



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: APCW-2022-1156-SPE-HCA

Project Address: 11835 West Tennessee Place

Final Date to Appeal: September 1, 2023

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative Property Owner
- Applicant Operator of the Use/Site
- Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Rudy Hartanto

Company/Organization: _____

Mailing Address: 11809 Tennessee Avenue

City: Los Angeles State: CA Zip: 90064

Telephone: 310-622-5481 E-mail: rudyhartanto25@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- Self Other: On behalf of the neighbors(see a#

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

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

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: 3

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

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: [Signature] Date: 8/25/2023

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: 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.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

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.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee: \$166.00	Reviewed & Accepted by (DSC Planner): Ruben Vasquez	Date: August 29, 2023
Receipt No: 290823O18-1FF97535-0178-45D3- B3EC-D9B865C8D529	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Los Angeles City Planning Appeal
Case No. APCW-2022-1156 DL Final
APCW-2022-1156-SPE-HCA

Project Site: 11835 W. Tennessee Pl.
SPE: To allow reduced front yards of five (5) feet in lieu of the 15 feet otherwise required by the Expo TNP Section 4.3.1.A.2

On behalf of myself, a neighbor who lives across from the subject project site, and my fellow nearby area resident neighbors, for reasons stated below, we herein file this appeal to the Los Angeles Department of City Planning seeking to overturn WLA APC's decision granting the applicant's submission for a specific plan exception to allow a reduced 5 ft. front yard setback in lieu of the 15 ft. front yard setback required by Expo TNP §2.2.2.C and Expo TNP §4.3.1.A.2, both sections refer to the 15 ft. front yard setback requirement as set forth in LAMC §12.10 C.1, and deny the application.

The purpose of the TNP §4.3.1.A.2 setback requirement "is to ensure that the project is compatible with neighboring properties." (Reference to WLA APC Letter of Determination dated August 17, 2023 ("DL") page numbers under respective headings e.g. "Findings": (F-2).) There are no comparable setbacks currently enjoyed by the properties in the same area and zone. To represent otherwise as is done in this DL is false and misleading. (F-2) Allowing just a 5 ft. front yard set back accomplishes the exact opposite where all the neighboring properties adhere to the 15 ft. front yard setback requirement. To hold otherwise would also set a bad precedent.

Surrounding properties are zoned R3(EC) and developed with single family dwellings. (F-3) The breath and scope of the project is out of proportion to the nature and character of this neighborhood, as such, the project is incompatible to the general purpose and intent of the zoning regulation, failing to conserve the stability of this single-family neighborhood. (F-1)

This property is not "currently vacant." (F-5, F-6) It has an unoccupied single family home situated on the property, because the seller moved out when sold. The new owner, the applicant herein, could live at the location if he/she/they wished. In fact, the property was leased to tenants, and is merely by choice of the applicant to be unoccupied. The property is not necessarily "underutilized." (F-5, F-6) A single family home has great value and the apparent marginalization of the present state of the character of this property as stated in the DL is self-serving to legitimize their approval of this project. We ask that this characterization be given little weight and/or consideration as it is untrue and misleading.

The "net increase of three (3) dwelling units" in close proximity to public transit Expo "E" line (F-6) (and the considerable income to Los Angeles City in taxes, etc.) cannot be the sole consideration propelling the project's approval.

The above-stated project might be consistent with the Los Angeles General Plan (F-3),

but is not aligned with the intent of the West Los Angeles Community Plan and purposes of the Expo TNP, to wit,

- a) It will NOT reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities and near transit stations. (F-6, F-9) This is merely aspirational, based upon forecasts and engineering/planning projections, not tethered to real world experiences. The net result is increased vehicular trips and congestion. Say what you will, but you do not have live in this neighborhood and deal with the additional congestion and pollution that this project will create.
- b) It will NOT create opportunities for affordable housing nor increase its accessibility to more segments of the population, especially students and senior citizens, or create opportunities for the development of new housing that meets the diverse needs and income levels of City residents. (F-9) These four dwelling units will sell for at least \$1.5 million - \$2.5 million per unit, if not considerably more.

The assertion that without approval of the reduced 5ft. front yard setback significantly reduces the buildability of the site, still does not make the property unusable. It requires a scaled down version. The 15 ft. front yard regulation requires a “strict application,” as acknowledged by the WLA APC (F-1) and the applicant (see applicant’s SPE LAMC §11.5.7.F.2.a, .b and .c), and should not be ignored. A copy of the applicant’s SPE LAMC §11.5.7.F.2 is attached as **Exhibit A**.

