units, and the building fronting on Romaine Street to the south was permitted for a maximum of eight (8) dwelling units, totaling 40 dwelling units on the site. The variance is required as the maximum density of 1,500 square feet of lot area per dwelling unit in the RD1.5 Zone does not allow four (4) additional units by right on the site. The

applicant proposes to convert a manager's office and six (6) storage rooms to three (3) studio units and one (1) one-bedroom unit.

Based on a review of the submitted radius map and a verification of the assessor's information on City's Zone Information Map Access System (ZIMAS), it is found that a proposed 36-unit density would be consistent with the existing development pattern on the same side of the block. Lots along the Sierra Vista Avenue on the northern side of the block including the project site have uniform dimensions of 50 feet by 189 feet. Several apartments, including the subject building, were developed occupying two lots. Many properties on the same block as the project site were constructed with high density, multi-family residential buildings. Lot Nos. 31 and 32 have a 45-unit apartment building; Lot Nos. 36 and 37 have a 50-unit apartment building; and Lot Nos. 44, 45, 46 and 47 have two separate 42-unit apartment buildings. Thus, the proposed 36-unit apartment conforms to the existing multiple family development pattern. In addition, when comparing to unit density per lot area in each lot on the same block, the project has lesser density per lot area count at an 18-unit density per its lot area compared to other lots. Lot No. 30 has a 32-unit density; Lot Nos. 31 and 32 have a 22.5-unit density each; Lot No. 35 has a 20-unit density; Lot Nos. 36 and 37 have a 25 unit density each; Lot No. 42 has a 24-unit density; and Lot Nos. 44, 45, 46, and 47 have a 21-unit density each. Therefore, the proposed 36-unit apartment density is consistent with other large size apartment buildings and the density per each lot area compared to other lots on the same block.

The strict application of the Zoning Code would result in practical difficulties inconsistent with the general purposes and intent of the zoning regulation. The strict application of the Zoning Code would also result in a hardship for the subject property in achieving a consistent legal non-conforming density and affordable housing while many immediate properties observe higher densities and housing production. The proposed site currently has spaces for four (4) potential residential units that could be occupied, when legally improved as dwelling units. However, these units are currently not habitable and available despite the strong demand for housing in the City. The variance is requested mainly due to the units not being occupied resulting in existing unpermitted dwelling units, which disqualifies the proposed dwelling units from utilizing the City's Unapproved Dwelling Unit Ordinance No. 184,907 to legalize these four (4) dwelling unit through a by-right building permit process. Had the previous owner or the applicant disregarded City laws and converted the spaces into dwelling units and rented them out to tenants, the dwelling units would have been able to be permitted under City's Unapproved Dwelling Unit Ordinance No. 184,907. The project does not propose any increase in the floor area, height, or building footprint. The existing mass, scale and bulk of the building will remain the same.

The denial of a variance would surly penalize the applicant for taking the appropriate development and the City permitting course and steps. The benefit of the variance grant is that the City gained four (4) affordable units for Low and Moderate Income households for 55 years. This grant recognizes the importance of the findings and notes that under this request, allowing four (4) dwelling units can result in the provision of affordable housing units. The grant also recognizes

the fact that the property was zoned R4 at one time which would yield a 64-unit density on the project site. Unlike this underdeveloped property, there are many properties in the area which were developed with a higher density according to the previous R4 Zone as aforementioned. In this instance, the variance grant has been tied to the 33rd through 36th units being reserved Low Income and Moderate Income Households as defined by the State and implemented and monitored by the Los Angeles Housing and Community Investment Department (HCIDLA). The approval of the units is contingent upon setting aside four (4) dwelling units for affordable housing units for a minimum period of 55 years, which must be registered with HCIDLA through a covenant.

Recently, the City announced a plan to build 100,000 new residential units in Los Angeles by 2021. Citing the immense housing shortage as well as the lack of affordable housing within the City, the Mayor announced a commitment to build and retain new housing units, and develop and retain affordable housing units. Recognizing the housing shortage the City is currently experiencing, the requirement to maintain four (4) units as affordable units will be a form of benefit provided to the community as well as the City to meet the stated goal of increasing the number of housing and affordable units in Los Angeles. However, it must be noted that without the ability to make the 33rd through 36th units affordable for Low Income and Moderate Income Households, the findings for the grant of a variance would otherwise be compromised. As such, a denial of the variance would create an unnecessary hardship in that the resulting density would not provide and retain additional needed affordable housing which can be accommodated on-site without any significant changes to the existing development pattern in the area or to the footprint of the existing building.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The project site consists of three (3) relatively flat, rectangular-shaped, contiguous lots totaling approximately 25,896 square feet in size. The site is considered a through lot with Lots 33 and 34 fronting Sierra Vista Avenue to the north and Lot 9 fronting Romaine Street to the south and street frontages of approximately 100 feet and 50 feet, respectively. The property has varying lot depths of approximately 189 feet along the westerly property line and 329 feet along the easterly property line. The site is zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. There are two (2) building on the subject site: (1) a two-story, apartment building on Lots 33 and 34, permitted for 32 dwelling units and 22 required parking spaces; and (2) a two-story, apartment building on Lot 9, permitted for eight (8) dwelling units and six (6) required parking spaces. The surrounding properties are also relatively flat, rectangular-shaped, zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. The area is developed with single- and multi-family developments.

There is a special circumstance that the project site has a lower density that do not apply generally to other properties on the same block. Many multiple family

developments took the full advantage of the allowable density under the previous R4 Zone, whereas the subject property was underdeveloped with a much less number of units. If the property was to build to the R4 density, the property would have 64 dwelling units. As aforementioned, based on a review of the assessor's information, the proposed 36-unit density would be consistent with the existing development pattern. Many properties along the southerly side of Sierra Vista Avenue were constructed with high density multiple family residential buildings. Lot Nos. 31 and 32 have a 45-unit apartment building; Lot Nos. 36 and 37 have a 50-unit apartment building; and Lot Nos. 44, 45, 46 and 47 have two separate 42-unit apartment buildings. Thus the proposed 36-unit apartment conforms to the existing multiple family residential development pattern. Also, when comparing to unit density per lot area in each lot on the same block, the project has a lesser density per lot area count at an 18-unit density per its lot area comparing to other lots. Lot No. 30 has a 32-unit density; Lot Nos. 31 and 32 have a 22.5-unit density each; Lot No. 35 has a 20-unit density; Lot Nos. 36 and 37 have a 25 unit density each; Lot No. 42 has a 24-unit density; and Lot Nos. 44, 45, 46, and 47 have a 21-unit density each. Therefore, the proposed 36-unit apartment density is consistent with other large size apartment buildings and the density per each lot area compared to other lots on the same block.

Also, the previous owner of the property and the applicant have been complying with the law without illegally converting the usable spaces to dwelling units and renting the units to tenants. Without the illegal rentals, the project does not qualify for the City's Unapproved Dwelling Unit Ordinance No. 184,907. The denial of a variance would surely penalize the applicant for taking the appropriate development and the City permitting course and steps. Additionally, the granting of the variance would allow for four (4) dwelling units to be set aside for Low Income and Moderate Income Households, and thereby increase the number of affordable housing units as well as the general housing supply in the City, which is currently experiencing a severe housing shortage.

- 3. The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.**

The subject property is located in an area that is developed predominantly with multi-family residential developments with some single-family residences. All neighboring properties are zoned RD1.5-1XL and designated for Low Medium II Residential land uses by the Hollywood Community Plan. A majority of the existing developments along the southerly side of Sierra Vista Avenue exceed the by-right density requirement of 1,500 square feet of lot area per dwelling unit as these properties took the full advantage of the density permitted by the previous R4 Zone. Additionally, there are two (2) buildings on the same block that have more units than the proposed 36 dwelling units on the site. Additionally, based on the density per lot area, there are even more lots that contain higher density as their lot areas are half of the project site's area, but contain higher densities. The subject property would yield a 64-unit density had it been developed according to the R4

Zone density allowance. As such, the granting of the subject variance would allow the applicant the enjoyment of a substantial property use possessed by other properties within the vicinity while providing additional much needed affordable housing units the City. The approval of the four (4) dwelling units will result in the provision of affordable housing units for Low and Moderate Income Households in exchange for allowing four (4) additional units over the legally non-conforming density on the site. The approval of the units is contingent upon setting aside four (4) dwelling units for affordable housing units for a minimum period of 55 years, which must be registered with HCIDLA through a covenant.

4. **The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The 33rd through 36th units are converted from the existing manager's office and storage rooms located at the basement level of the existing apartment building. The applicant is not proposing any increase in the building's floor area, height, scale or mass. In fact, the existing building footprint will remain the same without any expansion. The property has maintained existing dwelling units with no detrimental impacts to the community. Since no request to waive any required parking has been submitted, the applicant will be required to provide parking in compliance with the Municipal Code. The subject property would continue to operate as a multi-family residential use, as it currently does. The applicant is required per a Condition of Approval to set aside four (4) units for Low and Moderate Income Households, which will serve as a benefit to the community and the City as a whole, which is experiencing a severe housing shortage. Additionally, the applicant is required to have the project reviewed and approved by other City Departments, including LADBS, Fire Department, and HCIDLA. Although the PLUM Committee of the Hollywood Studio Neighborhood Council opposes the variance, there is no other opposing comments received from abutting neighbors, nearby local residents, or interest parties. The applicant representative indicated that she attended the Neighborhood Council meeting held on February 11, 2019, during which the PLUM voted 6:5 to recommend denial, which demonstrates that there is still a strong support for the project despite the final vote. Aside from the PLUM Committee members, no other interested parties attended the public hearing on January 15, 2019, to speak against the project. Council District 13 is supportive of the project provided that the four (4) new dwelling units are subject to an affordable housing covenant for 55 years. Therefore, approval of four (4) units is not expected to be materially detrimental to the public welfare or impact nearby properties or improvements.

5. **The granting of the variance will not adversely affect any element of the General Plan.**

The General Plan sets forth goals, objectives, and programs that serve as the foundation for all land use decisions. The City of Los Angeles' General Plan consists of the Framework Element, seven State-mandated Elements including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Air Quality, Service Systems and Plan for a Healthy

Los Angeles. The Land Use Element is comprised of 35 community plans that establish parameters for land use decisions within those communities of the City. The Project site is located within the Hollywood Community Plan designates the property for Low Medium II Residential land uses with corresponding zones of RD1.5 and RD2. The approval of the 33rd through 36th dwelling units within an existing 32-unit apartment building conforms to the following goals, objectives and policies of the City's General Plan Elements:

Housing Element 2013-2021

GOAL 1: 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.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Objective 1.2: Preserve quality rental and ownership housing for households of all income levels and special needs.

Hollywood Community Plan

Objective 3: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.

The granting of the variance to permit four (4) dwelling units on a site permitted for a maximum of 40 legally non-conforming units would allow the production of four (4) additional affordable dwelling units. This would help to achieve the Housing Element's goal by producing additional housing units, and thus increasing the supply of housing. Additionally, by requiring four (2) units to be restricted to Low Income Households and (2) units to be restricted to Moderate Income Households, the project would increase the supply of affordable housing and satisfy the varying needs and desires of all economic segments of the community. Furthermore, the Conditions of Approval imposed herein require the applicant to submit a plot plan to the Fire Department and obtain a Certificate of Occupancy from LADBS, which would ensure that the four (4) units being permitted are habitable and safe. As such, the granting of the variance will not adversely affect any element of the General Plan.

ADDITIONAL MANDATORY FINDINGS

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No.

172,081, have been reviewed, and it has been determined that this project is located in Zone C, areas of minimal flooding.

7. On October 10, 2018, the subject project was issued a Notice of Exemption, Log Reference ENV-2016-4730-CE, for a Categorical Exemption, Class 1 of the State CEQA Statute and Guidelines, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 1: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

The project involves the approval of a conversion from existing storage rooms and a manager's unit into four (4) additional dwelling units within an existing multi-family residential building, which is permitted to have a maximum of 32 units. The proposed project is not a construction of a new building, and the project will not increase the floor area, footprint, or height of the existing building. Only an interior remodel is involved with the project. The only state-designated scenic highway in the City of Los Angeles is State Route 27, which is located approximately 22 miles to the west of the project site. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on these information, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

Inquiries regarding this matter shall be directed to Nuri Cho, Project Planner for the Office of Zoning Administration at (213) 978-1177.



JACK CHIANG
Associate Zoning Administrator

JC: NC

cc: Councilmember Mitch O'Farrell
Thirteenth District
Adjoining Property Owners

ENVIRONMENTAL CLEARANCE

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

CITY CLERK'S USE
DOCUMENT FILED
City Clerk's Office
NOV 19 08 2018
Certified by OS
11/28/18

LEAD CITY AGENCY
City of Los Angeles Department of City Planning

COUNCIL DISTRICT
13 – O'Farrell

PROJECT TITLE
5442-5446 W. Sierra Vista Ave. and 5443-5445 W. Romaine St.

LOG REFERENCE
ENV-2016-4730-CE

PROJECT LOCATION
5442-5446 W. Sierra Vista Ave. and 5443-5445 W. Romaine St.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
Conversion of storage and office space into a one-bedroom unit and three (3) studios within an existing multi-family residential building

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON
Nicole Kuklok-Waldman

AREA CODE | TELEPHONE NUMBER | EXT.
213-986-2131

EXEMPT STATUS: (Check One)		
	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> 9 MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> 9 DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> 9 EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> Y CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1
Class <u>1</u> Category <u>22</u> (City CEQA Guidelines)		
<input type="checkbox"/> 9 OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)	

JUSTIFICATION FOR PROJECT EXEMPTION: Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing. Category 22 consists of granting or renewal of a variance or conditional use for a nonsignificant change of use in an existing facility. Justification for project exemption to be included in the Determination Letter of the Proposed Project under Case No. ZA-2016-4729-ZV.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE <i>Nicole Kuklok-Waldman</i>	TITLE <i>City Planning Associate</i>	DATE <i>10/10/2018</i>
FEE:	RECEIPT NO.	REC'D. BY

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

Lila Eilat
NAME (PRINTED)

11/28/18
DATE

RECEIVED
CITY OF LOS ANGELES
Lila Eilat
SIGNATURE
SEP 25 2018
CITY OF LOS ANGELES
PROJECT FILE

COUNTY CLERK'S USE

CITY OF LOS ANGELES
CITY CLERK'S USE
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY: **City of Los Angeles Department of City Planning**
COUNCIL DISTRICT: 13 - O'Farrell
PROJECT TITLE: _____
LOG REFERENCE: ENV-2016-4730-CE

PROJECT LOCATION: **5442-5446 W. Sierra Vista Ave. and 5443-5445 W. Romaine St.**
DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
Legalization of 33-36th units consisting of a one-bedroom unit and three (3) studios within an existing multi-family residential building otherwise permitted for 32 units on Lots 33 and 34.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:
Joseph Pazcoguin
CONTACT PERSON: Joseph Pazcoguin
AREA CODE: 310-619-1977 | TELEPHONE NUMBER: _____ | EXT.: _____

EXEMPT STATUS: (Check One)		STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/>	9 MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/>	9 DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/>	9 EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/>	Y CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1

Class 1 Category 22 (City CEQA Guidelines)
9 OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing. Category 22 consists of granting or renewal of a variance or conditional use for a nonsignificant change of use in an existing facility. Justification for project exemption to be included in the Determination Letter of the Proposed Project under Case No. ZA-2016-4729-ZV.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE:	TITLE: <u>Planning Associate</u>	DATE: <u>8/22/2017</u>
FEE:	RECEIPT NO.:	REC'D. BY:
		DATE:

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED): _____

SIGNATURE:

DATE: _____

SUPERSEDED

By document dated: 9/25/18
Authorized by: Michelle
Comment: _____

RECEIVED
CITY OF LOS ANGELES
AUG 16 2017
CITY PLANNING
PROJECT PLANNING

**PLANNING
DEPARTMENT
APPLICATION**



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

RECEIVED CITY OF LOS ANGELES

JUL 11 2018

Case Number, Env. Case Number, Application Type, Case Filed With (Print Name), Date Filed, CITY PLANNING PROJECT PLANNING

Application includes letter requesting:

- Waived hearing, Concurrent hearing, Hearing not be scheduled on a specific date (e.g. vacation hold)

Provide all information requested. Missing, incomplete or inconsistent information will cause delays. All terms in this document are applicable to the singular as well as the plural forms of such terms. Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address, Unit/Space Number, Legal Description, Assessor Parcel Number, Total Lot Area

2. PROJECT DESCRIPTION

Present Use, Proposed Use, Project Name, Describe in detail the characteristics, scope and/or operation of the proposed project

Additional information attached YES NO

Complete and check all that apply:

Existing Site Conditions

- Site is undeveloped or unimproved, Site is located within 500 feet of a freeway or railroad, Site has existing buildings, Site is located within 500 feet of a sensitive use

1 Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org) 2 Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

Site has special designation (e.g. National Historic Register, Survey LA)

Proposed Project Information

(Check all that apply or could apply)

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Interior tenant improvement
- Additions to existing buildings
- Grading
- Removal of any on-site tree
- Removal of any street tree

- Removal of protected trees on site or in the public right of way
- New construction: _____ square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

Housing Component Information

Number of Residential Units: Existing 32 - Demolish(ed)³ 0 + Adding 4 = Total 36

Number of Affordable Units⁴ Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units Existing 32 - Demolish(ed) 0 + Adding 4 = Total 36

Mixed Use Projects, Amount of Non-Residential Floor Area: _____ square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) YES NO

Is your project required to dedicate land to the public right-of-way? YES NO

If so, what is/are your dedication requirement(s)? _____ ft.

