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TRUMAN & ELLIOTT LLP

May 3, 2021

VIA EMAIL: clerk.plumcommittee@lacity.org

Planning and Land Use Management Committee
Los Angeles City Council
c/o City Clerk, Room 395
200 North Spring Street
Los Angeles, CA 90012

Re: Response of Applicant on the Categorical Exemptions for files DIR-2019-5388-DB-1A and DIR-2019-7067-TOC-1A and in response to Appeals filed regarding Approval of CEQA # ENV-2019-5389-CE

Dear Chair Harris-Dawson and Honorable Councilmembers:

We represent 5806 Lexington, LLC and 5817 Lexington, LLC (“Applicant”), owners of the properties located at 5817-5823 West Lexington Avenue (“Lexington I”) and 5806-5812 West Lexington Avenue (“Lexington II”) (collectively the “Properties”) in the above-referenced land use applications (referenced herein collectively as the “Project” or “Projects”) approved by the City of Los Angeles’ Planning Director on February 13, 2020 (Lexington I) and July 23, 2020 (Lexington II) (collectively the “Decisions”). The administrative record regards the two buildings on the same street processed together as one project under the California Environmental Quality Act (“CEQA”) and in this regard, the Planning Commission has denied appeals both planning and zoning appeals as well as appeals to the categorical exemptions from CEQA granted to the Properties in the above-referenced CEQA case through determination letters dated April 28, 2020, and September 22, 2020 (collectively “CEQA Decisions”).

I. PROPERTIES AND PRIOR APPROVALS

The Properties encompass four (4), rectangular interior lots totaling 30,000 square feet on Lexington Avenue. The 5806 and 5812 Lexington are each improved with single-family dwellings; both of which are proposed to be demolished.

The Project meets density, height, setbacks, parking, and open-space requirements. The City's Planning and Engineering Divisions have vetted the Project. The design and landscaping

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have been reviewed to ensure the Project meets the City's design guidelines. The Project has been conditioned to ensure affordable units comply with all relevant regulations, that parking is consistent with the City's Municipal Code, and that open space and any rooftop or podium landscaping meet City requirements.

The City examined multiple areas of potential environmental impacts, including, potential traffic, noise, air quality, and water quality. The City determined that there is no substantial evidence that the Project or the requested incentives, will have an adverse impact on public health and safety or the physical environment, scenic highways, hazardous waste sites, or on any historical resource, nor will the project have any cumulative impacts, or present any unusual circumstances. (Director's Determination (Feb. 13, 2020) p. 1 and Director's Determination (July 23, 2020), p. 1.)

On April 28, 2020 (Lexington I) and September 22, 2020 (Lexington II), the designee of the City's Planning Director under the Director's Determination approved (with relevant findings) the Project exempt from the CEQA under the categorical exemption for urban infill development (Director's Determinations, p. 1 and 14 Cal. Code Regs. § 15332) and found no exceptions to the exemption applied. (Director's Determinations, p. 1 and 14 Cal. Code Regs. § 15300.2.)

The Planning and Land Use Management Committee denied the appeals that had been filed by Project opponents to the decisions and sustained the Planning Commissions' prior determinations through a letter signed by Alexander Truong, on behalf of Vincent Bertoni, City Planning Director on December 7, 2020 ("December Director Letter"). In the December Director Letter, the Director confirms the CEQA exemptions of both Lexington I and Lexington II under CEQA Guidelines § 15332. (December Director Letter, p. 1.) The December Director Letter also confirmed that the Project, collectively will have no cumulative environmental impacts (page 2) and that, contrary to the appellants' arguments that the Project collectively contains 94 units, the Project actually contains only a 21-unit apartment building (Lexington I) and a 17-unit apartment building (Lexington II) (page 2). The Director also verifies that: "All units are designed with one entrance and not in such a way that would allow them to be easily divided into or used as separate units." (December Director Letter, p. 2.) (Emphasis added).