The applicant’s initial proposed solution to get around the strict application of the regulation was to annex for personal use a 10 ft. belt of land fronting both Tennessee Avenue and Tennessee Place which is territory belonging to the City of Los Angeles by virtue of a right-of-way, stating “strict application of the front setback regulation of the Expo TNP is not necessary to achieve the intent of that regulation” with annexation of the right-of-way. (SPE LAMC §11.5.7.F.2.a.) The applicant has since abandoned his proposed request to “vacate the excess right-of-way land back to the subject site.” (SPE LAMC §11.5.7.F.2.d.)

It is noteworthy that the WLA APC LAMC §11.5.7.F.2 version of the Specific Plan Exception is cited under “*Specific Plan Exception Findings*.” (DL F-1 through F-4.) It in no manner represents the applicant’s SPE.

Tree Preservation

As stated in the DL under the *Findings* section and as affirmed by the applicant in the WLA APC recent open hearing and their email communications, as a condition of the approval of the exception, the proposed project includes that “the nine (9) non-protected trees along this public right-of-way will be maintained.” (F-2, paragraph 3) (See “Tree Inventory Index from

Tree Inventory Report dated 1-19-23, **Exhibit B.**) However, this condition is not listed under the section *Conditions of Approval* (C-1) and is a direct contradiction to the introductory paragraph of the DL on Page 1, wherein it states “the Project may involve the removal of up to nine non-protected trees along the public right-of-way,” and under the *CEQA Findings* (F-8), wherein the Department of City Planning determined that assuming the “worst-case scenario” all street trees will be removed under certain circumstances (F-8).

The WLA APC and the applicant’s representative Brian Silveira of Brian Silveira & Associates’s representation, meant to deceive, is tantamount to making a non-binding condition of approval, while seemingly to agree and assert as true that this is a material binding condition required and joined as a condition of approval of this specific plan exception.

The WLA APC in their DL, shall not be allowed this ‘sleight of hand’ maneuver by promising a binding condition of approval at the public hearing only to be apparently withdrawn by the contradictory assertions and omissions in the DL. The promise to preserve the trees is a material representation and must be made certain and unequivocal and in writing, included under the Conditions of Approval section of the DL. The public has a right to rely on the representations made and voted upon at the hearing. Failing to abide by and honor this agreed upon condition, the approval for this exception should be overturned on this basis alone.

Self-Imposed Hardship

Adherence to the strict application of the regulation may result in “practical difficulties,” or “unnecessary hardship,” however shall not be considered where any such circumstance was created by a self-imposed hardship. (LAMC §11.5.7.F.2.a.) “Exceptional circumstances” including development designs and/or plans do not apply to the subject property which are created by a self-imposed hardship. (LAMC §11.5.7.F.2.b.)

It is well established that a hardship that is self-created is never a proper ground for an exception. The applicant has the burden to come before the Department of City Planning and establish the requirements for this exception. In this instance the applicant, an experienced developer/business person, acquired the subject property with knowledge of the frontage shortfall, and he knew or at least should have known the need for an exception. The hardship arose solely from his own conduct and expectations.

LAMC §11.5.7.F.2 *requires* an exception may be permitted from the specific plan if it makes all the findings in paragraphs a-e. (WLA APC LAMC §11.5.7.F.2 version of the SPE stated under “*Specific Plan Exception Findings*” (F-1 to F-4), are cited as Nos. 1-5.)

Substantial credible evidence supports a decision that the applicant has failed to shoulder his burden of proof as to set aside the strict application of the regulations in failing to establish the requisite findings of paragraphs a-d due to the existence of a self-imposed hardship, and therefore an exception is not in accordance with LAMC §11.5.7.F.2.

Lastly, the WLA APC does not have the authority for granting the requested exception pursuant to LAMC §11.5.7.F.1(a) (**Exhibit C**), please consider the following, in part:

1. The Area Planning Commission shall have initial decision-making authority for granting exceptions from specific plan regulations.
 - a. An exception from a specific plan shall not be used to grant a special privilege, nor to grant relief from self-imposed hardships.

Conclusion

For the above-stated reasons, it is respectfully requested that the specific plan exception approval be overturned and the specific plan exception subsequently be denied.

EXHIBIT A

Specific Plan Exception
11835 W Tennessee Place, Los Angeles, CA 90064

In accordance with LAMC Section 11.5.7. F, the project requests a Specific Plan Exception from Section 2.2.2 C. of the Exposition Corridor Transit Neighborhood Plan (Expo TNP) to permit a 5-foot front yard setback along two frontage streets in lieu of the 15-foot front yard setback required.