If you have dedication requirements on multiple streets, please indicate: _____

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? YES NO

Authorizing Code Section LAMC 12.27

Code Section from which relief is requested (if any): LAMC 12.09 B4

Action Requested, Narrative: Variance to allow conversion of storage space and office into three studio units and one one-bedroom unit.

Authorizing Code Section _____

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: _____

Additional Requests Attached YES NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? YES NO

If YES, list all case number(s) 16016-10000-09531

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. _____

Ordinance No.: _____

Condition compliance review

Clarification of Q (Qualified) classification

Modification of conditions

Clarification of D (Development Limitations) classification

Revision of approved plans

Amendment to T (Tentative) classification

Renewal of entitlement

Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? YES NO

Have you filed, or is there intent to file, a Subdivision with this project? YES NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

a. Specialized Requirement Form _____

b. Geographic Project Planning Referral _____

c. Citywide Urban Design Guidelines Checklist _____

d. Affordable Housing Referral Form _____

e. Mello Form _____

f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form _____

g. HPOZ Authorization Form _____

h. Management Team Authorization _____

i. Expedite Fee Agreement _____

j. Department of Transportation (DOT) Referral Form _____

k. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) _____

l. Order to Comply _____

m. Building Permits and Certificates of Occupancy _____

n. Hillside Referral Form _____

o. Low Impact Development (LID) Referral Form (Storm water Mitigation) _____

p. Proof of Filing with the Housing and Community Investment Department _____

q. Are there any recorded Covenants, affidavits or easements on this property? YES (provide copy) NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁶ name Lila Eilat and Mark Silber

Company/Firm Sierra Romaine LLC

Address: 508 North Larchmont Boulevard Unit/Space Number _____

City Los Angeles State CA Zip Code: 90004

Telephone 323-957-2255 E-mail: mark@elitmg.com

Are you in escrow to purchase the subject property? YES NO

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Agent/Representative name Nicole Kuklok-Waldman

Company/Firm Collaborate Inc.

Address: 555 West Fifth Street Unit/Space Number 3500

City Los Angeles State CA Zip: 90013

Telephone 213-986-2131 E-mail: nicole@collaborate-la.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information (select only one) Owner Applicant Agent/Representative Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁶ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

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

State of California

County of Los Angeles

On 7/11/18 before me, Leslie Weiss, Notary Public
(Insert Name of Notary Public and Title)

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

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

WITNESS my hand and official seal.

Leslie Weiss
Signature

(Seal)



APPLICANT

- 8. APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
 - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
 - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
 - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
 - e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
 - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
 - g. I understand that if this application is denied, there is no refund of fees paid.
 - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
 - i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: 

Date: July 11 18

Print Name: Moshe Silber

OPTIONAL
NEIGHBORHOOD CONTACT SHEET

9. **SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

MISCELLANEOUS

**(Reports,
Orders,
Permits, etc)**

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

CERTIFICATE OF OCCUPANCY

Address of Building 5445 Sierra Vista Ave.
Permit No. and Year LA 91195/54; LA 91407/54
Certificate Issued July 18th, 1955

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

This certifies that, so far as ascertained by or made known to the undersigned, the building at above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses; Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Act,—for following occupancies:

2 Story, Type V, 90' x 159' Apartment House,
Garage and Office, 32 Apartments, 22 Required
Parking Spaces. H-2, F-1 and G-1 Occupancies.

EXCEPT FOR DEVIATIONS APPROVED BY BOARD OF BLDG. & SAFETY COMMISSIONERS

Owner Joseph Leon
2401 So. Beverly Dr.
Owner's Address Beverly Hills, Calif.

L.A. 34

JOHN D. MILLER

Form B-95a—20M—5-55

G. E. MORRIS, Superintendent of Building By.....

ZA 2016-4729-ZV

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

Address of Building **5446 Sierra Vista**
Permit No. and Year **LA 85851 - 1954**
Certificate Issued **July 18th** 19**55**

CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

This certifies that, so far as ascertained by or made known to the undersigned, the building at above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses; Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Act,—for following occupancies:

20' x 40' Swimming Pool, Accessory to an H-2 Occupancy.

Owner
Owner's
Address

**Joseph Leon
6420 Hayes Dr.
Los Angeles 48, Calif.**

JOHN D. MILLER

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy
must be approved by the Department of
Building and Safety.

Address of Building 5446- $\frac{1}{2}$ Sierra Vista Avenue

Permit No. LA 10620 - 1951
and Year

Certificate Issued November 20, 1951

This certifies that, so far as ascertained by or made known to the undersigned, the building at above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses; Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Act,—for following occupancies:

2 Story, Type V, Two-family Dwelling and Attached
Garage, R-1 Occupancy

Owner Miss A. Hall
5444 Sierra Vista Avenue
Owner's Address Los Angeles 38, California

Form B-95a—20M—7-51 G. E. MORRIS, Superintendent of Building By JOHN D. MILLER msl

1

APPLICATION TO
ERECT A NEW BUILDING
AND FOR A
CERTIFICATE OF OCCUPANCY

Form B-1-325-6-58
CITY OF LOS ANGELES
DEPARTMENT
OF
BUILDING AND SAFETY
BUILDING DIVISION

Lot No. ~~33~~ - 33 - 34

Tract Siena Vista
Location of Building 5446 - 5448 1/2 Siena Vista
(House Number and Street)

Approved by
City Engineer
[Signature]
Deputy.

Between what cross streets Western and Wilton

USE INK OR INDELIBLE PENCIL

1. Purpose of building Apartment House Families 2 Rooms 8
(Store, Dwelling, Apartment House, Hotel or other purpose)
2. Owner Miss Aurelia Hall Phone _____
(Print Name)
3. Owner's address 5444 Siena Vista P.O.

4. Certificated Architect _____ State License No. _____ Phone _____
5. Licensed Engineer _____ State License No. _____ Phone _____
6. Contractor Wade Construction Co. State License No. 99154 Phone 3-4334
7. Contractor's address 4323 So. Broadway St.

8. VALUATION OF PROPOSED WORK 11,000.00
Including all labor and material and all equipment, lighting, heating, ventilating, water supply, plumbing, fire-sprinkler, electrical wiring and elevator equipment therein or thereon.

9. State how many buildings NOW on lot and give use of each. 1 - Family Dwelling - Garage
(Store, Dwelling, Apartment House, Hotel or other purpose)

10. Size of new building 40 x 24.6 No. Stories 2 Height to highest point 20 ft Size lot 50 x 180

11. Material Exterior Walls Stucco Type of Roofing Composition

12. Buildings and similar structures
(a) Footing: Width 16 in Depth in Ground 8 in Width of Wall 8 in
(b) Size of Studs 2 x 4 Material of Floor Wood
(c) Size of Floor Joists 2 x 12 Size of Rafters 2 x 4

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

Sign here [Signature]
(Owner or Authorized Agent)

DISTRICT OFFICE _____

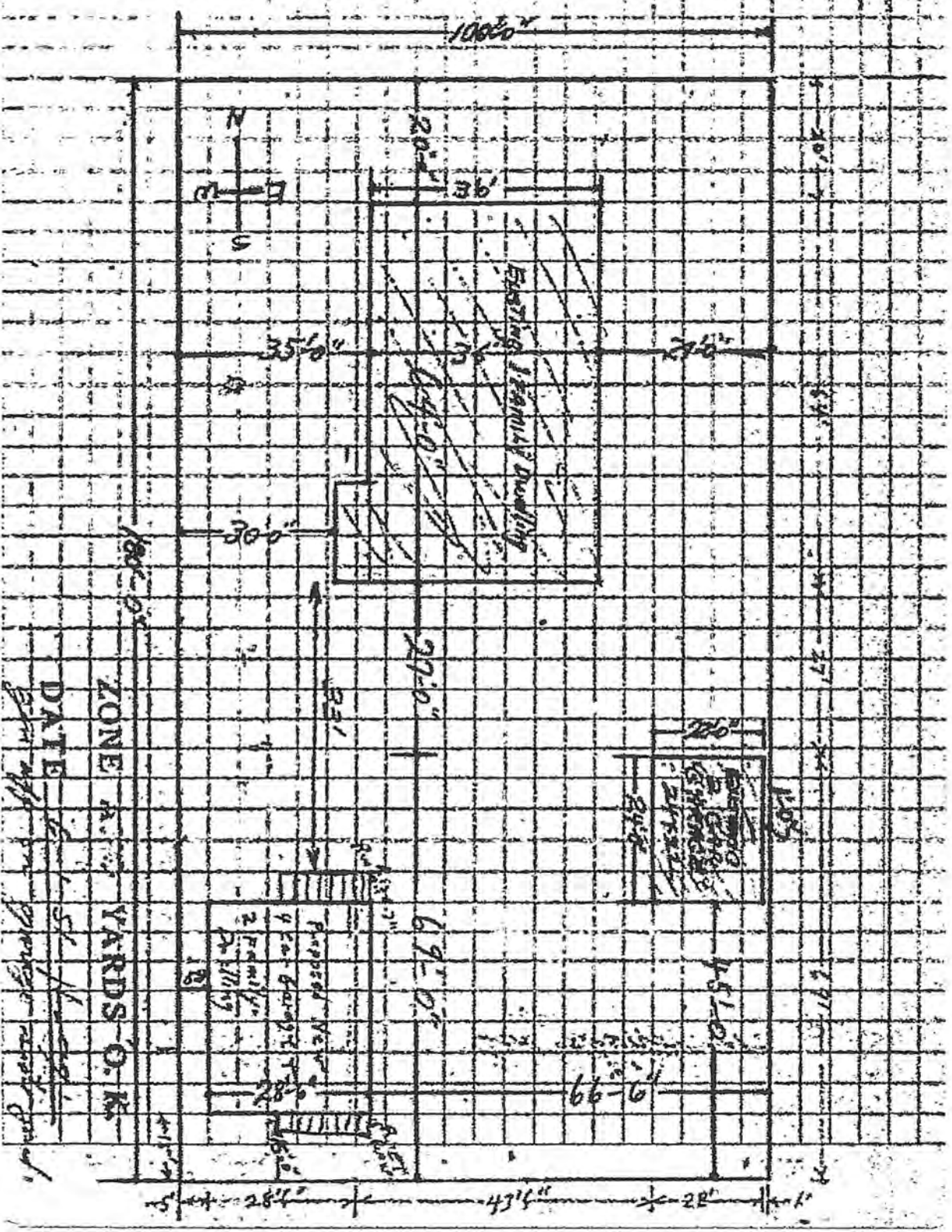
By _____

FOR DEPARTMENT USE ONLY

PLAN CHECKING		REINFORCED CONCRETE		FEES	
Date	<u>MAY 27 51</u>	Hbls.	_____	Bldg. Per.	_____
Receipt No.	<u>LA 5403</u>	Cement	_____	Cert. of Occupancy	_____
Valuation \$	<u>11000</u>	Tons of Reinforcing Steel	_____	Total	<u>36.00</u>
Fee Paid \$	<u>25.00</u>				
TYPE	GROUP	Maximum No. Occupants	Inside Lot	Key Lot	Lot Area
<u>V</u>	<u>1</u>	_____	Corner Lot	Corner Lot Keyed	<u>100 x 189</u>
PERMIT No.	Plan and Specifications checked	Zone	Fire District	Dist. No.	Dist. No.
<u>LA 10620</u>	<u>Fallicker</u>	<u>R-4</u>	_____	_____	<u>4580</u>
PLANS	Corrections Verified	Blg. Line	Street Widening	Apprentices checked and approved	Stamp here when Permit is issued.
_____	<u>Fallicker</u>	_____	_____	_____	_____
_____	Plans, Specifications and Application rechecked and approved.	Consumption Inspection	APRINKLER	Specified - Required	_____
_____	<u>Fallicker</u>	_____	_____	Yes - No	_____
_____	For Plans See _____	_____	_____	_____	_____

LA 10620

S IERRA VISTA ST



DATE 11/1/51
 ZONE R-1
 YARDS O.K.
 ST 11/1/51
 Engineer Robert G. ...

Proposed New
 2 Family Dwelling
 28'-0"
 15'-0"

Existing
 Family Dwelling
 28'-0"
 24'-0"

1

APPLICATION TO ERECT A NEW BUILDING AND FOR A Certificate of Occupancy

Form B-1
CITY OF LOS ANGELES
DEPARTMENT
OF
BUILDING AND SAFETY
BUILDING DIVISION

Lot No. 9, ~~33~~ 33+34

Blk. A

Tract. KENNETH PLACE + SIERRA VISTA TRACT.

Location of Building. ~~5448 PONTIAC~~ + 5448 SIERRA VISTA } Approved by
(House Number and Street) City Engineer

Between what cross streets? WESTERN + WILTON } Deputy.

USE INK OR INDELIBLE PENCIL

1. Purpose of building SEMI-PUBLIC SWIMMING POOL Families... Rooms...
(Store, Dwelling, Apartment House, Hotel or other purpose)

2. Owner JOSEPH LEON Phone...
(Print Name)

3. Owner's Address 6420 HAYES DR. P. O. LOS ANGELES

4. Certificated Architect... State License No. Phone...

5. Licensed Engineer LEONARD STANDERS State License No. 8762 Phone VI 98343

6. Contractor MONTY'S SWIMMING POOLS State License No. 141521 Phone JU-24242

7. Contractor's Address 5526 VINELAND AVE.

8. VALUATION OF PROPOSED WORK \$3600.00
(Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electrical wiring and elevator equipment therein or thereon.)

9. State how many buildings NOW 32-UNIT APARTMENT HOUSE on lot and give use of each.
(Store, Dwelling, Apartment House, Hotel or other purpose)

10. Size of new building 20' x 40' No. Stories... Height to highest point... Size lot 140' x 50'
109' x 100'

11. Material Exterior Walls GUNITE Type of Roofing...

12. Buildings and similar structures } (a) Footing: Width... Depth in Ground... Width of Wall...
(b) Size of Studs... Material of Floor...
(c) Size of Floor Joists... Size of Rafters...

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

Sign here MONTY'S SWIMMING POOLS
(Owner or Authorized Agent)

By Jules Cagan

DISTRICT OFFICE

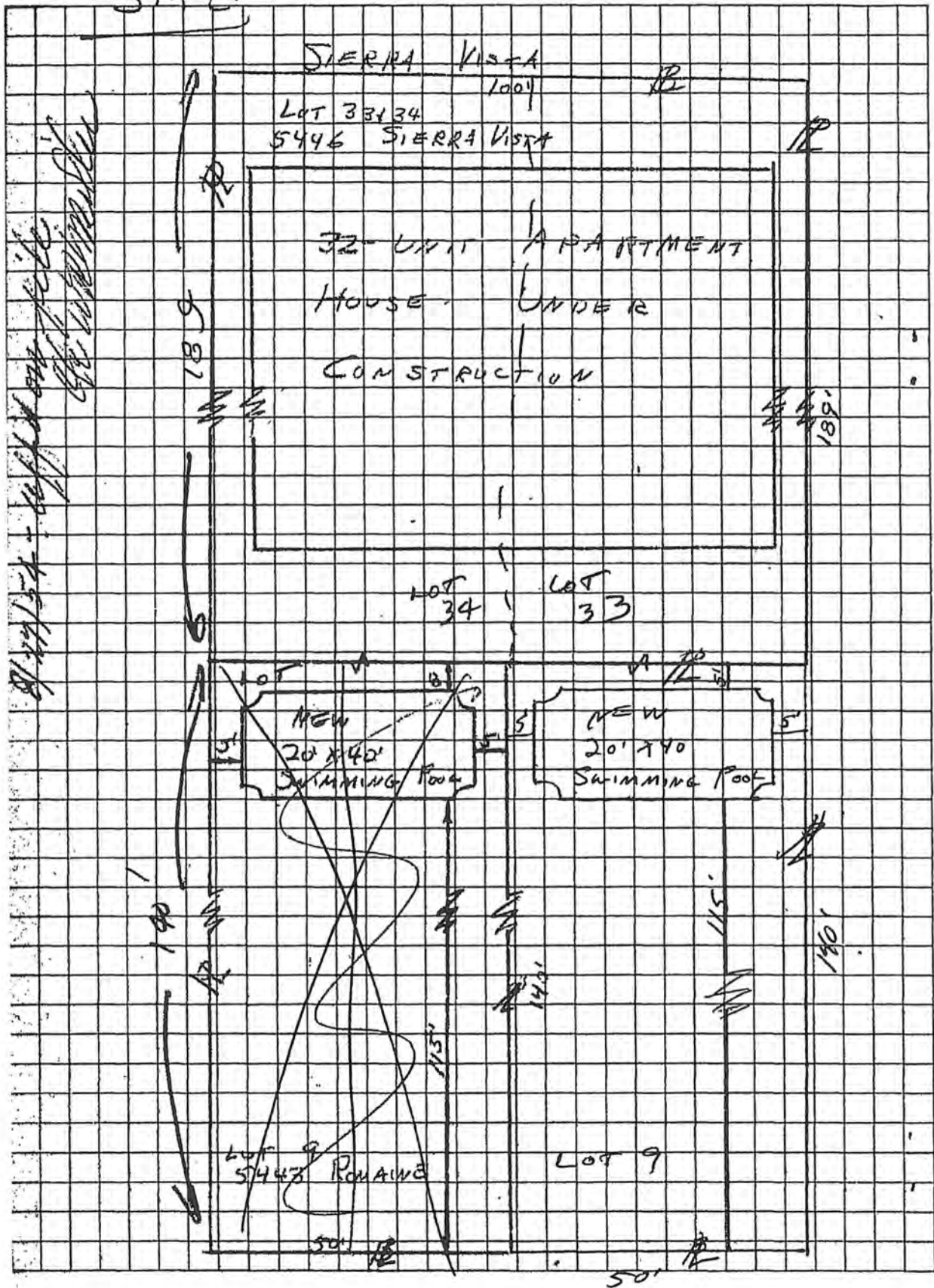
FOR DEPARTMENT USE ONLY					
PLAN CHECKING			COVENANT & ASSOCIATED		Investigation Fee \$ Bldg. Permit Fee \$ <u>3.80</u> Total \$
Valuation \$ <u>3600</u>	\$		RECORD		
Fee \$ <u>7.50</u>	\$				
TYPE <u>COM</u>	Maximum No. Occupants <u>INSIDE LOT</u>	Corner Lot	Key Lot	Lot Size <u>110' x 60'</u>	<input checked="" type="checkbox"/> Ft. rear alley <input checked="" type="checkbox"/> Ft. side alley Clerk <u>ducks</u>
GROUP <u>POOL</u>	Plans and Specifications checked <u>Now</u>	Corner Lot Keyed <u>lots 33 & 34</u>	Zone <u>R-4</u>	Fire District <u>LOT 9 R-3</u>	District Map No. <u>4580</u>
For Plans See	Correction Verified <u>Now</u>	Bldg. Line	Street Widening		Application checked and approved <u>Now</u> Clerk
Filed with	Plans, Specifications and Application rechecked and approved.	Continuous Inspection	SPRINKLER Specified—Required Valuation Included Yes—No	Inspector <u>Hall</u>	