II. CITY'S REVISED POLICY ON DENSITY BONUS CEQA REVIEW

On January 25, 2021, the City Planning Department issued a memorandum clarifying a change to its interpretation and application of its Density Bonus Ordinance requiring all projects that require only on-menu density bonus incentives "processed ministerially through the Department of City Planning (Planning), thereby rendering these requests exempt from analysis under [CEQA]." (Memorandum re "On-Menu Density Bonus Ministerial Process" from Vincent Bertoni, Dir. Planning, Dept. of City Planning, City of Los Angeles (Jan. 25, 2021) p. 1 ("Density Bonus Memorandum").) Per the Density Bonus Memorandum, all projects requesting solely on-menu density bonus incentives without other entitlements "will not trigger analysis

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under CEQA” and this ministerial treatment applies equally to projects “that are currently in the review process.” (*Ibid.*)

In addition to the infill CEQA exemption cited by the City in the Director’s Determination, under the Density Bonus Memorandum, the Lexington I portion of the Project, as it seeks only on-menu density bonus incentives, and no other entitlements, must be treated ministerially by the City and will be exempt from CEQA, thus the appeal of CEQA compliance for Lexington I is now moot.

Notwithstanding the above, we will address the appellants’ allegations relative to both Lexington I and Lexington II.

III. RESPONSE TO APPELLANTS’ ARGUMENTS RECENTLY SUBMITTED

As the City has already provided responses to the appeals filed against the Projects through December 7, 2020, through the Director’s letter upholding the CEQA exemptions and Project approvals, our responses will be to comments posted by appellants after that date. Two public comments appear in the City’s records on Projects, both from attorney Noel Weiss, and in neither instance does Mr. Weiss provide the name of the client or clients whom he is representing.¹ One of Mr. Weiss’ missives is a 28-page letter dated February 24, 2021 (“Weiss Letter”) and the other is a 2-page email dated March 15, 2021 (“Weiss Email”).

A. The Lexington apartments are not “guest rooms.”

Chief among Mr. Weiss’ concerns are his mistaken beliefs that Lexington I and Lexington II will combine to create not the 21-unit and 17-unit apartments that have been proposed by the applicant and approved by the City, but rather 82 and 95 (respectively) “guest rooms” in “residential hotels.” (*See e.g.*, Weiss Letter, p. 2.) Mr. Weiss punctuates his argument by repeating the terms “guest room” and “hotel” a total of 213 times across the 30 pages of his Letter and Email. However, Mr. Weiss cannot wish something into being simply through repetition. The City has seen the Lexington apartments for what they truly are and has spoken directly to this end on more than one occasion:

- “Concerning the issue with Flexible Units, the projects are for a 21-unit and 17-unit apartment building, respectively. All units are designed with one entrance and not in such a way that would allow them to be easily divided into or used as separate units.” (December Director Letter, p. 2.)

¹ We assume that Mr. Weiss is representing Concerned Neighbors of Lexington Avenue given that he filed a lawsuit on their behalf against the Projects on January 11, 2021.

² The quoted material mistakenly references “Exhibit C” when the correct reference is to “Exhibit D” which are the

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- Regarding Lexington I:² “The project design includes a residential lobby and parking at the ground level with residential dwelling units located at levels two through five. As shown within Exhibit C, the unit entrances are all oriented towards the center of the building. Levels three through five include unit entrances via a hallway that overlooks the open to sky courtyard on the second level. Much of the perimeter of the units are open to above/below with the exception of the one entrance proposed for each unit. Concerning the second level, planter boxes are located along the majority of the perimeter of each unit as part of the open space programming. The project as designed, does not propose multiple hallway entrances that would allow it to be easily divided into separate units or guest rooms. (Dept. of City Planning Recommendation Report, Case No. DIR-2019-5388-DB-1A, ENV-2019-5389-CE (Apr. 23, 2020) p. A-5 (referring to the site plans) (emphasis added).)
- Regarding Lexington II: “The project design includes a residential lobby and parking at the ground level with residential dwelling units located at levels two through five. As shown within Exhibit C, the unit entrances are all oriented towards the center of the building. Levels three through five include unit entrances via a hallway that overlooks the open-to-sky courtyard on the second level. Much of the interior perimeter of the units are open to above/below with the exception of the one entrance proposed for each unit. The project as designed, does not propose multiple hallway entrances that would allow it to be easily divided into separate units or guest rooms. In the event the Los Angeles Department of Building and Safety determines that such units are in fact Flexible Units, such increase in the number of dwelling units would not be permitted. (Dept. of City Planning Recommendation Report, Case No. DIR- 2019-7067-TOC-1A, ENV-2019-5389-CE (Sept. 17, 2020) p. A-4 (referring to the site plans) (emphasis added).)