Project Background

The proposed project includes the demolition of a single-family home on a single lot, subdivision of the lot into four small lots, and construction of one single-family home on each small lot for a total of four small lot single-family homes pursuant to LAMC 12.22. C.27. The subject property is a single triangularly shaped lot that narrows substantially from its western end to its eastern end. On its wider western end, the property is approximately 68 feet wide. On its narrowest eastern end, the property tapers to approximately 6 feet. The subject project has two frontage streets, each of which contain excess public right-of-way. The applicant is requesting a Specific Plan Exception to allow front yard setbacks of 5 feet along the Front Lot Lines of the subdivision permitter in lieu of the 15-foot front yard setbacks otherwise required by the Expo TNP Section 2.2.2 C.

(a) That the strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan;

The applicant proposes the demolition of an existing single-family dwelling, the subdivision of an existing single lot into four small lots, and the construction of one single-family home on each small lot. The applicant is requesting a Specific Plan Exception to allow front yard setbacks of 5 feet along the Front Lot Lines of the subdivision permitter in lieu of the 15-foot front yard setbacks otherwise required by the Expo TNP Section 2.2.2 C.

The Expo TNP defers to the lot area regulations of the "R3" Multiple Dwelling Zone set forth in LAMC Section 12.10. C. LAMC Section 12.10. C.1. requires a front yard of not less than 15 feet in the R3 Zone. Although the Specific Plan states that projects are able to request minor adjustments from the Specific Plan development regulations which do not change – among other things – the setbacks regulated by the Specific Plan, this was not intended to preclude adjustments where appropriate.

Strict application of the regulations of the specific plan would render the subject property unusable. Due to the narrow, tapering triangular shape of the site and the fact that the site has two frontage street, adherence to the 15-foot setback required by the Specific Plan regulations would reduce the buildable area of the site from 5,094 square feet to 1,194 square feet. With only 1,194 square feet of buildable area and an allowable Floor Area Ratio of 3:1, the project would only be able to accommodate approximately 3,581 square feet of new residential development on a site in the R3(EC) Multiple Dwelling Zone with an allowable density of six units. The R3(EC) Zone requires a minimum lot area of 1,200 square feet per dwelling unit. Applying the 15-foot setbacks required by the Specific Plan would, therefore, render the subject site unusable.

With regards to front yard setbacks, the intent of the Code is to provide spacing between structures to ensure adequate sunlight, air, and privacy for building occupants as well as to provide for emergency access. Because the rights-of-way abutting the project site on both sides are 10 feet in excess of what is required by Bureau of Engineering's Standard Street Dimensions (S-470-1), the project would have functional front yards of 15 feet. Therefore, strict application of the front setback regulations of the Expo TNP is not necessary to achieve the intent of that regulation.

The subject site's narrow width and position along two frontage streets with excess land dedicated to the rights-of-way make strict application of the regulations of the specific plan to the subject property difficult, resulting in unnecessary hardships inconsistent with the general purpose and intent of the specific plan. Furthermore, reduction or elimination of the site's development potential in a zone intended to accommodate medium-density residential units is inconsistent with the Expo TNP's stated purpose to "create opportunities for the development of new housing that meets the diverse needs and income levels of the City's residents."

(b) That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area;

Most properties in the vicinity of the subject site are rectangularly shaped with street frontage on only one side and a typical length of 110 feet. Additionally, the properties adjacent to the subject site with street frontage along Tennessee Avenue or Tennessee Place are abutted by a 20-foot rear alley, leaving enough property to constitute a functional buildable area after providing the front and rear yards required by the Expo TNP. The subject site is located on a triangular street island created by the merging of two east-west bound roadways. The rights-of-way abutting the project site, Tennessee Place to the south and Tennessee Avenue to the north, are both classified as Standard Local Streets in the West Los Angeles Community Plan Circulation Map. Both frontage streets have existing half roadways of 40 feet, 10 feet greater than the 30-foot half roadway dedication and improvement standards required by the Bureau of Engineering's Standard Street Dimensions (S-470-1) for Standard Local Streets. Because of the excess right-of-way strips on both sides of the property's street frontage, each 10 feet in width, the proposed residential structures would have the functional effect of being set back 15 feet from the street. The nearest property line to the north (across Tennessee Ave) would be 85 feet from any proposed structures on the subject site. The nearest property line to the south (across Tennessee Place) would also be 85 feet from proposed structures on the subject site. With 85 feet between the subject site's proposed structures and the nearby property lines, site occupants and neighbors would have adequate frontage space for the use and enjoyment of their respective properties.

The unusual narrow shape of the subject site, the fact that the site is abutted by frontage streets on both sides, and the 10 feet of excess public right-of-way that give the functional effect of front yards, create exceptional circumstances that do not generally apply to other property in the specific plan area.