DO NOT WRITE BELOW THIS LINE

TYPE OF RECEIPT	DATE ISSUED	TRACER NO. (M)	RECEIPT NO.	CODE	FEE PAID
Plan Checking			<u>53197</u>		
Supplemental Plan Checking					✓
Building Permit	<u>AUG 27 1954</u>		<u>LA9585-1</u>		

DIRT TO BE DISPOSED AT

SITE



8/19/54 - 45/14/54

ROMAINE

See Application for
Building Permit #
for Plot Plan

3

APPLICATION TO ALTER, REPAIR, or DEMOLISH AND FOR A Certificate of Occupancy

CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY BUILDING DIVISION

Lot No. 33 34
Tract Sierra Vista
Location of Building 5446-5446 1/2 Sierra Vista
Between what cross streets? Western Ave + Wilton Place

USE INK OR INDELIBLE PENCIL
1. Present use of building Family Dwelling Families 2 Rooms 8
2. State how long building has been used for present occupancy Under Construction
3. Use of building AFTER alteration of moving SAME Dwelling Families 2 Rooms 9
4. Owner A. Hall Phone (1 R.R.)
5. Owner's Address 5444 Sierra Vista P. O. Los Angeles, Calif.
6. Certificated Architect
7. Licensed Engineer
8. Contractor Woods Const. Co. Phone 34334
9. Contractor's Address 4323 So. Broadway 300.00

10. VALUATION OF PROPOSED WORK
11. State how many buildings NOW on lot and give use of each 2 - Dwellings & GAR
12. Size of existing building 28' x 40' Number of stories high 2 Height to highest point 20'-0"
13. Material Exterior Walls WOOD Exterior framework wood

14. Describe briefly all proposed construction and work:
To Add A partition and a window to the Storage Room, creating a bath and sleeping room. MOVE LOCATION OF LAUNDRY TRAY.

NEW CONSTRUCTION

15. Size of Addition x Size of Lot x Number of Stories when complete
16. Footing Width Depth in Ground Width of Wall Size of Floor Joists x
17. Size of Studs x Material of Floor Size of Rafters x Type of Roofing

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

Sign here Woods Const. Co.
By Henry Williams

TYPE OF RECEIPT
DATE ISSUED
TRACER NO. (M)
RECEIPT NO.
CODE
FEE PAID

Table with columns for PLAN CHECKING, OCCUPANCY SURVEY, and various fees. Includes rows for Valuation, Fee, TYPE, Maximum No. Occupants, Key Lot, Lot Size, Fire District, and Application checked and approved.

DO NOT WRITE BELOW THIS LINE

Table with columns: TYPE OF RECEIPT, DATE ISSUED, TRACER NO. (M), RECEIPT NO., CODE, FEE PAID. Rows include Plan Checking, Supplemental Plan Checking, and Building Permit.

Sand

Plot
P low

3

APPLICATION TO ALTER, REPAIR, or DEMOLISH AND FOR A Certificate of Occupancy

Form B-2 CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY BUILDING DIVISION

Lot No. 33E34 Tract SIERRA VISTA Location of Building 5446 Sierra Vista Home (House Number and Street) Between what cross streets? Western & Western

Approved by City Engineer Deputy.

USE INK OR INDELIBLE PENCIL

- 1. Present use of building: APT & GARAGE (30 car parking) Families 32 Rooms 96
2. State how long building has been used for present occupancy: Under const
3. Use of building AFTER alteration or moving: Same Families 32 Rooms 98
4. Owner: Joseph Dean Phone: 40-6841
5. Owner's Address: 2401 S Beverly Dr. P. O. Los Angeles 34 Cal.
6. Certificated Architect
7. Licensed Engineer: P. J. TOLEM License No. SE658 Phone: WY7706
8. Contractor: H. Klein License No. Phone: 40-6841
9. Contractor's Address: 2401 S Beverly
10. VALUATION OF PROPOSED WORK: Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electrical wiring and elevator equipment therein or thereon. \$200

- 11. State how many buildings NOW on lot and give use of each: none
12. Size of existing building: 159 x 90. Number of stories high: 2. Height to highest point: 25
13. Material Exterior Walls: Stucco Exterior framework: Wood

14. Describe briefly all proposed construction and work: Add office & storage rooms & 2 toilets to cellar. There will be no living quarters in cellar.

NEW CONSTRUCTION

- 15. Size of Addition: x Size of Lot: x Number of Stories when complete: 1
16. Footing: Width 21 Depth in Ground 24 Width of Wall 10 Size of Floor Joists 5x10 in cellar
17. Size of Studs 2x6 Material of Floor concrete Size of Rafters x Type of Roofing

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

Sign here: Joseph Dean (Owner or Authorized Agent)

Vertical stamp: Certificate of Occupancy, TRACER NO. (M), RECEIPT NO., CODE, FEE PAID

DISTRICT OFFICE By: [Signature]

FOR DEPARTMENT USE ONLY

Table with columns: PLAN CHECKING, OCCUPANCY SURVEY, Valuation, Fee, TYPE, Maximum No. Occupants, Key Lot, Lot Size, GROUP, Plans and Specifications checked, Zone, Fire District, For Plans Sec., Correction Verified, Bldg. Line, Street Widening, Filed with, Plans, Specifications and Application checked and approved, Continuous Inspection, SPINKLER, Valuation Included.

DO NOT WRITE BELOW THIS LINE

Table with columns: TYPE OF RECEIPT, DATE ISSUED, TRACER NO. (M), RECEIPT NO., CODE, FEE PAID. Rows include Plan Checking, Supplemental Plan Checking, Building Permit.

Part
lot 28
16
Amurhove
Township

R.M. 24B

C P Ritchie owns all of
lot 28

Department of Building and Safety

Legal Description

Blade 16
Waples tract and the vacated
street adj on the south
— Except the No. 30 ft of the
West 80 ft measured on the north line

The above property was subdivided prior to Mar 19 46
as shown by our records.

cut 11/28/44

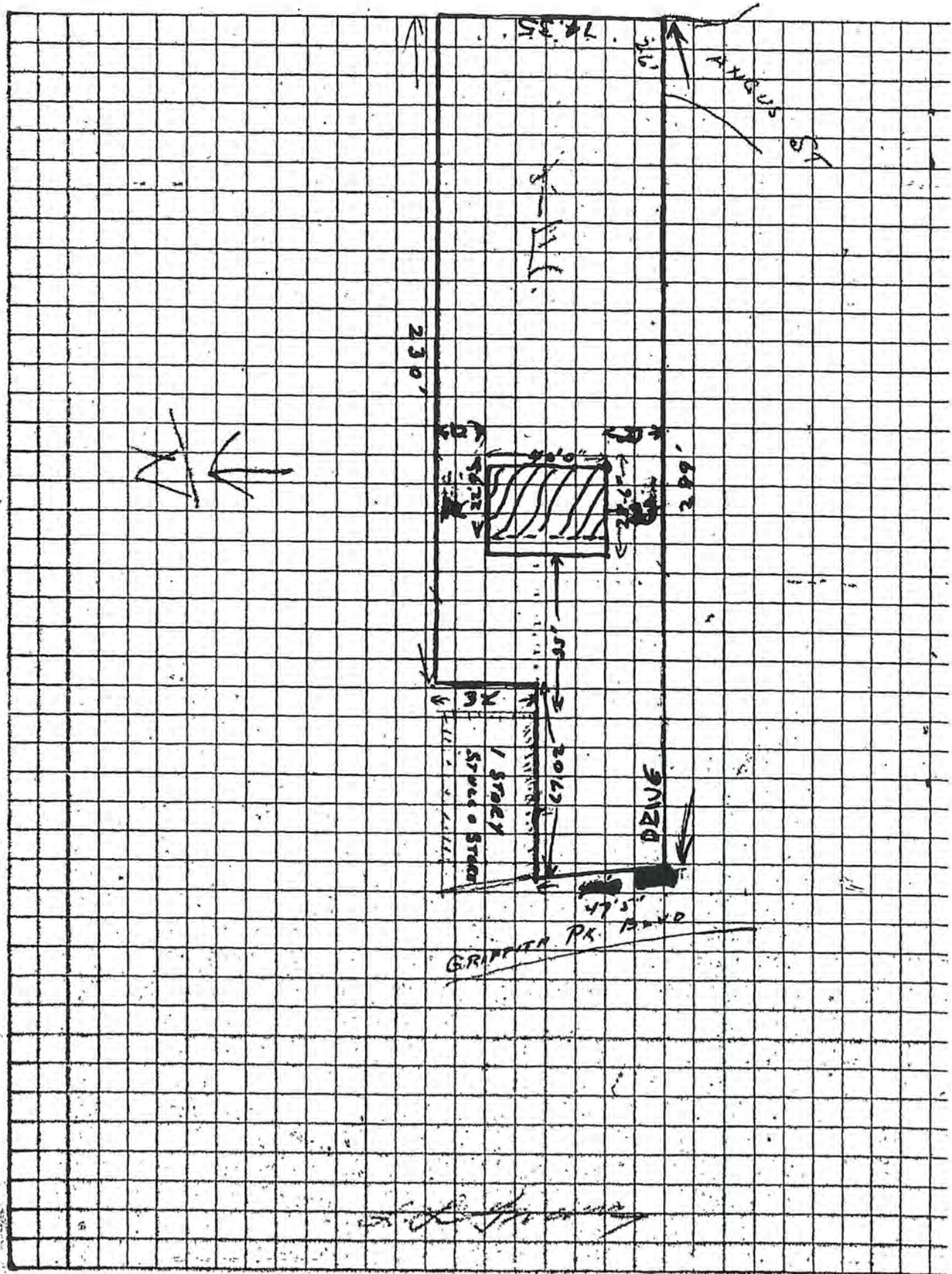
City Clerk - Map ~~Lot Division~~

By _____

WALTER G. PETERSON, City Clerk
Deputy

2000 - 10-26-52

PART LOT 28, BL 16
IVANHOE TRACT



2

Application for Relocation of Building AND FOR A Certificate of Occupancy

CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY BUILDING DIVISION

Form B-2-6M-4-53

From Lot 33734 To Particular Lot 28 Block 16 AND ANGUS ST VACATED Tract SIERRA VISTA TRACT Tract IVANHOE TRACT

Present location of building 5442-4624-4614 SIERRA VISTA AVE (House Number and Street) New location of building 2646 1/2 - 2646 1/2 GRIFFITH PK BLVD (House Number and Street) Between what cross streets ANGUS ST & HYPERION BLVD

Approved by SCS City Engineer RCB Deputy

USE INK OR INDELIBLE PENCIL

- 1. Present use of building DWELLING & SEAR GARAGE Families 2 Rooms 8
2. Use of building AFTER Relocation DWELLING Families 2 Rooms 6
3. Owner C. P. RITCHIE Phone No. 20371
4. Owner's Address 2339 N. EDGE MOUNT ST P.O. LOS ANGELES (27)
5. Certificated Architect
6. Licensed Engineer
7. Contractor
8. Contractor's Address
9. VALUATION OF PROPOSED WORK 3600.00
10. State how many buildings how on new lot and give use of each
11. Size of building to be moved 18' x 20' Number of stories high 2 Height to highest point 22'
12. Material Exterior Walls STUCCO Exterior framework WOOD
13. Size of Addition NONE Size of Lot 12' x 27' Number of Stories when complete
14. Describe briefly all proposed construction and work:

NEW CONSTRUCTION

THIS BUILDING WAS NEW NOV 1951. CONSTRUCT NEW FOUNDATION & CEMENT SEAR FLOOR RECONNECT W/ SEWER UTILITIES

I certify that the issuance of this permit will not violate any deed restriction of record. I have also been advised that the purchase of either site or building for relocation purposes until this application has been approved is at my own risk. I further understand that this is an application only and does not necessarily guarantee approval, and that the building when relocated must be repaired so as not to be detrimental to property or improvements within 1000 feet of the new site. C.P. Ritchie (MUST BE SIGNED BY OWNER)

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

District Office SK 218 G GRADING Sign here C.P. Ritchie (Owner or Authorized Agent)

Table with columns: PLAN CHECKING, Date Approved, Surety Bond Posted, FEES, Valuation, Fee, Bond For, Cash Bond Posted, Investigation, Bldg. Paymt, Total, TYPE, Margin No., Key Lot, Lot Size, Pt. rear alley, Pt. side alley, CLERK, COLOUR, Plans and Specifications checked, Corner Lot Keyed, Fire District, District Map No., Fire Plans Sec, Corrections/Noted, Bldg. Line, Street Widening, Applied and approved, Date, and other administrative fields.

Table with columns: TYPE OF RECEIPT, DATE ISSUED, TRACER NO. (M), RECEIPT NO., CODE, FEE PAID. Rows include Application Fee, Plan Checking, and Building Permit.

OWNER'S NAME Joseph Leon
OWNER'S ADDRESS 2401 S Beverly Dr
Date Feb 17 '54 LA 34

Department of Building and Safety
City of Los Angeles

I, JOSEPH LEON, as legal owner of

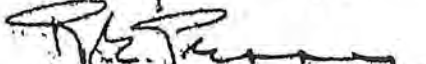
the building to be erected at 5446 SIERRA VISTA

as fully aware of, and approve the design of this building utilizing higher stresses in concrete, masonry, welding, plaster (Strike out those not applicable) which requires continuous inspection by a Registered Deputy Building Inspector during construction, under the direction of the architect or engineer. I am further cognizant of the provisions of the Los Angeles City Building Code, Section 91.0310, which require the architect or engineer responsible for the design of this building to file a certificate with the City of Los Angeles Department of Building and Safety certifying that the building was constructed in conformity with the approved plans and the Los Angeles Building Code before a Certificate of Occupancy will be issued for this building.


OWNER'S SIGNATURE

NOTARIZED

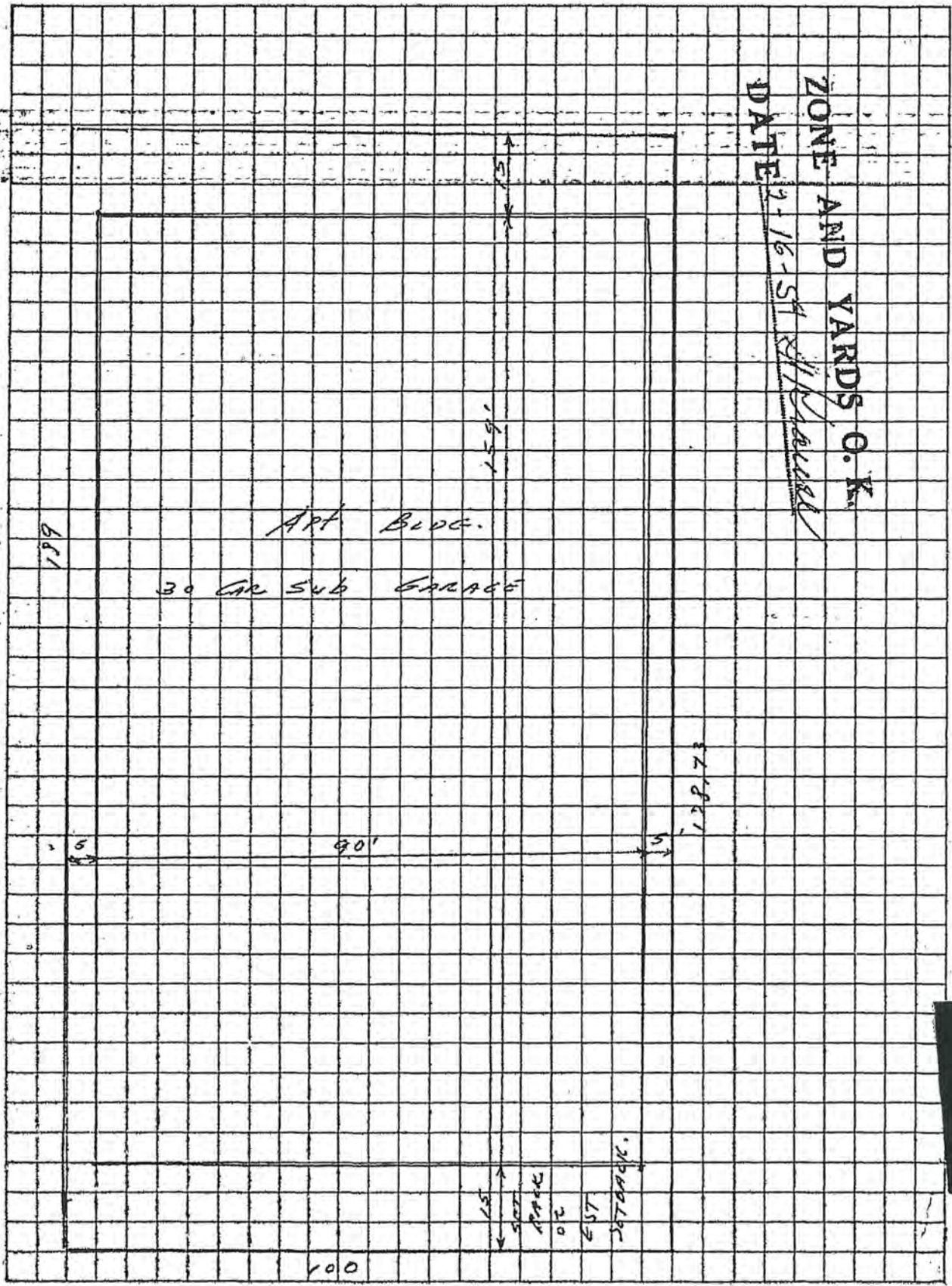
Feb 10th 1954


NOTARY PUBLIC FOR THE COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA

My Commission Expires March 17, 1956

DUPLICATE

ZONE AND YARDS O.K.
DATE 7-16-51 *[Signature]*



66.1

Art Bldg.