Included with this letter are highlighted exhibits showing the plans that were included with the Planning Recommendation Reports quoted above. On the Project plans, the entrances to the apartments are shown in green and it is clear that only one entrance/exit is available per dwelling unit, and as such, the apartments are not “guest rooms” and the buildings are not “residential hotels” as argued by Mr. Weiss. (See architectural plans attached to this letter.)

What Mr. Weiss would have the City do is to rewrite civil rights laws relative to housing. He quotes repeatedly from a single case ruling related to rent control laws, which, we point out has a distinct definition for “dwelling unit” different than general housing law. Mr. Weiss through his repeated quotation of the City Municipal Code of the definitions of “dwelling unit,” “family,” “apartment,” and “apartment hotel” appears to imply that the City should circumvent California law prohibiting discrimination in the provision of housing based upon marital status and familial status. (Cal. Civil Code § 51; Cal. Govt. Code §§ 12926(m)-(p), 12927(e).) Should Mr. Weiss wish to reduce the protections of Californians’ basic civil rights, his choice of venue is misplaced

² The quoted material mistakenly references “Exhibit C” when the correct reference is to “Exhibit D” which are the Project plans.

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and he should seek out the Legislature in Sacramento rather than the City of Los Angeles Planning Department.

B. The Project is not in violation of the Subdivision Map Act.

On page 23 of his Letter, Mr. Weiss claims that the lots involved in the Project are being *de facto* merged in violation of the Subdivision Map Act. Merger will occur when two lots are acquired and through recordation by the Los Angeles County Assessor. For example, 5817-5823 Lexington were originally Los Angeles Assessor's parcel numbers 5534-019-010/11 on 12/29/17 the Assessor merged the two parcels as one and they are now a single parcel: 5534-019-030. Similarly, 5806 and 5812 Lexington were acquired by the applicant on 3/19/2019, while they are currently listed as parcels 5534-018-016/7 these two parcels will be merged together as a single parcel within the next 6 months.

C. The balance of Mr. Weiss' legal arguments is irrelevant considering the Lexington Project is not made up of "guest rooms" nor is it a "hotel."

CEQA Exemption Is Appropriate: When you consider that the Project is not a "hotel" containing "guest rooms" then Mr. Weiss' argument on pages 1-20 of his Letter as to why the Project is undeserving of a CEQA exemption is without merit. With a combined 38 dwelling units for Lexington I and Lexington II (inclusive of the affordable units) on 4 interior lots, the Project is consistent with the R3 zoning, the general plan, community plan, and, as has been repeatedly found by the Planning Commission, is entitled to a CEQA exemption as an infill project under CEQA Guidelines Section 15332. (See, Decisions, CEQA Decisions, and Director's Determination Letter.)

Project Does Not Exceed Density Allowances: Again, based upon an incorrect premise that the Project contains guest rooms, Mr. Weiss contends that the Project's density exceeds the maximum zoning. (Weiss Letter, p. 22.) However, as has been found by the City, based upon the more accurate dwelling unit count for the Project, both the Lexington I and Lexington II buildings are within the allowable density for their R3 zoning, including consideration of the affordable units. As was aptly stated by the Planning Director in the Director's Determination Letter (p.2):

- Regarding Lexington I: "Concerning the project at 5817-5823 West Lexington Avenue, the subject site is 15,000 square feet. Based on the minimum lot area per dwelling unit of 800 square feet, the project's base density is calculated to be 19 units. By setting aside 2 units for Very Low Income Households, the project is entitled to at least a 25% density bonus, or 24 units. The project proposes a total of 21 units. Therefore the project complies with the R3 Zone and Affordable Housing Incentives - Density Bonus provisions."