(c) That an exception from the specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property

within the specific plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;

As stated above, observing the required front yard setbacks along the Front Lot Lines of the subdivision perimeter render the property unusable by reducing the buildable area from 5,094 square feet to 1,194 square feet in a Multiple Family Dwelling residential zone with an intended density of 1,200 square feet of lot area per dwelling unit. Without approval of a Specific Plan Exception allowing the provision of 5-foot front yard setbacks along the subdivision perimeter, the property will be unable to be developed into usable residential space.

(d) That the granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property;

The current dimensions of land dedicated to the public rights-of-way abutting the subject site on both sides are in excess of what's required by the Bureau of Engineering's Standard Street Dimensions (S-470-1) for Standard Local Streets. As stated above, the intent of the Code is to provide spacing between structures to ensure adequate sunlight, air, and privacy for building occupants as well as to provide for emergency access. Because the rights-of-way abutting the project site on both sides are 10 feet in excess of what is required the project would have functional front yards of 15 feet on each side of the property.

As designed, the proposed project would provide 85 feet of distance between its structures and the nearest property lines to the north (across Tennessee Ave) and to the south (across Tennessee Place). With 85 feet between the subject site's proposed structures and the nearby property lines, site occupants and neighbors would have adequate frontage space for the use and enjoyment of their respective properties

Furthermore, currently the excess rights-of-way function as yards on both sides of the subject property. In this way, the proposed project would not create any impacts beyond the current baseline. If the City were to vacate the excess right-of-way land back to the subject site, the project would be able to provide the yards required by strict application of the front setback regulations of the Expo TNP. Therefore, the granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property.

(e) That the granting of an exception will be consistent with the principles, intent and goals of the specific plan and any applicable element of the general plan.

The project is in conformity with the General Plan, including the goals and purposes of the Housing Element. The Housing Element of the General Plan states that it is the overall housing vision of the City of Los Angeles to create for all residents a city of livable and sustainable neighborhoods with a range of housing types, sizes and costs in proximity to jobs, amenities and services. The project site is located in close proximity to valuable transportation, employment, and retail resources in the R3(EC) Multiple Dwelling Zone which, according to the Expo TNP, is

intended to comply with the lot area regulations of the "R3" zone set forth in LAMC 12.10. Uses intended for the R3 zone are listed in LAMC 12.10 and include multiple dwellings, apartment houses, and group dwellings, as well as uses permitted in more restrictive residential zones. It is the stated goal of the Expo TNP to direct growth and accommodate new residential development near transit stations. By providing opportunities for single-family homeownership on small lots in the R3(EC) Zone, the proposed project is consistent with the principles, intent and goals of the specific plan and the Housing Element element of the General Plan.

EXHIBIT B

TREE INVENTORY INDEX

11836 Tennessee Place Los Angeles, CA 90064

Please note – north/south and east/west canopy widths are measured at the widest diameter of the living portion of the crowns and are only approximately in the directions listed.

Letter	Species	DSH	Height	Diameter		Notes
				North/ South	East West	
A.	Olive <i>Olea Europa</i>	12.3"	21'	31'	23'	Thriving. Forms glade with Tree B
B.	Indian Laurel Fig <i>Ficus macrocarpa</i>	15.9"	22'	29'	26'	Thriving. Forms glade with Tree A.
C.	Redwood <i>Sequoia sempervirens</i>	23.7"	48'	28'	25'	Thriving.
D.	Primrose <i>Lagunaria patersonia</i>	6.1", 6.4", 5.4"	14'	18'	21'	Thriving.
E.	Orange <i>Citrus sinensis</i>	3.0", 3.1", 4.1", 12.3"	16'	18'	19'	Adequate. Onset of senescence.
F.	Avocado <i>Persea americana</i>	4.0", 4.3"	11'	17'	10'	Adequate. Forms grove with Tree G.
G.	Avocado <i>Persea americana</i>	5.1"	11'	13'	12'	Adequate. Forms glade with Tree F.
H.	Avocado <i>Persea americana</i>	9.4"	14'	22'	27'	Thriving.
I.	Ornamental Pear <i>Pyrus kawakameii</i>	5.8", 8.3", 8.4"	12'	20'	17'	Declining, features conks at base.

EXHIBIT C

LAMC11.5.7 F. Exceptions from Specific Plans - Area Planning Commission With Appeals to the City Council.

1. Authority of the Area Planning Commission. The Area Planning Commission shall have initial decision-making authority for granting exceptions from specific plan regulations. In accordance with Subsection D of Section 12.24, the Area Planning Commission shall hold a hearing at which evidence is taken.

(a) In granting an exception from a specific plan, the Area Planning Commission shall impose conditions to remedy any resulting disparity of privilege and that are necessary to protect the public health, safety, welfare and assure compliance with the objectives of the general plan and the purpose and intent of the specific plan. **An exception from a specific plan shall not be used to grant a special privilege, nor to grant relief from self-imposed hardships.** (Emphasis added.)