30 CAR SUB GARAGE

90'

128.73

100

EST
SOTONCK.
10
10
15

Not sufficient driveway information. See Engr.
Sheet 9-10-51
Meet Room of City Hall 6.0 11-30

SIERRA VISTA

1 ELECT. DIV.
 Plans rec'd.
 Appr. not req'd. before filing permit
 Ins. filed

**APPLICATION TO
 ERECT A NEW BUILDING
 AND FOR A
 Certificate of Occupancy**

Form B-1
**CITY OF LOS ANGELES
 DEPARTMENT
 OF
 BUILDING AND SAFETY
 BUILDING DIVISION**

Lot No. 33 & 34

Tract Sierra Vista

Location of Building 5446 Sierra Vista Ave.
(House Number and Street)

Approved by
 City Engineer

Between what cross streets? Western & Wilton

Deputy

USE INK OR INDELIBLE PENCIL

- Purpose of building APT. & GARAGE Families 32 Rooms 96
(Store, Dwelling, Apartment House, Hotel or other purpose)
 - Owner JOSEPH LEON Phone No. 6841
(Print Name)
 - Owner's Address 2401 S. BEVERLY DR. P. O. Los Angeles, 34, CALIF.
 - Certificated Architect _____ State License No. _____ Phone _____
 - Licensed Engineer P. J. TOLEN State License No. S.E. 658 Phone W.Y. 7706
 - Contractor owner State License No. _____ Phone _____
 - Contractor's Address SAME
 - VALUATION OF PROPOSED WORK (Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electrical wiring and elevator equipment therein or thereon.) 242,000 WKK
200,000
 - State how many buildings NOW on lot and give use of each, NONE
(Store, Dwelling, Apartment House, Hotel or other purpose)
 - Size of new building 90 x 159 No. Stories 2 Height to highest point 28 Size lot 100 x 159
 - Material Exterior Walls STUCCO Type of Roofing Comp. S
- For Accessory Buildings and similar structures }
 (a) Footing: Width _____ Depth in Ground _____ Width of Wall _____
 (b) Size of Studs _____ Material of Floor _____
 (c) Size of Floor Joists _____ X _____ Size of Rafters _____ X _____

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

Sign here Joseph Leon (Owner or Authorized Agent)
 By _____

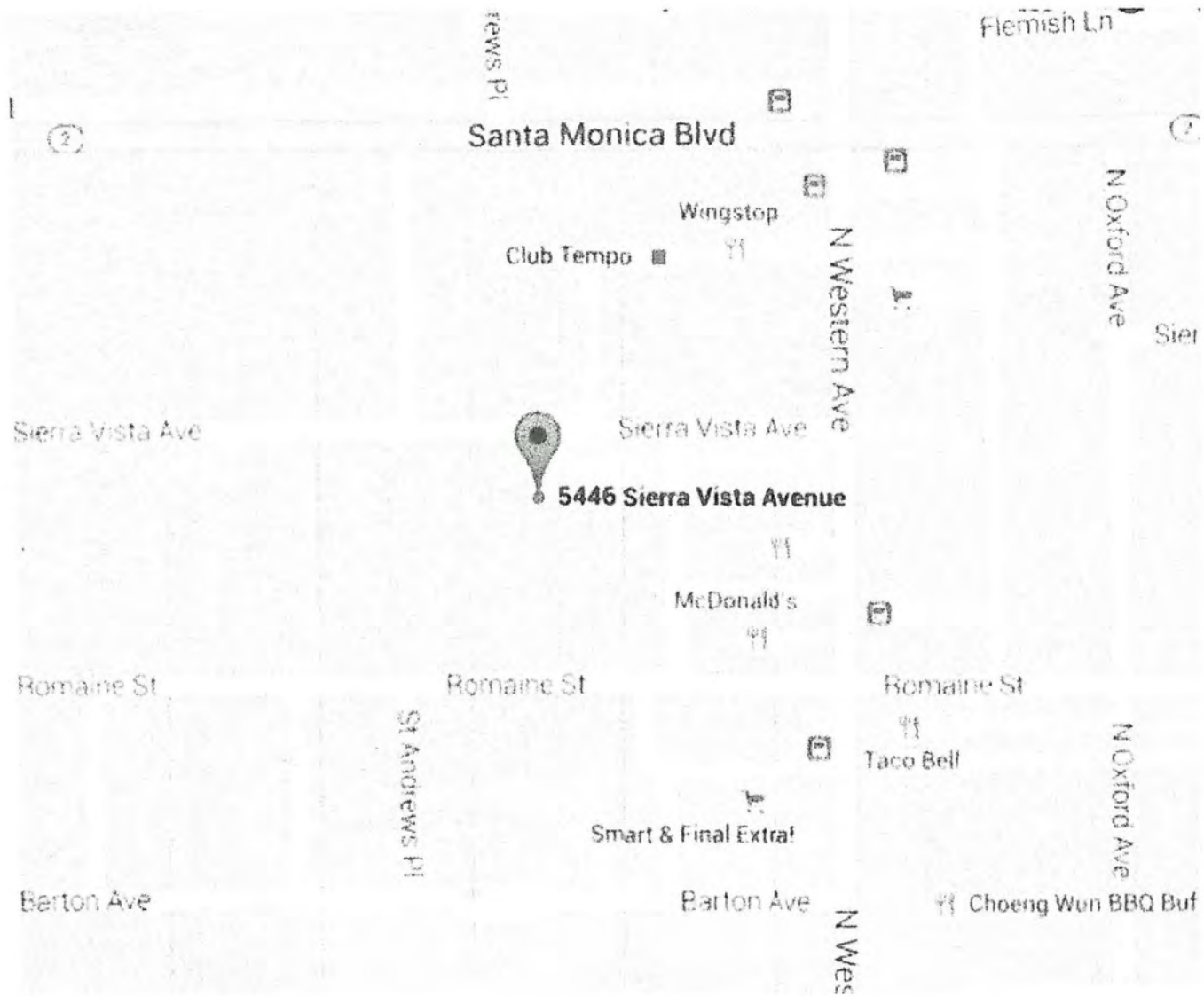
DISTRICT OFFICE

FOR DEPARTMENT USE ONLY					
PLAN CHECKING					
Valuation \$	<u>200,000</u>	<u>42,000</u>		Investigation Fee \$	
Fee \$	<u>125</u>	<u>2500</u>		Bldg. Permit Fee \$	<u>390</u>
				Total	\$
TYPE	Maximum No. Occupants	Inside Lot	Key Lot	Lot Size	Investigation Fee
<u>V</u>	<u>32 families</u>			<u>100x159</u>	
GROUP	Plans and Specifications checked	Corner Lot	Corner Lot Keyed	Fire District	FT. rear alley
<u>G-H-2F-1</u>	<u>Kuboard</u>		<u>R-4</u>		<u>X</u>
For Plans See	Correction Voted	Bldg. Line	Street Widening	District Map No.	FT. side alley
	<u>Kuboard</u>			<u>4580</u>	
Filed with	Plans, Specifications and Application rechecked and approved.	Continuous Inspection complete & req. steel	SPRINKLER Specified Required Valuation included Yes - No	Inspector	Clerk
	<u>R. Hall</u>		<u>Yes</u>	<u>Wilkinson</u>	<u>Byzman</u>

DO NOT WRITE BELOW THIS LINE

TYPE OF RECEIPT	DATE ISSUED	TRACER NO. (M)	RECEIPT NO.	CODE	FEE PAID
Plan Checking	<u>DEC 30 1953</u>		<u>L 313.01</u>		✓
Supplemental Plan Checking	<u>EN 10 1954</u>				
Building Permit	<u>FEB 18 1954</u>		<u>LA 81195</u>		

Plans



ZA 2016-4729-2V

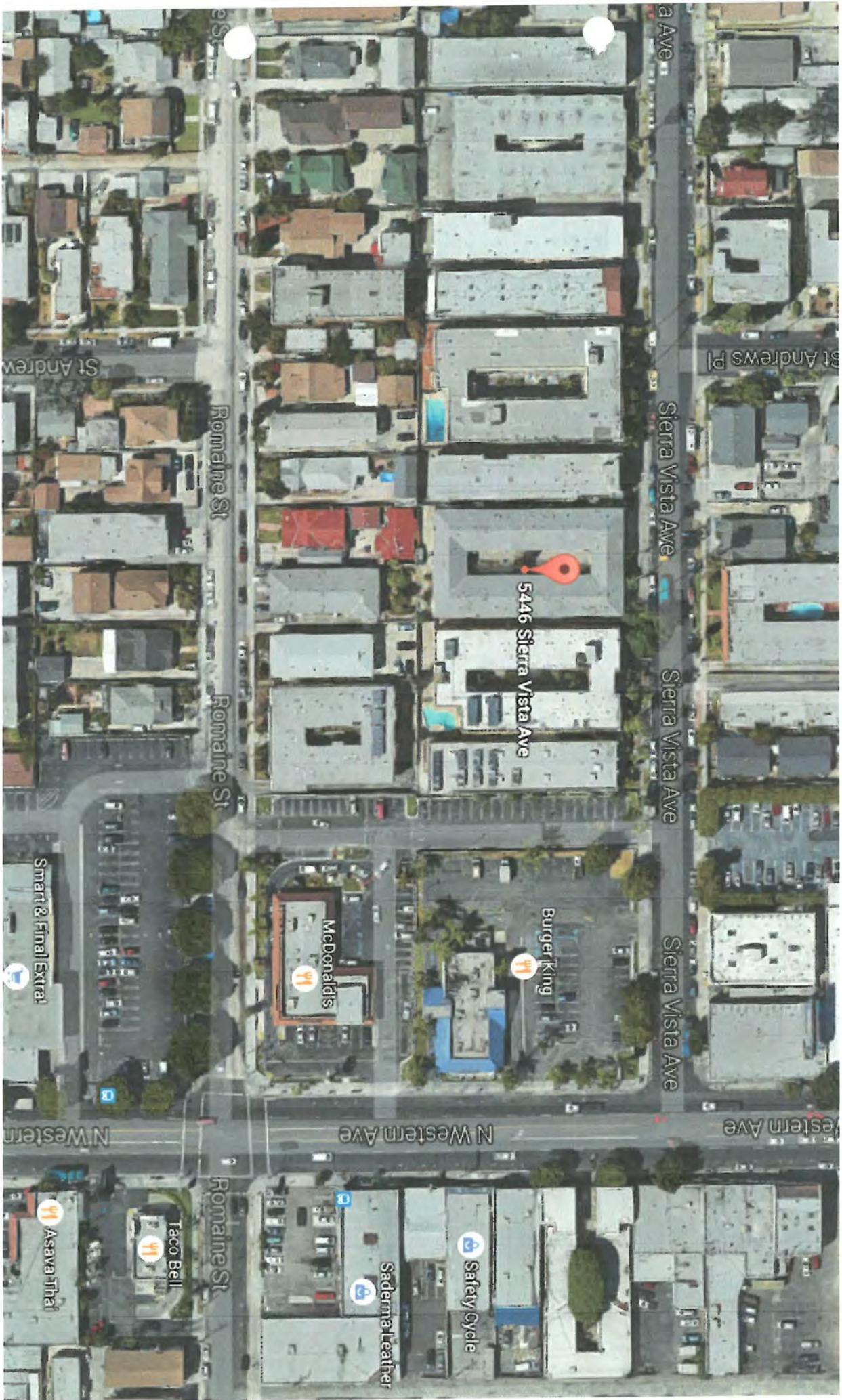


ZONE VARIANCE

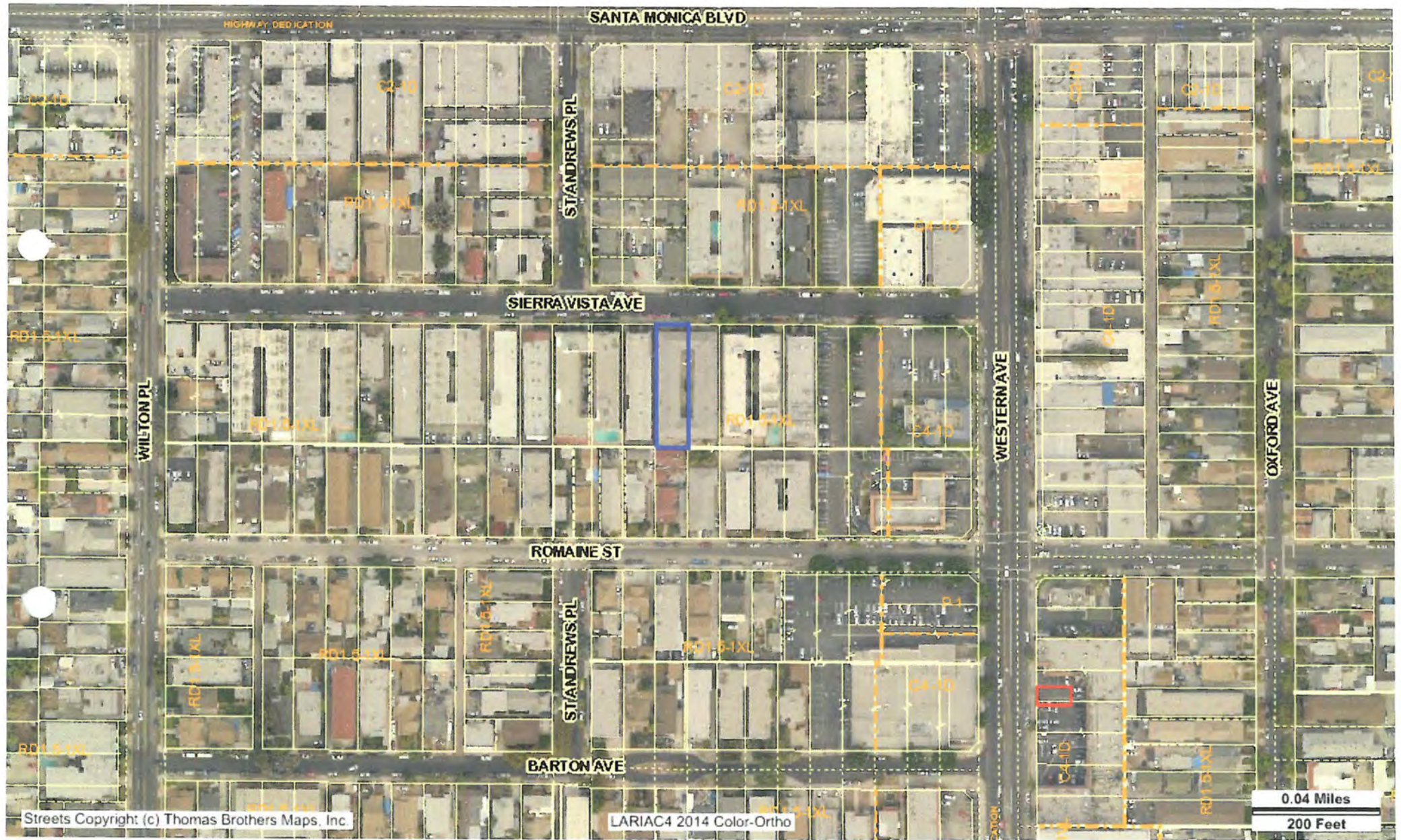
5446 W. SIERRA VISTA AVE.