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- Regarding Lexington II: “Concerning the project at 5806-5812 West Lexington Avenue, the R3 zone limits density to one unit per 800 square feet of lot area. With a lot area of 15,000 square feet, the project would be limited to 19 units. However, as the property is located within the Hollywood Redevelopment Plan or HRP, the property is limited to the density limitations of the HRP which is 40 units per gross acre. Therefore, based on a lot area of .41 acres, the project is limited to 17 units.”

Site Plan Review Is Not Required: Because the Project (either Lexington I or Lexington II individually or collectively) has less than 50 dwelling units and has no guest rooms (contrary to Mr. Weiss’ claims otherwise), the Project need not undergo site plan review under the Los Angeles Municipal Code Section 16.05(C)(1)(b). (See Weiss Letter, pp. 21-22.)

Traffic Study is Not Required and Parking is Appropriate: Regarding Mr. Weiss’ claims that a traffic study is warranted, (Weiss Letter, pp. 24-26) Mr. Weiss is, yet again, selective in deciding what he chooses to cite as legal authority. He is correct insofar as a traffic study is required by the City’s Department of Transportation when a threshold of 250 average daily trips is generated by a project. (Los Angeles Dept. of Transportation, Transportation Assessment Guidelines (July 2020) § 1.3. (“LADOT Guidelines”).) However, Mr. Weiss not only bases his incorrect conclusions that the Project requires a traffic study on the false assumption that the Project contains “guest rooms,” which as discussed above, has been accepted as incorrect by the City’s Planning Department on numerous occasions. (Weiss Letter, p. 24.) Mr. Weiss also uses as a multiplier the individual person occupying each guest room using a table from an unidentified source which leads him to an over-inflated traffic count. (Weiss Letter, p. 25.) Using the proper multipliers mandated by the City’s Department of Transportation from the ITE Trip Generation Manual, 10th Edition (LADOT Guidelines §3.3.4), which bases its trip counts on dwelling units, not individuals, you arrive at a more appropriate average daily trip count for the Project (combined Lexington I and Lexington II) of 206.72 average daily trips which are below the 250 trips needed to trigger a traffic study.³

In the same way that Mr. Weiss’ traffic study argument fails, his argument regarding the alleged under-parked nature of the Project also fails, based on the fact that the Project is not made up of guest rooms. The City’s parking requirements are based upon dwelling units with allowances made for affordable housing units. (Los Angeles Mun. Code § 12.21-A.) The fact that Mr. Weiss does not appear happy with the way that the City implements its parking requirements for multi-family housing projects is not a matter to be dealt with administratively related to the Project, but rather legislatively with the City Council through a proposed modification of the municipal code. The fact is simple, however, that the Project is appropriately parked for the number of dwelling units it contains as has been stated definitively in the Decisions and the CEQA Decisions. (See also, (Dept. of City Planning Recommendation

³ Utilizing the ITE Trip Generation Manual 10th Edition average daily trips for multi-family mid-rise residential housing of 5.44 per dwelling unit multiplied by the combined 38 dwelling units for the Project.

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Report, Case No. DIR-2019-5388-DB-1A, ENV-2019-5389-CE (Apr. 23, 2020) p. A-1, A-2; Dept. of City Planning Recommendation Report, Case No. DIR- 2019-7067-TOC-1A, ENV-2019-5389-CE (Sept. 17, 2020) P. A-2, A-3.

Project is consistent with the Community Plan: Finally, based on his delusion of the Project being a hotel filled with guest rooms, Mr. Weiss insists that it is inconsistent with the Hollywood Community Plan. (Weiss Letter, pp. 26-27.) This is simply Mr. Weiss restating his tired argument so-oft repeated in his letter regarding the Project being an alleged “hotel” and the fact that he is incorrect, yet again, does not make his unsupported statements regarding the Community Plan correct.

D. Other developments referenced in the Weiss Email are immaterial to the Lexington Project at issue.

In his Email, Mr. Weiss references other developments that he claims are also “guest room” “hotels” that are either recently completed or in process on Lexington Avenue. Whether or not Mr. Weiss is making the same erroneous arguments regarding the status of these projects having “guest rooms” and being “hotels” as he has made regarding Lexington I and Lexington II we do not know, but we can assume that Mr. Weiss is predisposed to assume that other projects are using this model that he abhors. Regardless, his statement that one of these other projects had an impact on the determination to do a traffic study for the Lexington Project is mistaken—see the discussion below regarding the Lexington project generating less than the required number of trips necessary to trigger such a study.

Concerning his other claims about these projects, Mr. Weiss’ claims are mere speculation, argument and opinion. Claims that a project violates CEQA must be grounded in Substantial evidence and shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (Cal. Pub. Res. Code 21083; CEQA Guidelines Section 15384).

E. Weiss’ Email opinions belong elsewhere.

Mr. Weiss includes in his Email a diatribe that amounts to the rantings of a disgruntled individual regarding the General Plan of the City and the proper placement of single-family versus multi-family housing within that General Plan and just how affordable housing should play into that placement. Mr. Weiss’ opinions are not legal arguments and are improperly placed before the City regarding the administrative matters relative to the Project. Should Mr. Weiss seek to revise the General Plan, as it seems he does, then those efforts by their nature involve more than the will of one individual—they involve many public meetings, charrettes, stakeholder groups, etc. that take place over time. Mr. Weiss cannot and should not be allowed to exert his will over General Planning matters through an administrative decision regarding a single Project. Los Angeles is a City, which derives its Police Power from the State of California. Amendments to General Plans must be approved by resolution of an elected body (Cal. Gov. Code 65350-

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65362). Moreover the United States is a Republic. States derive their police power under the 10th Amendment to the United States Constitution; we have no place for Monocrats.

And for Mr. Weiss to insinuate that the public has had no say in the matters that have surrounded the City's decisions related to the Lexington I and Lexington II buildings are incredulous. The Project has been pending before the City for well over a year and has had numerous opportunities for public comment and the City has received public comment from several individuals and groups beyond Mr. Weiss.

IV. SUMMARY OF THE RESPONSE TO THE APPEAL

As stated previously, the Project is consistent with General Plan/Community Plan policies, zoning regulations, State Density Law, and CEQA. The approval of the Project is protected by the provisions of the Housing Accountability Act (Cal. Govt. Code § 65589.5) which prohibits the City from denying approval of the Project unless it were to make findings that the Project would have specific adverse impacts on public health or safety and there were no feasible means of mitigating such impacts to the physical environment. The City did not and cannot make such given the Project's overall consistency with the applicable plans, policies, and laws and the fact that it falls squarely within an exemption to CEQA.

The Applicant is proud to support affordable housing and provide on-site affordable housing as part of the Project.

The Project was properly approved and the Appellants' statements do not support a different result. Appellants fail to meet their burden to demonstrate a sufficient reason to overturn the decision of the Planning Director. Accordingly, we respectfully request you deny the appeal and uphold the Decision of the Planning Director.

Should you have any questions or comments regarding this letter, please feel free to contact me at (213) 629-5300.

Sincerely,

Todd Elliott

Todd Elliott
of TRUMAN & ELLIOTT LLP

Attachments (2)

cc: Alexander Troung, Los Angeles City Planning
clerk.plumcommittee@lacity.org

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EXHIBIT "A"
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LEXINGTON