<p>ZONE: RD1.5-1XL C.T.: 1917.20 P.A.: HOLLYWOOD T.B. PAGE: 593 GRID: H6 MAP REF.: M B 2-46 D.M. NO.: 144B193</p> <p>LEGAL DESCRIPTION: TRACT: SIERRA VISTA TRACT BLK: BLK A LOT: 34, 33, 9 C.D.: 13 - MITCH O' FARRELL</p>	<p style="text-align: center;">SUBJECT SITE 5446 W. SIERRA VISTA AVE. LOS ANGELES, CA 90038 APN: 5536-021-019</p> <p style="text-align: center;">5443 ROMAINE ST LOS ANGELES, CA 90038 APN: 5536-021-007</p>	<p style="text-align: center;">OWNER SIERRA ROMAINE LLC PO BOX 48528 LOS ANGELES, CA 90048</p> <p style="text-align: center;">REPRESENTATIVE PLAN & PERMIT INC. JOSEPH PAZCOGUIN</p>	<p>CASE:</p> <p>DATE: 8-17-2016</p> <p>UPDATED: 9-14-16</p> <p>USES: FIELD NET AC.: 0.594 (AC) SCALE: 1" = 100'</p> <div style="text-align: right;"> <small>DRAWN BY: CARTMAP SERVICES INC. 1301 W. 90th STREET, #100 LOS ANGELES, CA 90028</small> </div>
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ZA 2016-4729-ZV



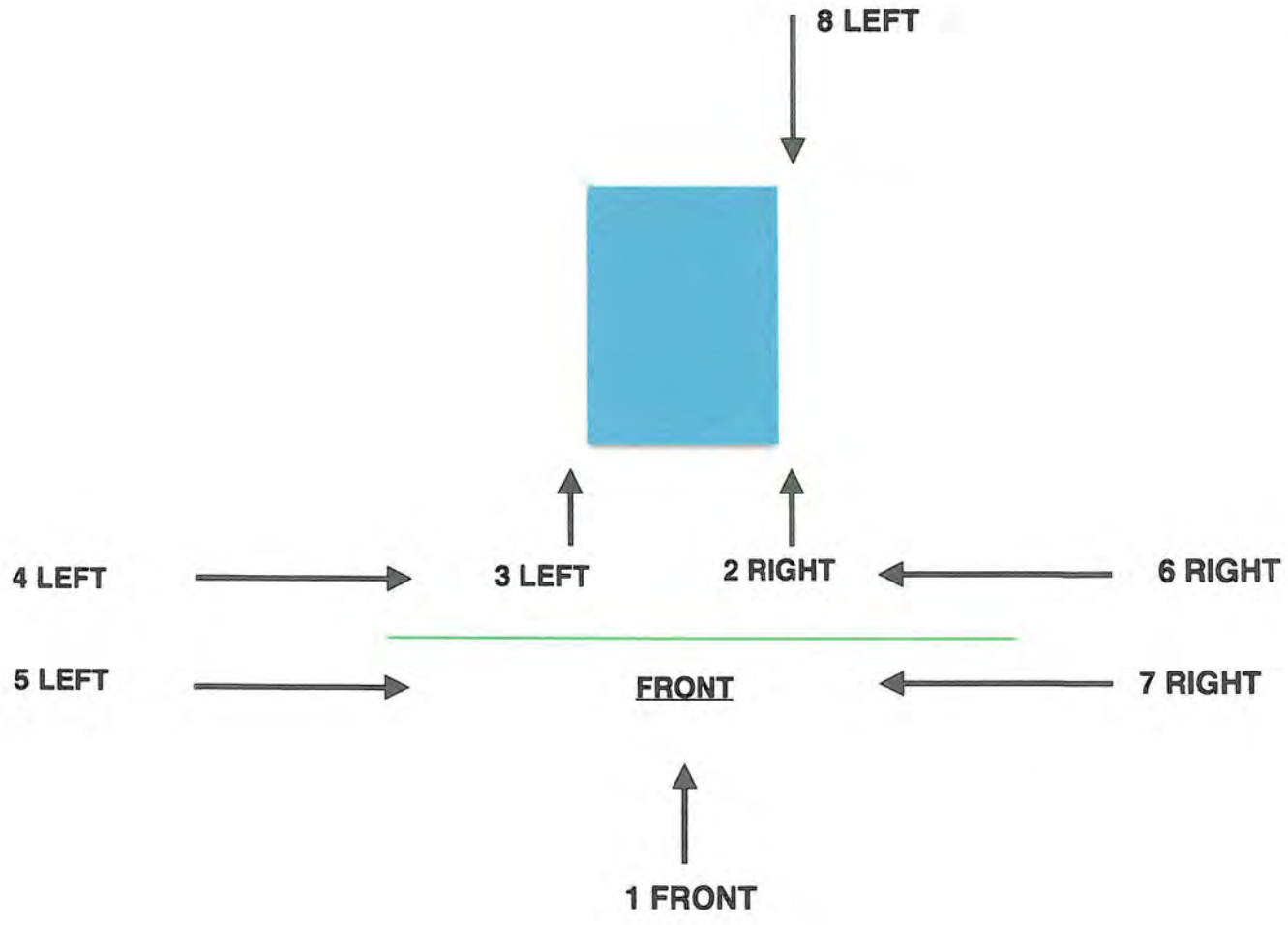
7A 2016-4729-ZV



Streets Copyright (c) Thomas Brothers Maps, Inc

LARIAC4 2014 Color-Ortho

0.04 Miles
200 Feet



LOCATION: 5446 Sierra Vista

ZA 2016-4729-ZV



1 FRONT



2 RIGHT



3 LEFT



4 LEFT



5 LEFT



6 RIGHT



7 RIGHT



8 LEFT

Vicinity Map



Address: 5446 SIERRA VISTA AVE



#18-139



ZONE VARIANCE

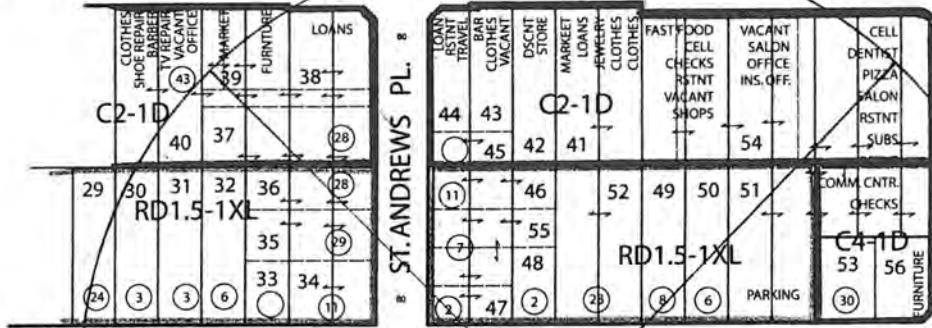
5446 W. SIERRA VISTA AVE.

<p>ZONE: RD1.5-1XL C.T.: 1917.20 P.A.: HOLLYWOOD T.B. PAGE: 593 GRID: H6 MAP REF.: M B 2-46 D.M. NO.: 144B193</p> <p>LEGAL DESCRIPTION: TRACT: SIERRA VISTA TRACT BLK: BLK A LOT: 34, 33, 9 C.D.: 13 - MITCH O' FARRELL</p>	<p style="text-align: center;">SUBJECT SITE 5446 W. SIERRA VISTA AVE. LOS ANGELES, CA 90038 APN: 5536-021-019</p> <p style="text-align: center;">5443 ROMAINE ST LOS ANGELES, CA 90038 APN: 5536-021-007</p>	<p style="text-align: center;">OWNER SIERRA ROMAINE LLC PO BOX 48528 LOS ANGELES, CA 90048</p> <p style="text-align: center;">REPRESENTATIVE PLAN & PERMIT INC. JOSEPH PAZCOGUIN</p>	<p>CASE:</p> <p>DATE: 8-23-2016</p> <p>UPDATED: 9-14-16</p> <p>USES: FIELD NET AC.: 0.594 (AC) SCALE: 1" = 100'</p> <div style="text-align: right;"> <small>DRAWN BY: CARTOGRAPH SERVICES INC. 1301 W. 200TH STREET, SUITE LOS ANGELES, CA 90048</small> </div>
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ZA 2016-4729-ZV

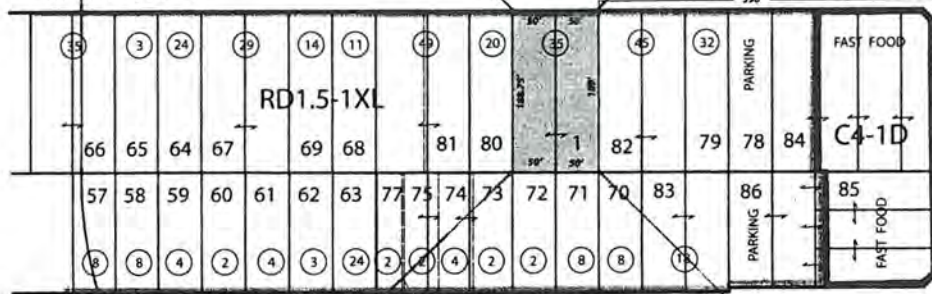
SANTA MONICA

BLVD.



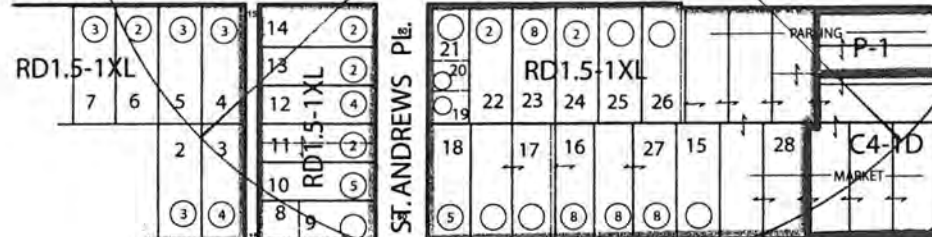
SIERRA VISTA

AVE.



ROMAINE

ST.



BARTON

AVE.



AVE.

AVE.

WESTERN

WATER	92
VACANT	93
FLOREST	94
SALON	95
VACANT	96
GIFTS	97
OFFICE	98
BUILDING	99
GIFTS	100
BICYCLES	101
VACANT SHOP	102
FURNITURE	103

ZONE VARIANCE



Quality Mapping Service

14549 Archwood St. Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351
qmapping@qesqms.com

THOMAS BROTHERS ASSESSOR PARCEL NUMBER: 5536-021-019
Page: 593 Grid: H-6

SITE ADDRESS: 5446 SIERRA VISTA VENUE

LEGAL
LOT: 33,34
TRACT: SIERRA VISTA TRACT
M.B. 2-46

CD: 13
CT: 1917.20
PA: 107-HOLLYWOOD
USES: FIELD

CASE NO:
SCALE: 1" = 100'
D.M.: 144B193

DATE: 03-28-18
Update: _____

DRAWN BY:

CONTACT: COLLABORATE

PHONE: 213-986-2131

NET AC: 0.43

QMS: 18-139





AUTOMOBILE w/ BICYCLE RACK AREA (SHORT TERM)

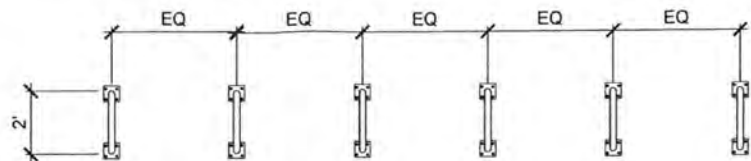


BRWS-161

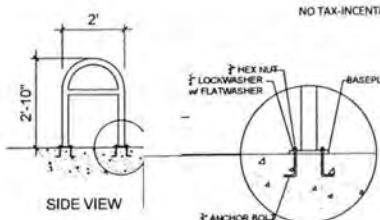


CAPACITY
STANDARD
All fabricated metal components are steel shotblasted, etched, phosphatized, preheated and electrostatically powder-coated with TGIC polyester powder coatings.
OPTION- Powder coat over galvanized finish. Satin stainless-steel finish. Surface mount. In-ground mount.

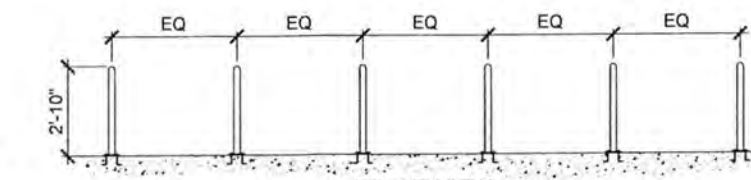
FINISHING
Material: Steel
Finish: Standard
Capacity: 2 Bikes
Options: Powder coat over galvanized finish. Satin stainless-steel finish. Surface mount. In-ground mount.



TOP VIEW



SIDE VIEW



FRONT VIEW

NOTES:
Single wide loop bike rack constructed of 2.375 in (60mm) OD tubular steel pipe and .25 x 2 in (6x51mm) cross bar.
CAPACITY - 2 BIKES
STANDARD- All fabricated metal components are steel shotblasted, etched, phosphatized, preheated and electrostatically powder-coated with TGIC polyester powder coatings.
OPTION- Powder coat over galvanized finish. Satin stainless-steel finish. Surface mount. In-ground mount.

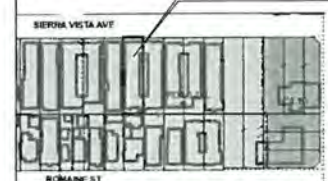
CS BIKE DETAIL
1 NTS

NOTE:
100% PRIVATELY FUNDED.
NO TAX INCENTIVE APPLIED.

NOTES

1. ALLOCATION OF ROOM NUMBERS
2. BICYCLE RACK
- 3.

VICINITY MAP



KEY NOTES

- 1.

PROJECT INFORMATION

OWNER: SIERRA ROMAINE LLC
ADDRESS: 5446 W SIERRA VISTA AVENUE, LOS ANGELES, CA 90038
PHONE:
FAX:

SCOPE OF WORK

CONVERSION OF (E) MANAGER'S OFFICE AND 3 (E) STORAGE ROOMS INTO 1 (N) 1 BEDROOM DWELLING UNITS AND 3 (N) STUDIO UNITS, TOTALING 36 UNITS

SHEET INDEX

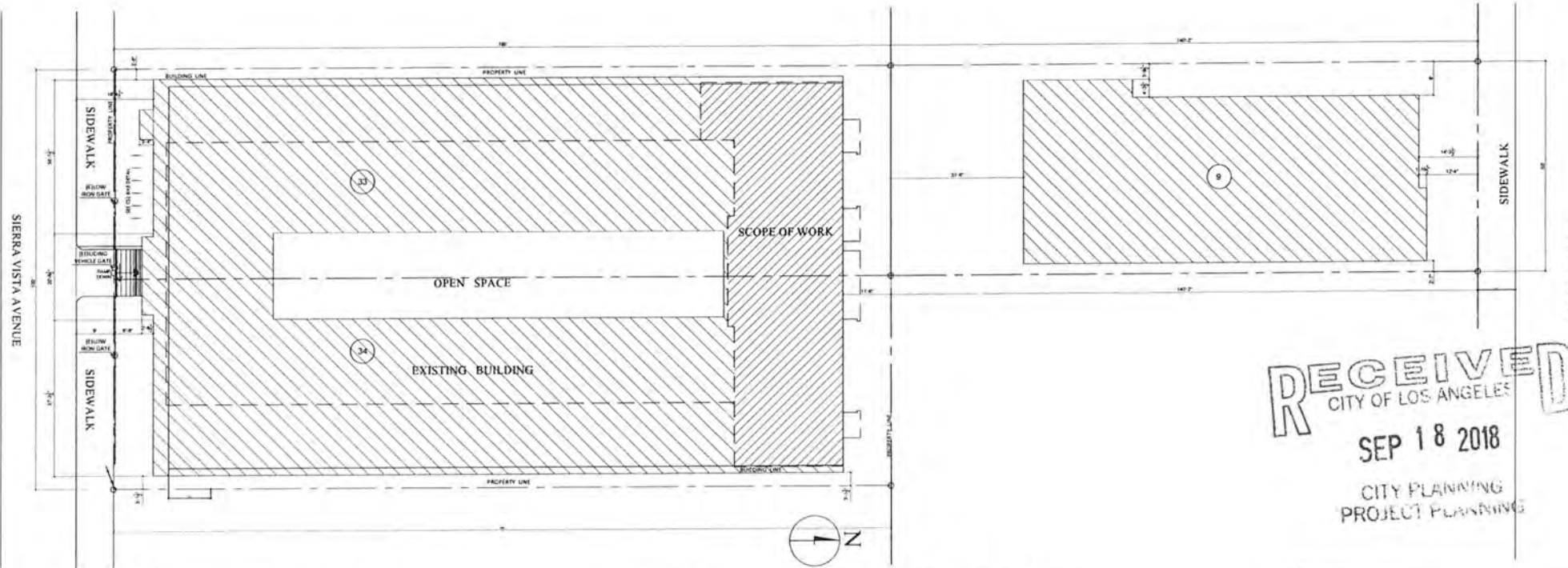
- CS-1 SITE DEVELOPMENT PLAN
- CS-2 GENERAL NOTE
- CS-3 GENERAL NOTE CONTN.
- A-1 EXISTING STORAGE PLAN @ FIRST FLOOR LOWER LEVEL
- A-2 PROPOSED STORAGE PLAN @ FIRST FLOOR LOWER LEVEL
- A-3 EXISTING FIRST FLOOR UPPER LEVEL
- A-4 EXISTING SECOND FLOOR LEVEL
- A-5 FRONT & RIGHT SIDE ELEVATION
- A-6 REAR AND LEFT SIDE ELEVATION
- A-7 SECTIONS THRU 1-1 & 2-2
- LS-1 LANDSCAPE PLAN

BUILDING DATA

SITE INFORMATION (LOT 9)
SITE ADDRESS: 5445 W ROMAINE ST, LOS ANGELES, CA 90038
PARCEL NO.: 5536-021-007
LOT AREA: 7,004.4 sq. ft.
YEAR BUILT: 1954
EXISTING BEDROOMS: 8
EXISTING BATHROOMS: 8
EXISTING UNITS: 8
PROPOSED UNITS:
EXISTING PARKING: RD1 5-1XL
ZONE: V-B
CONSTRUCTION TYPE: V-B
LEGAL DESCRIPTION: KENNETH PLACE LOT 9
TRACT NO: R-2
OCCUPANCY TYPE: YES/YES
FIRE ALARM/SPRINKLER: YES/YES

SITE INFORMATION (LOT 33 & 34)
SITE ADDRESS: 5442 W SIERRA VISTA AVENUE, LOS ANGELES, CA 90038
PARCEL NO.: 5536-021-019
LOT AREA: 9,448.0 sq. ft. (LOT 33)
LOT AREA: 9,443.3 sq. ft. (LOT 34)
YEAR BUILT: 1954
EXISTING BEDROOMS: 35
EXISTING BATHROOMS: 37
EXISTING UNITS: 30
PROPOSED UNITS: 4
EXISTING PARKING: 30
ZONE: RD1 5-1XL
CONSTRUCTION TYPE: V-B
TRACT NO: SIERRA VISTA TRACT LOT 33 & 34
OCCUPANCY TYPE: R-2
FIRE ALARM/SPRINKLER: YES/YES

PROJECT INFORMATION
OWNER: SIERRA ROMAINE LLC
ADDRESS: 5446 W SIERRA VISTA AVENUE, LOS ANGELES, CA 90038
ENGINEER:
ADDRESS:



1 SITE DEVELOPMENT PLAN
SCALE: 1/16" = 1'-0"



CALCULATION OF PARKING INCENTIVE

VEHICLE	NUMBER OF AUTOMOBILE/BICYCLE PER PARKING UNIT	NUMBER OF PARKING SPACE FOR NEW UNIT	TOTAL NUMBER OF PARKING SPACE PROVIDED
CAR/AUTOMOBILE	1	4	4
BICYCLE	4	4	16

TOP VIEW
AUTOMOBILE w/ BICYCLE PARKING (SHORT TERM)



SITE LOCATION

LOT AREA - 25 895.7000 SQ. FT.
BUILDING AREA- 29 924.0000 SQ. FT.
OPEN SPACE AREA - 2936.7882 SQ. FT.
PARKING SPACE AREA-128 6667 SQ. FT.
PARKING LOT AREA - 16332.7604 SQ. FT.

CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY
CERTIFICATE OF OCCUPANCY
Address of Building: 5445-45 Romaine
Parcel No. and Year: LA 1703/1954
Certificate Issued: April 24, 1955
NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY
CERTIFICATE OF OCCUPANCY
Address of Building: 5445 Sierra Vista Ave.
Parcel No. and Year: LA 51195/541 LA 23107/54
Certificate Issued: July 18th 2015
NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

2 Story, Type V, 90' x 159' Apartment House, Garage and Office, 38 Apartments, 22 Required Parking Spaces, 16-2, F-1 and G-1 Occupancies.

Joseph Leon
2601 So. Beverly Dr.
Beverly Hills, Calif.
L.A.-34

JOHN D. HILLSMAN

REVISIONS BY

PLAN AND PERMIT

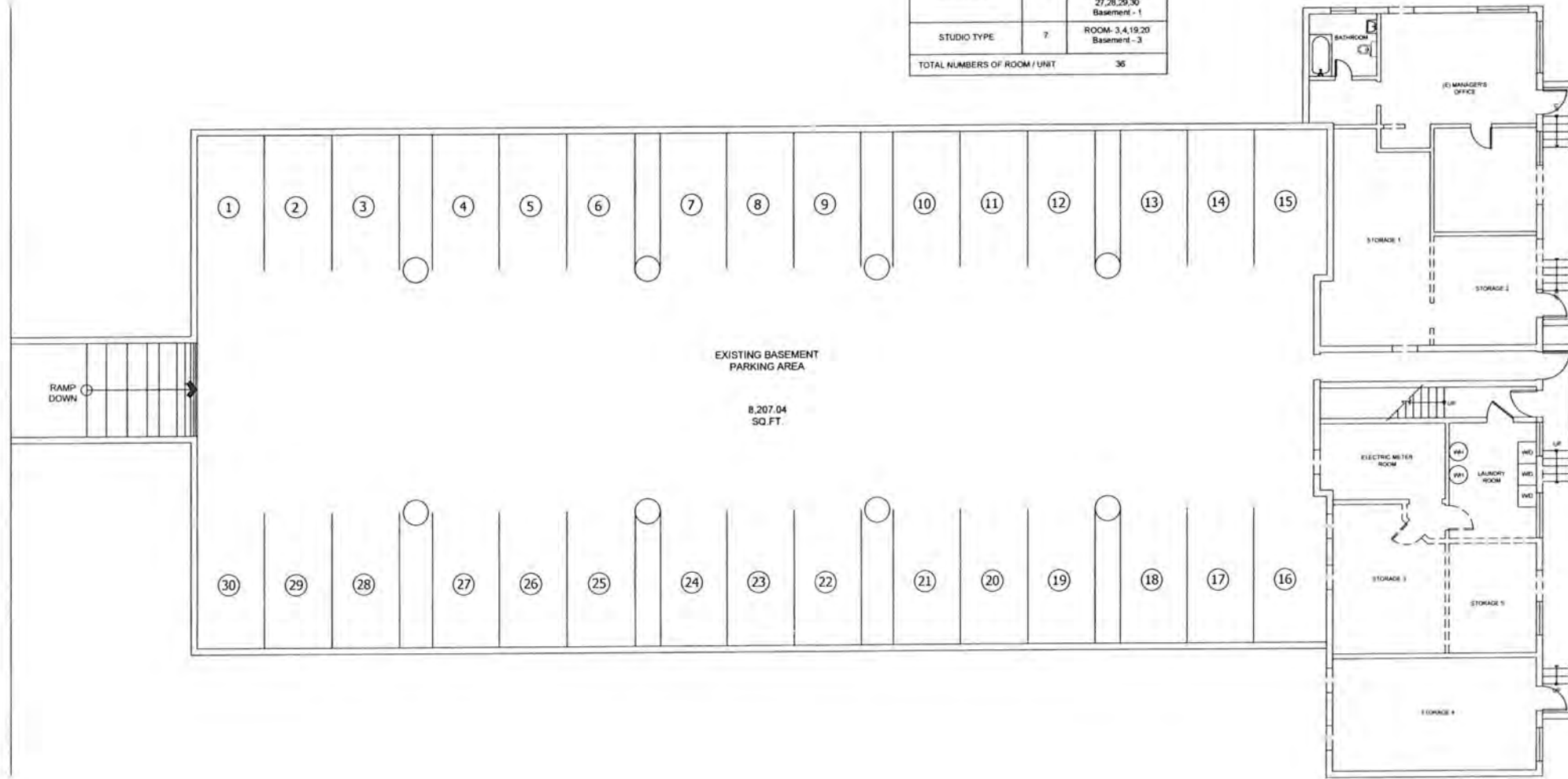
11729 Santa Monica Blvd
West Los Angeles, CA 90025
Tel no.: 424-354-9806
Email: planandpermit@gmail.com

PROJECT:
PROPOSED CONVERSION OF (E) MANAGER'S OFFICE AND 3 (E) STORAGE ROOMS INTO 1 (N) 1 BEDROOM DWELLING UNITS AND 3 (N) STUDIO UNITS, TOTALING 36 UNITS

OWNER:
SIERRA ROMAINE LLC.
5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA. 90038

DATE: 09-12-18
SCALE: AS NOTED
DRAWN:
JOB:
SHEET: CS-1 OF SHEET

SIERRA VISTA AVENUE



T Y P E	N O.	D E S I G N A T I O N
2 BEDROOM UNIT	6	ROOM-1,2,17,18,31,32
1 BEDROOM UNIT	23	ROOM-5,6,7,8,9,10, 11,12,13,14,15,16, 21,22,23,24,25,26, 27,28,29,30 Basement - 1
STUDIO TYPE	7	ROOM-3,4,19,20 Basement - 3
TOTAL NUMBERS OF ROOM / UNIT		36

1 EXISTING STORAGE PLAN @ BASEMENT LEVEL
SCALE: 1/8" = 1'-0"

WALL LEGEND	
	TO BE REMOVED
	ADDITIONAL WALL
	EXISTING WALLS TO REMAIN
	HEAT FAN LIGHT COMBO
	CARBON MONOXIDE
	120V HARDWIRED SMOKE ALARM

REVISIONS	BY
	BICYCLE RACK
	MISSING ROOM NUMBERS

PLAN AND PERMIT inc
 11729 Santa Monica Blvd.
 West Los Angeles, CA 90025
 Tel no.: 424-354-8906
 Email: planandpermit@gmail.com

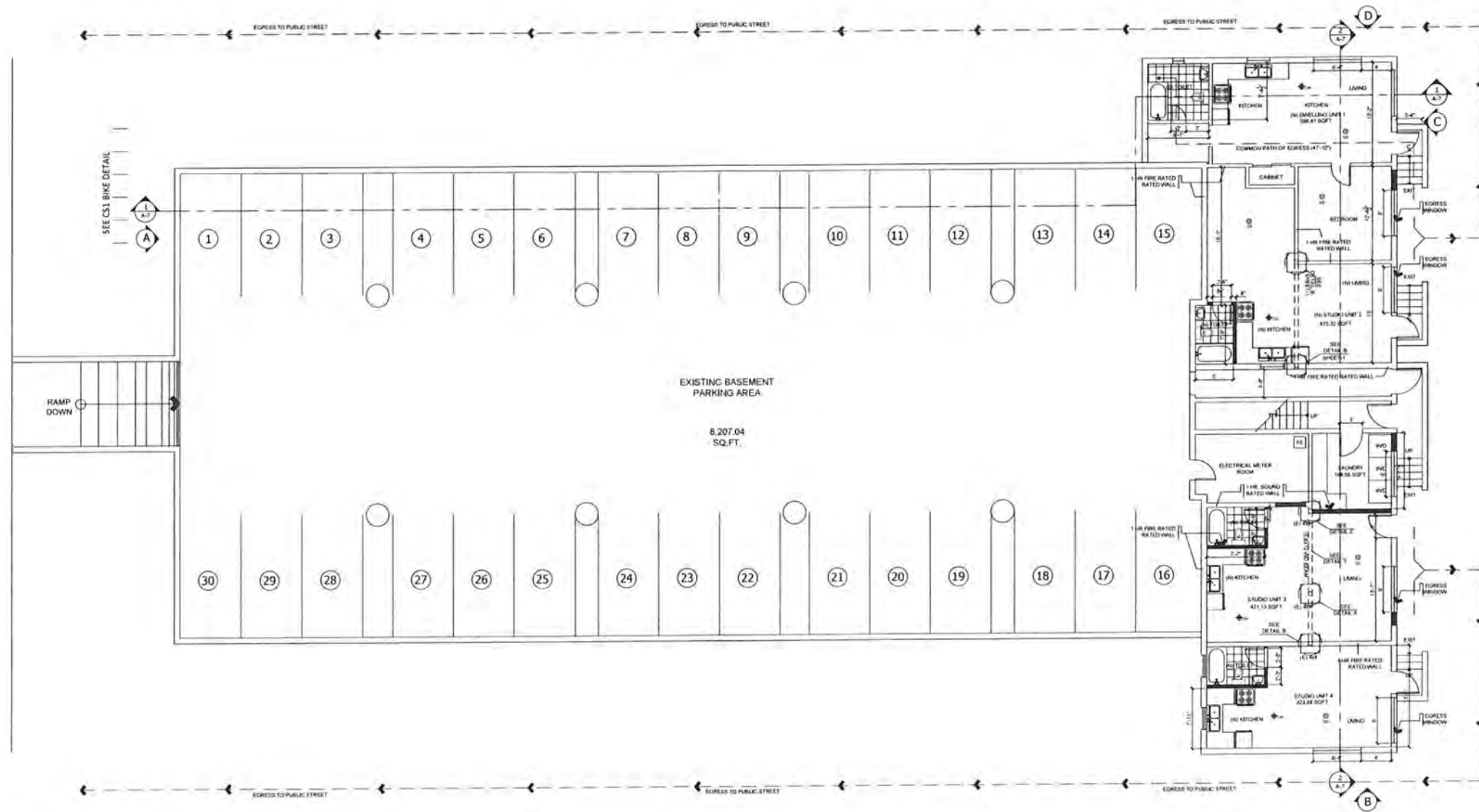
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OWNER:
SIERRA ROMAINE LLC.
 5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA, 90038

DATE: 09-12-18
 SCALE: AS NOTED
 DRAWN:
 JOB:

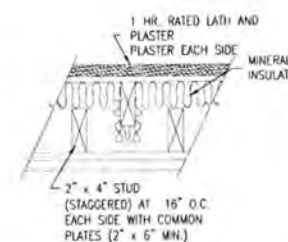
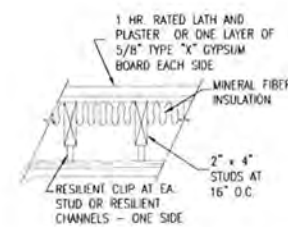
SHEET
A-1
 OF SHEET

SIERRA VISTA AVENUE



1 PROPOSED 4 DWELLING UNITS @ BASEMENT LEVEL (1,818.74 SQ.FT.)
SCALE: 1/8" = 1'-0"

FOR FIRE DEPT NOTES SEE CS-3



1 HR FIRE RATING SOUND RATIO PARTITION ASSEMBLIES
STC 50 - FIRE RATING AS SHOWN

WALL LEGEND	
	TO BE REMOVED
	ADDITIONAL WALL
	EXISTING WALLS TO REMAIN
	HEAT FAN LIGHT COMBO
	CARBON MONOXIDE
	120V HARDWIRED SMOKE ALARM

REVISIONS	BY
	BICYCLE RACK
	MISSING ROOM NUMBERS

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 West Los Angeles, CA 90025
 Tel no. 424-354-9906
 Email: planandpermit@gmail.com

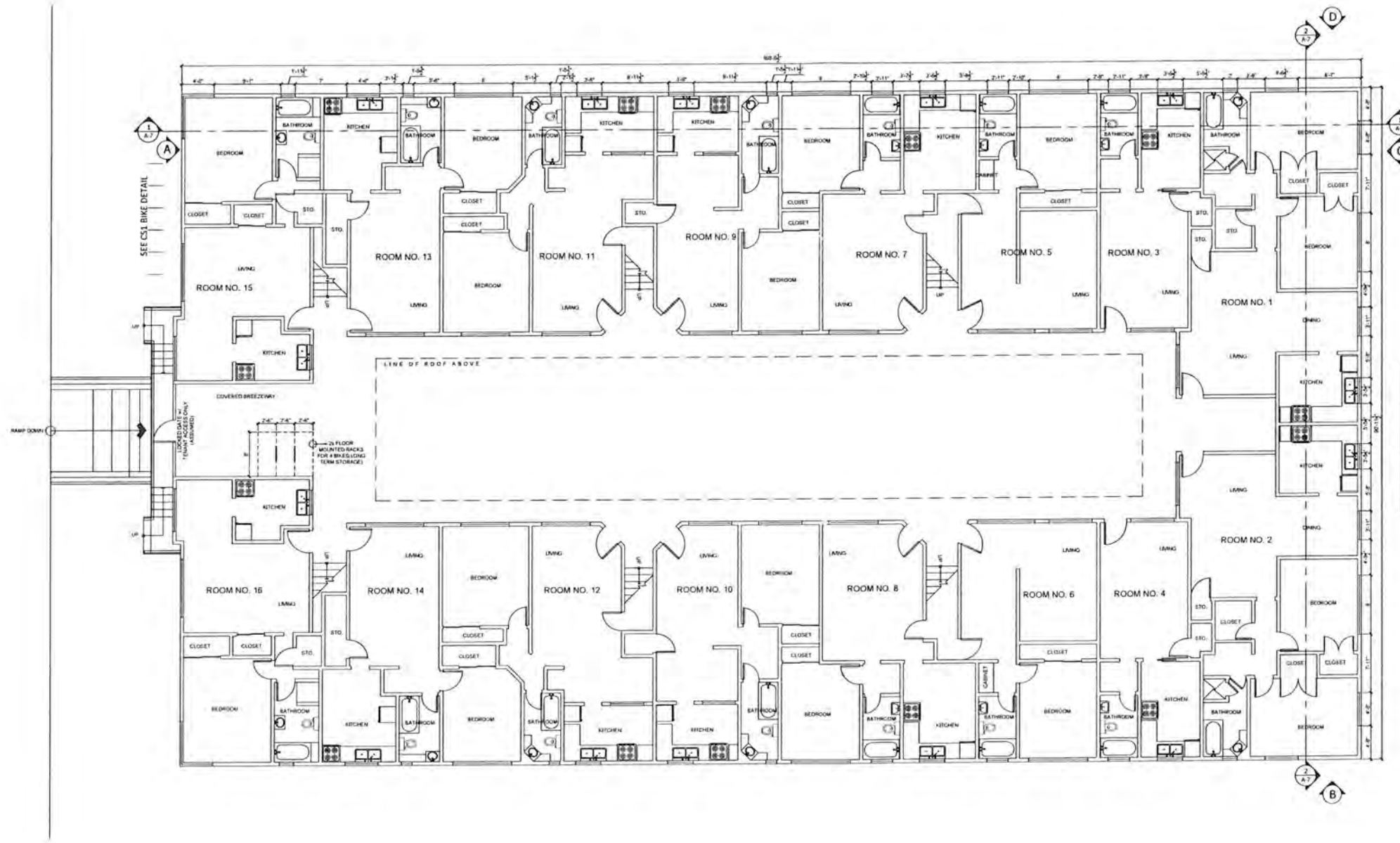
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 PROPOSED CONVERSION OF (E) MANAGER'S OFFICE AND 3 (E) STORAGE ROOMS INTO 1 (N) 1 BEDROOM DWELLING UNITS AND 3 (N) STUDIO UNITS, TOTALING 36 UNITS

OWNER:
SIERRA ROMAIN LLC.
 5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA. 90038

DATE 09-12-18
 SCALE AS NOTED
 DRAWN
 JOB
 SHEET

A-2
 OF SHEET

SIERRA VISTA AVENUE



1 EXISTING GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

T Y P E	N O.	D E S I G N A T I O N
2 BEDROOM UNIT	6	ROOM-1,2,17,18,31,32
1 BEDROOM UNIT	23	ROOM-5,6,7,8,9,10, 11,12,13,14,15,16, 21,22,23,24,25,26, 27,28,29,30 Basement - 1
STUDIO TYPE	7	ROOM-3,4,19,20 Basement - 3
TOTAL NUMBERS OF ROOM / UNIT		36

REVISIONS	BY
▲ BICYCLE RACK	
▲ MISSING ROOM NUMBERS	

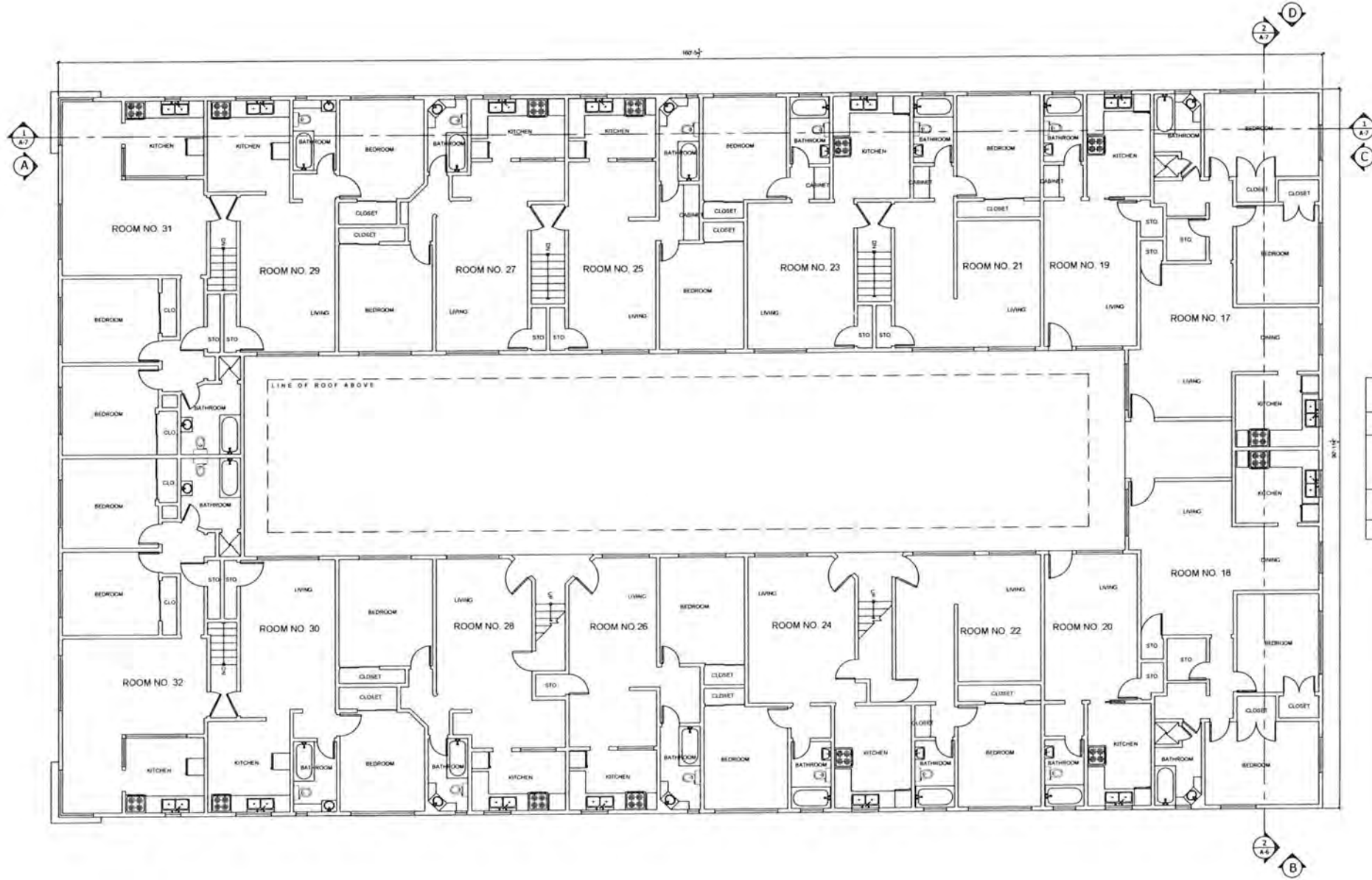
PLAN AND PERMIT
circ
 PP
 11729 Santa Monica Blvd
 West Los Angeles, CA 90025
 Tel no.: 424.354.9906
 Email: planandpermit@gmail.com

PROJECT:
 PROPOSED CONVERSION OF (E) MANAGER'S OFFICE AND 3 (E) STORAGE ROOMS INTO 1 (N) 1 BEDROOM DWELLING UNITS AND 3 (N) STUDIO UNITS, TOTALING 36 UNITS

OWNER:
SIERRA ROMAINE LLC.
 5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA. 90038


DATE 09-12-18
 SCALE AS NOTED
 DRAWN
 JOB

SHEET
A-3
 OF SHEET



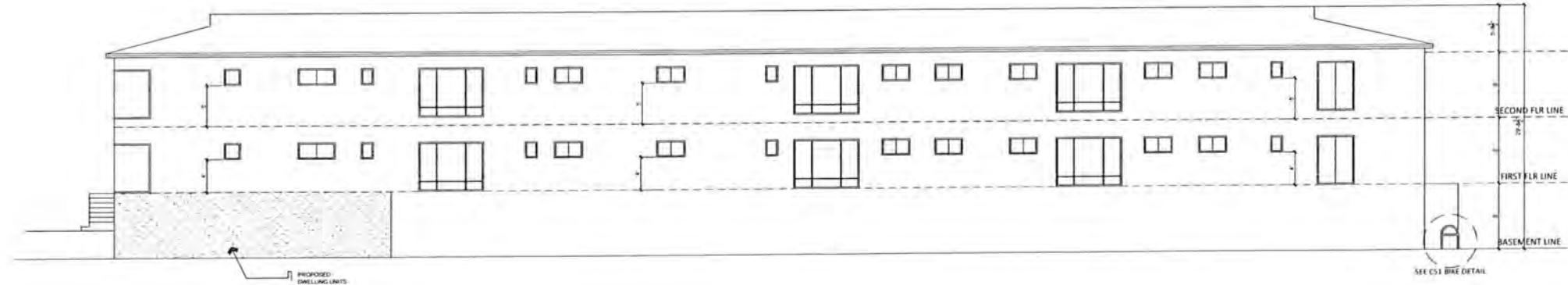
T Y P E	N O.	D E S I G N A T I O N
2 BEDROOM UNIT	6	ROOM-1,2,17,18,31,32
1 BEDROOM UNIT	23	ROOM-5,6,7,8,9,10, 11,12,13,14,15,16, 21,22,23,24,25,26, 27,28,29,30 Basement - 1
STUDIO TYPE	7	ROOM-3,4,19,20 Basement - 3
TOTAL NUMBERS OF ROOM / UNIT		36

1 EXISTING SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS	BY
▲ BICYCLE RACK	
▲ MISSING ROOM NUMBERS	
	
PLAN AND PERMIT 11729 Santa Monica Blvd. West Los Angeles, CA 90025 Tel no. 424 354-9905 Email: planandpermit@gmail.com	
OWNER:	SIERRA ROMANE LLC. 5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA, 90038
PROJECT:	PROPOSED CONVERSION OF (E) MANAGER'S OFFICE AND 3 (E) STORAGE ROOMS INTO 1 (N) 1 BEDROOM DWELLING UNITS AND 3 (N) STUDIO UNITS, TOTALING 36 UNITS
DATE	09-12-18
SCALE	AS NOTED
DRAWN	
JOB	
SHEET	A-4 OF SHEET



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST SIDE ELEVATION
SCALE: 1/8" = 1'-0"

REVISIONS	BY
▲ BICYCLE RACK	
▲ MISSING ROOM NUMBERS	

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 West Los Angeles, CA 90025
 Tel no.: 424 354-9906
 Email: planandpermit@gmail.com

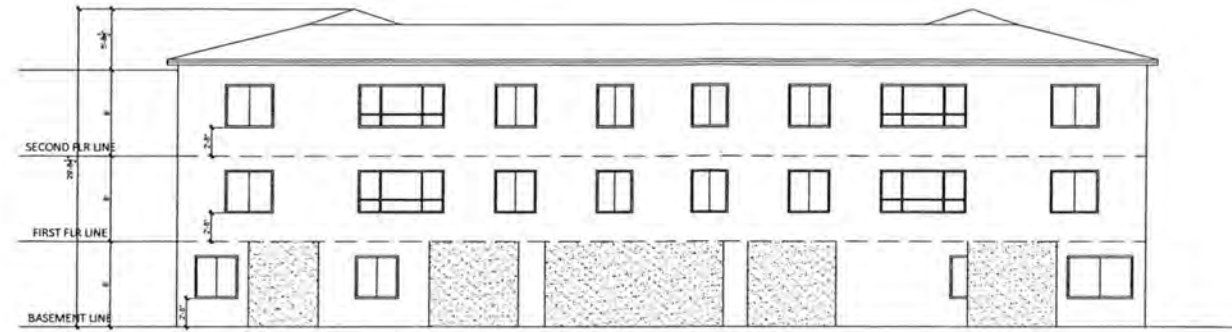


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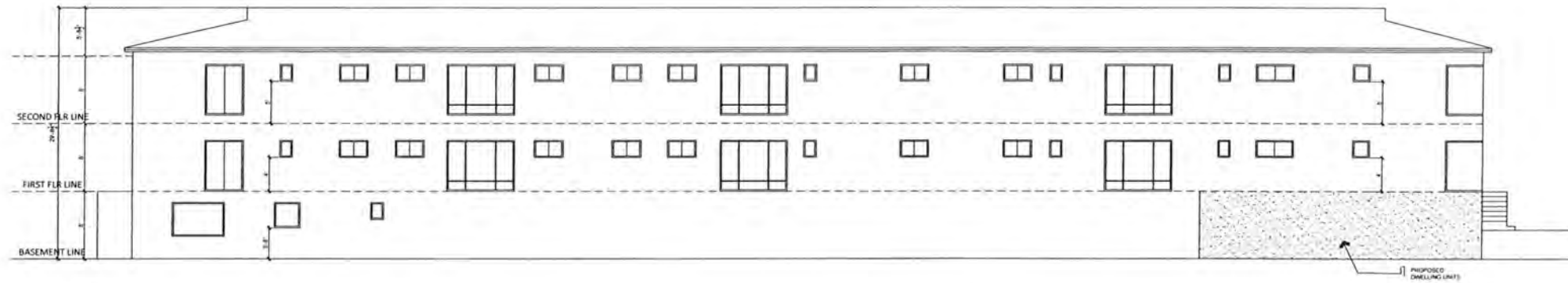
OWNER:
SIERRA ROMAINE LLC.
 5446 SIERRA VISTA AVENUE, LOS ANGELES CA 90038

DATE 09-12-18
 SCALE AS NOTED
 DRAWN
 JOB

SHEET
A-5
 OF SHEET



3 REAR ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST SIDE ELEVATION
SCALE: 1/8" = 1'-0"

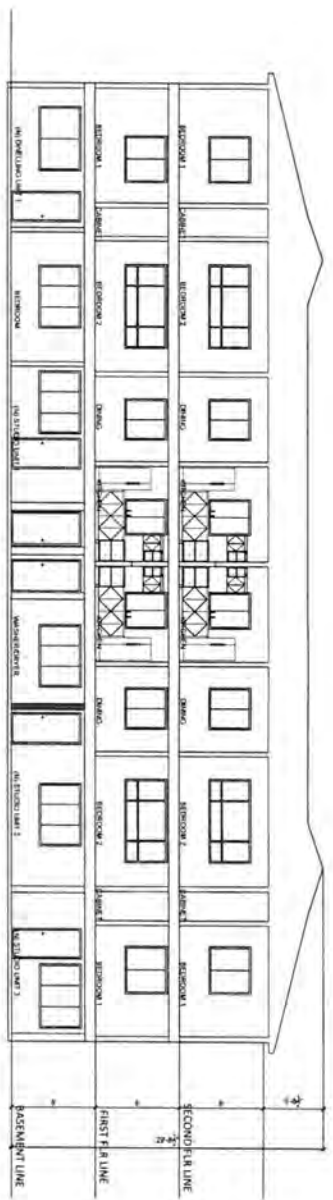
REVISIONS	BY
▲ BICYCLE RACK	
▲ MISSING ROOM NUMBERS	

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inc
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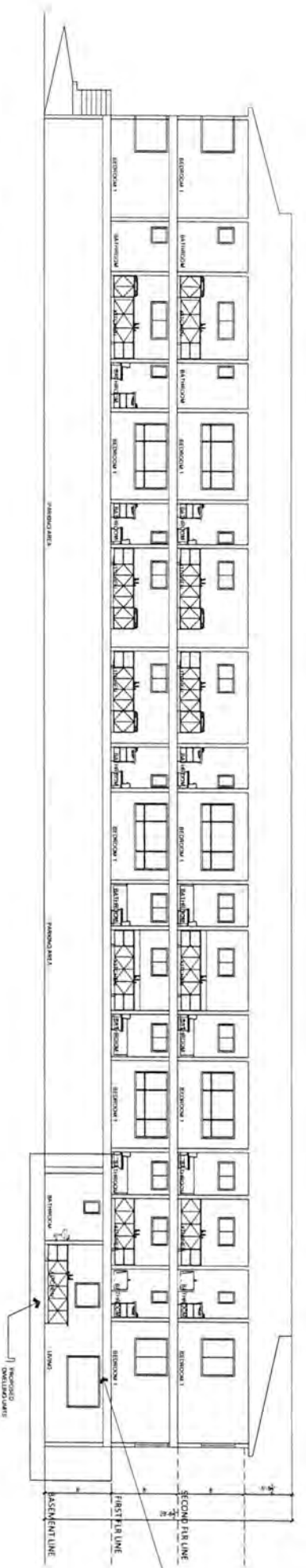
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OWNER:
SIERRA ROMAINÉ LLC.
 5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA. 90038

DATE	09-12-18
SCALE	AS NOTED
DRAWN	
JOB	
SHEET	A-6 OF SHEET



2 SECTION THRU 1 - 1
SCALE: 1/8" = 1'-0"



3 SECTION THRU 2 - 2
SCALE: 1/8" = 1'-0"



REVISIONS	BY
MISSING ROOM NUMBER	

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PP inc
 11729 Santa Monica Blvd.
 West Los Angeles, CA 90025
 Tel no : 424.354.9906
 Email: planandpermit@gmail.com

PROJECT:
 PROPOSED CONVERSION OF (E) MANAGER'S OFFICE AND 3 (E) STORAGE ROOMS INTO 1 (N) 1 BEDROOM DWELLING UNITS AND 3 (N) STUDIO UNITS, TOTALING 36 UNITS

OWNER:
SIERRA ROMAINE LLC.
 5446 W. SIERRA VISTA AVENUE, LOS ANGELES CA. 90038

DATE: 09-12-18
 SCALE: AS NOTED
 DRAWN:
 JOB:
 SHEET: **A-7**
 OF SHEET

CORRESPONDENCE

CITY OF LOS ANGELES
HOLLYWOOD STUDIO DISTRICT
NEIGHBORHOOD COUNCIL

Officers:

Damien Burke, Chair
Anthony Conley, Vice Chair
Jessica Salans, Treasurer

5500 Hollywood Blvd. #313
Los Angeles, CA 90028
info@hsdnc.org
www.hsdnc.org



**ERIC GARCETTI
MAYOR**



Board Members:

Alex Alferov	Jessica Salans
Damien Burke	Bill Murphy
Anthony Conley	Bryan Parent
Keith Cornella	Myra Chete
Paul Dougherty	Jose Torres
Doug Haines	Jason Vogel
Dassler Jimenez	Jonathan Bayley
Richard King	Carlos Marroquin
Jessica Kwon	Ellie Albertson
Anita McMillan	

February 15, 2019

Mr. Jack Chiang, Associate Zoning Administrator
City of Los Angeles, City Planning Department
200 N. Spring Street, Room 763
Los Angeles, CA 90012

Re: ZA-2016-4729-ZV; ENV-2016-4730-CE; 5446 Sierra Vista Ave., Hollywood.

At its February 11, 2019 regular meeting, the Governing Board of the Hollywood Studio District Neighborhood Council did not support a request by applicant Lila Eilat for a variance to permit the conversion of a manager's office and three storage rooms into additional residential units in an existing 32-unit, non-conforming apartment building at 5446 Sierra Vista Ave.

The Board's vote followed a recommendation by the neighborhood council's Planning and Land Use Management Committee to oppose the variance request.

Prior to the vote of the Board, the applicant's representative presented the entitlement request and answered questions regarding the proposal.

Attached please find additional material reviewed by the Board prior to its vote.

Anthony Conley, Vice Chair





HOLLYWOOD STUDIO DISTRICT NEIGHBORHOOD COUNCIL

A variance request to provide relief from the limitations of the restricted density zone, in order to convert storage rooms and an office into four additional dwelling units in a 1954, 32-unit apartment building located at 5446 Sierra Vista Ave.

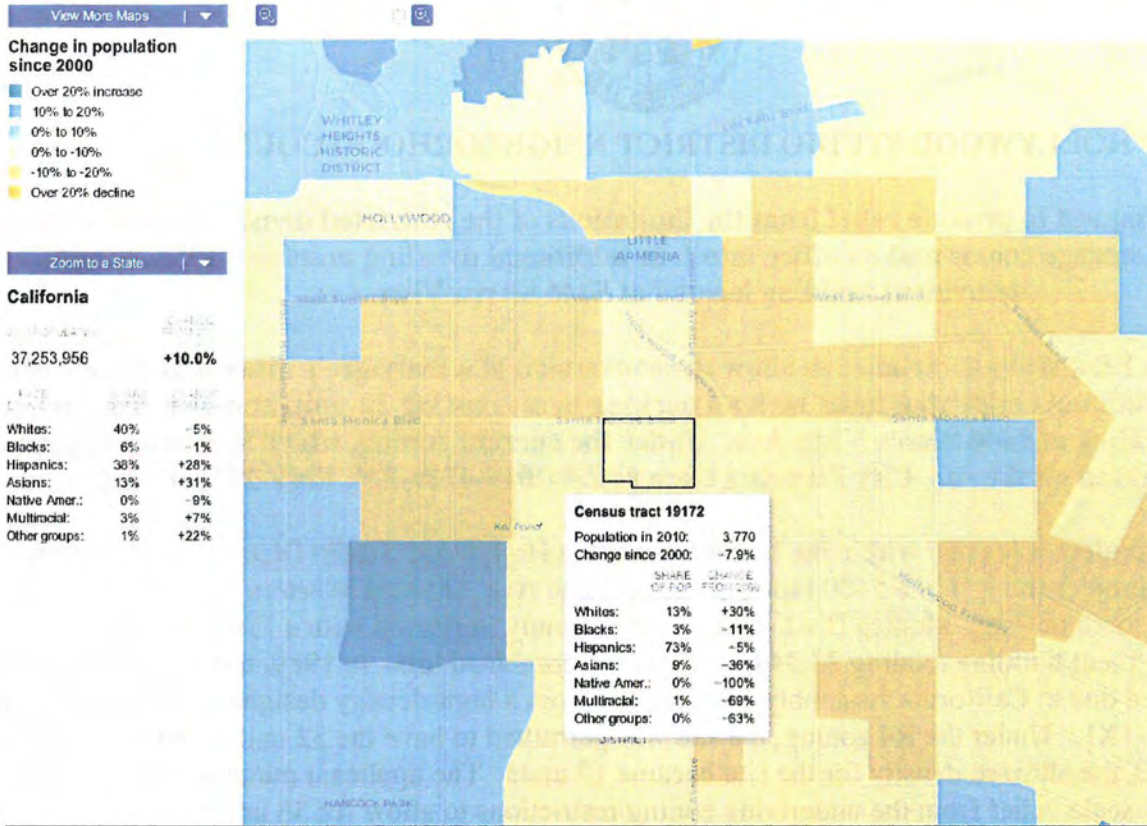
Applicant Lila Eilat seeks a variance to allow the conversion of a manager's office and three storage rooms into additional residential units with no parking in an existing 32-unit, non-conforming apartment building at 5446 Sierra Vista Ave. Under the current zoning, which is restricted density, 17 units are permitted on the site. City Planning Case #s ZA-2016-4729-ZV; ENV-2016-4730-CE

The proposed project is located within the boundaries of the Hollywood Studio District Neighborhood Council. The project site is in the 5400 block of Sierra Vista Ave. between Western Ave. and St. Andrews Pl., one block south of Santa Monica Blvd. The site is currently improved with a 1954, 32-unit, two-story courtyard apartment building totaling 23,344 sq. ft. on the combined lots. In 1989, this area of Hollywood was downzoned due to California Assembly Bill AB 283 from a high-density designation of R4 to restricted density RD1.5-1XL. Under the R4 zoning, the site was permitted to have the 32 units. With the zoning change in 1989, the allowed density for the site became 17 units. The applicant purchased the property in 2012, and now seeks relief from the underlying zoning restrictions to allow for 36 units.



The site is in census tract 1917.20. In 2010, the U.S. Census estimate for the population of this tract was 3,770 persons, which was an 8 percent decline in population from the year 2000 census. In the 2017 U.S. estimated census, tract 1917.20 is pegged at a population of 3,646 persons, or a 13.5% decline from the year 2010 figures.

Proposed variance for an existing 32-unit apartment building at 5446 Sierra Vista Ave.
Page 2



Year 2010 U.S. Census figures for the subject site's census tract.

2017 American Community Survey

American Community Survey: Census Tract 1917.20, Los Angeles County

Population

	Census Tract 1917.20, Los Angeles County, California	Los Angeles County, California	California	United States
Total Population	3,646	10,105,722	38,982,847	321,004,407
	-13.5% ↓	2.7% ↑	4.4% ↑	3.8% ↑
Total Population:	2,004	4,979,641	19,366,579	158,018,753
Male	55.0%	49.3%	49.7%	49.2%
	-11.7% ↓	2.6% ↑	4.3% ↑	3.9% ↑
Total Population:	1,642	5,126,081	19,616,268	162,985,654
Female	45.0%	50.7%	50.3%	50.8%
	-15.6% ↓	2.8% ↑	4.5% ↑	3.7% ↑

[← Back to Map](#)

Year 2017 U.S. Census estimated population changes for the subject site's census tract.

Current Request before the Board

The applicant seeks a variance to provide relief from the density limitations of the underlying RD1.5-1XL Zone pursuant to Los Angeles Municipal Code Section 12.09.1.B.4. The applicant seeks the variance approval to convert three storage rooms and a manager's office into residential dwelling units, increasing the number of units in the building from 32 to 36. The applicant proposes to provide bicycle parking in lieu of the required additional parking stalls. The applicant further requests that the variance be determined to be categorically exempt from the California Environmental Quality Act (CEQA).

Standard of Review for a variance:

Purpose: The purpose of a Variance from the Zoning Code is to make the property in question equal to the surrounding properties and not to grant special privileges or permit a use that is inconsistent with other nearby properties.

The hardship must be caused by special physical circumstances or limitations relating to the land, such as its size, shape, topography, location or surroundings that deny it the same development rights as other properties in the same zone and vicinity. A grant of a variance is generally allowed when the land is otherwise unusable.

California law and the City Charter require that a variance from a zoning ordinance must show that the applicant would suffer practical difficulties and unnecessary hardships in the absence of the variance, that these hardships result from special circumstances relating to the property that are not shared by other properties in the area, and that the exception is necessary to bring the applicant into parity with other property owners in the same zone and vicinity.

Specific findings for granting a variation from the Zoning Code are required under Section 65906 of the California Government Code, which states:

Section 12.27 of the Los Angeles Municipal Code & Section 562 of the Los Angeles City Charter require a variance approval to be supported by written findings of all of the following:

- a) That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;
- b) That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally other property in the same zone and vicinity;
- c) That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;

- d) That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and
- e) That the granting of the variance will not adversely affect any element of the General Plan.

Section 562 of the LA City Charter further states: “The grant of a variance may include conditions that will remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning ordinance. A variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. The Zoning Administrator may deny a variance if the conditions creating the need for the variance were self-imposed.”

Standard of Review for a Categorical Exemption from CEQA:

The applicant seeks a determination that the project is Categorically Exempt from CEQA, per a Class 32 exemption, and that there is no substantial evidence that an exception applies per CEQA Guidelines Section 15300.2. A Class 32 exemption must meet the following criteria:

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

CEQA Guidelines Section 15300.2 requires environmental review if any of the following applies:

- a) Location in a sensitive environment;
- b) Cumulative impacts of successive projects of the same type in the same place is significant;
- c) The activity may have a significant effect on the environment due to unusual circumstances;
- d) Damage to a scenic resource;
- e) Hazardous waste sites;
- f) The project would impact a historic resource.

Planning Committee review

The Planning Committee conducted two hearings on the proposed variance: on March 8, 2018, and at its May 3, 2018 meeting. In attendance was the applicant’s representative. The city has also conducted two public hearings on the variance request: on September 26, 2017, and January 15, 2019. Members of the PLUM Committee attended both of the city hearings.

Discussion of the variance request by the PLUM Committee centered on 1) the lack of any hardship to justify the entitlement, 2) the fact that the existing apartment building already has a density of almost four times what is currently allowed, 3) that the grant of the variance would establish precedent, 4) that the

Proposed variance for an existing 32-unit apartment building at 5446 Sierra Vista Ave.

Page 5

variance request if granted would violate AB283 and the General Plan designation for the area as restricted density, and 5) the Hollywood Community Plan Update does not propose upzoning this area, in recognition of the existing infrastructure limitations.

The PLUM Committee voted unanimously (5-0) at its May 3, 2018 meeting that the findings for the variance cannot be made, and the request is unjustified.

Submitted to the Board for its Feb. 11, 2019 meeting.



Jack Chiang <jack.chiang@lacity.org>

5446 Sierra Vista, ZA-2016-4729-ZV

1 message

Nicole Kuklok-Waldman <nicole@collaborate-la.com>

Tue, Feb 12, 2019 at 5:29 PM

To: Jack Chiang <jack.chiang@lacity.org>, Amy Ablakat <amy.ablakat@lacity.org>

Hello Jack,

As you requested at the rehearing of 5446 Sierra Vista, I attended the Hollywood Studio District Neighborhood Council on February 11, 2019. After a rather heated discussion, the full Board voted 6-5 to oppose the project based on the variance findings. The five votes in the minority tried to propose an alternative where they would support the proposal if all four units were income restricted, two units for Low Income tenants and two units for Moderate Income tenants.

As Council Office may have already informed you, we voluntarily agreed that two of the units would be designated for low income tenants, while the remaining two units would be market rate. All units, having been constructed prior to 1978, would be subject to the Rent Stabilization Ordinance pursuant to the Municipal Code.

While I know that variance findings can be difficult to make, I am confident you can make the requisite findings here. If you would like me to draft and forward additional findings and justifications for the project, please let me know and I would be happy to do so.

As an aside, and I am aware this is outside of your control, I do think the Planning Department really needs to consider its requiring that Projects be heard before the Neighborhood Council. At the Land Use Committee meeting for this item, I was mansplained for 45 minutes. If I had been in a workplace, I would have had a harassment claim. Even at the meeting last night, I was yelled at more than once.

I am at a point in my career where I refuse to attend a Neighborhood Council meeting without a witness or a camera. I have been at Neighborhood Council Meetings where 911 was called on more than one occasion. I would suggest the Planning Department seriously consider the requirement that I be subject to this harassment by groups but more specifically by individuals like Doug Haines and his friends. It is not only annoying and wasteful, it is immoral.

Please let me know if you need anything else.

Thanks,
Nicole

—
COLLABORATE

NICOLE KUKLOK-WALDMAN

555 W. Fifth Street, Suite 3500

Los Angeles, CA 90013

O 213.986.2131

C 818.468.1983

E nicole@collaborate-la.com

www.collaborate-la.com



Nuri Cho <nuri.cho@lacity.org>

5446 Sierra Vista

Nicole Kuklok-Waldman <nicole@collaborate-la.com>
To: Nuri Cho <nuri.cho@lacity.org>

Thu, May 3, 2018 at 11:44 PM

Hi Nuri,

Just wanted to update you on Hollywood Studio District NC; we had a Land Use Committee hearing this evening. I know that none of my experience with this NC will change the fact that we have to appear before them, but I wanted to make sure you know about a couple of things that happened.

At our March hearing, there was no quorum, so Doug Haines as Chair could not get enough votes to officially oppose our project. One of the community members spoke up in support of our project, and Doug told him our proposal was illegal and the NC was not allowed to support it. He regularly shushed me for speaking and told me I wasn't respectful of him when I asked him for legal support for his assertions. Used to that by now, so no surprises there.

On Tuesday, I was copied on a strange email from Joseph's assistant. When I asked her to tell me what the email was about, she forwarded me a notice for a special meeting of the Hollywood Studio District Neighborhood Council Land Use Committee. I was never formerly noticed of this meeting, although Doug Haines did call my office later that day. It was clear that Doug was able to get a quorum and tried to place all the backed up projects on an agenda. Luckily, I was able to move my schedule around to attend, but Joseph was out of the country. I don't think this type of noticing, aside from lacking state law requirements, really works to engender fairness or community support of the NC process. It's not worth contesting, but it isn't appropriate, either.

Unsurprisingly, the full quorum opposed our project, as they did with all of the projects on the agenda last night. Let me know if you need me to follow up with the ZA or anyone else to update them on NC.

Please let me know if you need anything on this file; I think I am up to date, at least for now! Thanks for your help on this.

Best,
Nicole

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Jack Chiang <jack.chiang@lacity.org>

Fwd: 5446 Sierra Vista (ZA-2016-4729-ZV)

Nuri Cho <nuri.cho@lacity.org>
To: Amy Ablakat <amy.ablakat@lacity.org>
Cc: Jack Chiang <jack.chiang@lacity.org>

Thu, Nov 16, 2017 at 3:35 PM

I was away from my desk for meetings until now. Thank you for the update Amy.

On Thu, Nov 16, 2017 at 1:20 PM, Amy Ablakat <amy.ablakat@lacity.org> wrote:
Hi Nuri,

Just a FYI, I already spoke to Jack. We recommended the units be restricted to low-moderate income levels.

2 units- Low income levels
2 units-Moderate income levels

Please let me know if you have any questions or concerns.

Thanks,

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

From: Amy Ablakat <amy.ablakat@lacity.org>
Date: Thu, Nov 16, 2017 at 12:59 PM
Subject: Re: 5446 Sierra Vista (ZA-2016-4729-ZV)
To: Nuri Cho <nuri.cho@lacity.org>

Hi Nuri,

I just left you a voice message, please give me a call back at your earliest convenience.

Thanks,
Amy

On Thu, Nov 16, 2017 at 11:21 AM, Amy Ablakat <amy.ablakat@lacity.org> wrote:
Hi Nuri,

Please clarify the following, we want to make sure we have the most accurate information.

The project description shows the conversion of an **existing manager's office** and **three storage rooms** into one (1) one bedroom apartments and three (3) studio units.

Have you received information from the applicant if these were converted into units prior to this request? Would this request be considered self-imposed?

Also, ZIMAs shows 32 units currently and 35 bedrooms. What is the total number of units and number of bedrooms being proposed?

Thank you,
Amy

On Thu, Nov 16, 2017 at 8:41 AM, Nuri Cho <nuri.cho@lacity.org> wrote:
Hi Amy,

Thank you for the update. Our Hollywood Unit has not been getting any other cases for UDU projects. I am not sure about other geography.

Best,

On Wed, Nov 15, 2017 at 4:14 PM, Amy Ablakat <amy.ablakat@lacity.org> wrote:
Hi Nuri and Jack,

We are pending information from the applicant, they were going to confirm the AMI and with housing department? Also, we would like to know if planning is receiving these requests for zone variances for projects that do not meet the UDU requirements/ criteria?

Thanks,
Amy

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

From: **Jack Chiang** <jack.chiang@lacity.org>

Date: Wed, Nov 15, 2017 at 3:36 PM

Subject: Re: 5446 Sierra Vista (ZA-2016-4729-ZV)

To: Nuri Cho <nuri.cho@lacity.org>

Cc: Nicole Kuklok-Waldman <nicole@collaborate-la.com>, Amy Ablakat <amy.ablakat@lacity.org>, Mark Silber <mark@elitmg.com>, J P <planandpermit@gmail.com>

Please also fill me in on the Neighborhood Council's recommendation. Thank you.

Jack Chiang

On Wed, Nov 15, 2017 at 3:32 PM, Nuri Cho <nuri.cho@lacity.org> wrote:
Hi Nicole and Amy,

I believe the Council Office has been requesting the four (4) units to be restricted to Low Income Households, while the applicant wants to restrict them to Moderate Income Households. Were you able to come to an agreement on the affordability level?

Per Nicole's email dated September 25th, it seems like the applicant is agreeing to the Low Income Household level.

Please confirm, as Jack is waiting for CD 13's response prior to issuing the Letter of Determination.

Thank you.

On Mon, Sep 25, 2017 at 4:33 PM, Nicole Kuklok-Waldman <nicole@collaborate-la.com> wrote:

Dear Nuri,

Thanks for talking with me earlier today. After our call, I spoke with Amy Ablakat of Councilmember Mitch O'Farrell's Office, and we discussed my difficulties coordinating with the Neighborhood Councils, as well, prior to tomorrow's hearing. It appears that the Neighborhood Councils are having difficulty getting together and obtaining a quorum for decision making, although Council Office can certainly fill you in more on this. As I told you, we are happy to continue to try reaching out to the Neighborhood Councils should that be desired.

Amy and I also discussed the status of the units, and on behalf of my client, we are happy to agree to a voluntary condition restricting the four units proposed as units subject to an Affordable Housing Covenant administered by the Housing and Community Investment Department for Low Income Individuals at 80% of AMI, should the variance be approved. This would result in the net increase of four new affordable units to the local Hollywood housing supply. When considering that most affordable units coming online are very

low-income units due to the State's Density Bonus Law, this provides an opportunity for the City to provide reasonably-priced workforce housing in Hollywood.

While I am aware that variance findings can be difficult to make, I would like to draw your attention to a couple of key issues that make this variance request different and appropriate. Specifically, at the outset, these units are not subject to the Unpermitted Dwelling Unit Ordinance ("the UDU") because the units were not illegally populated when the UDU was passed or within the period prescribed by the UDU. As a result, the UDU has the inverse consequence of punishing my clients for following the law and keeping these units uninhabited, resulting in unfair and unequal treatment under the code. In addition, there is a statewide affordable housing crisis that is creating difficulty for many to find and obtain affordable housing. This variance is an easy way for the City to place four new affordable units on the market without any physical change to the environment, and in an appropriate multi-family zone.

My client is a housing provider in Los Angeles that seeks to comply with the law and that provides good, clean, and safe housing to many of its residents. We appreciate the City's consideration of this request, especially after we learned that the site was not eligible for relief under the UDU.

Thank you for your consideration, and we look forward to seeing you tomorrow at the hearing.

Very Truly Yours,

Nicole Kuklok-Waldman

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