5817 Lexington Ave.
Los Angeles, CA 90038



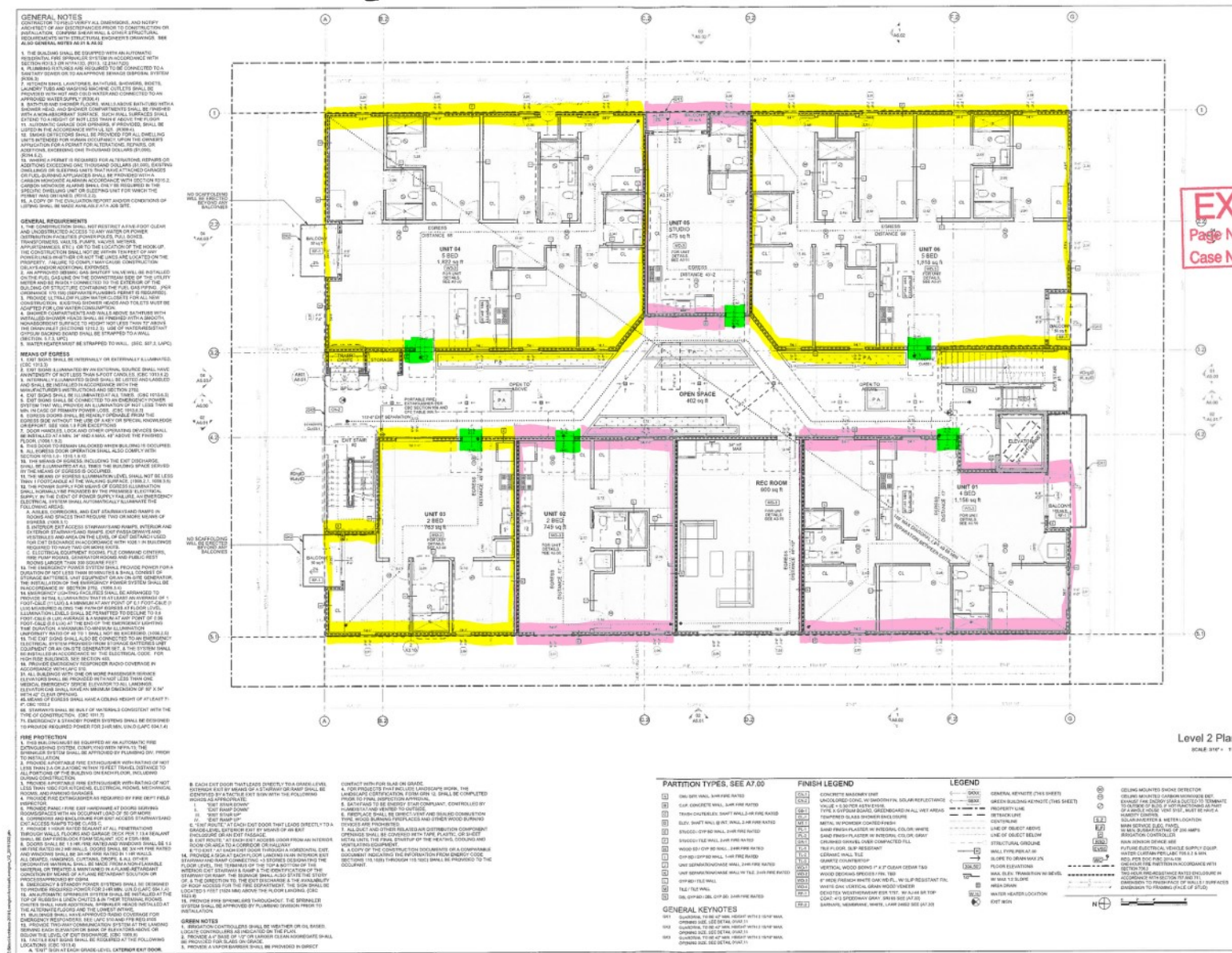
11.12.19	PC MTG 2
09.08.19	100% SD / DB REV.
09.08.19	PLAN CHECK
08.07.18	POC REFERRAL
07.07.18	100% CD
05.07.18	100% SD
DATE	DESCRIPTION

PROJECT NO: sProject Code

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Level 2 Plan

A2.01



Level 2 Plan

Level 2 Plan

GENERAL NOTES:
1. ALL BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE (CBC) AND THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC).
2. PROVIDE TWO-WAY COMMUNICATION SYSTEM AT THE LARGEST BELOW THE LEVEL OF THE ELEVATOR SHAFT.
3. PROVIDE A VAPOR BARRIER SHALL BE PROVIDED IN DIRECT LOCATIONS EDC TO 1.1.1.
4. PROVIDE A VAPOR BARRIER SHALL BE PROVIDED IN DIRECT LOCATIONS EDC TO 1.1.1.

GENERAL KEYNOTES:
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GENERAL REQUIREMENTS:
1. THE CONSTRUCTION SHALL NOT RESTRICT ANY ACCESS TO THE BUILDING OR TO ANY PART OF THE BUILDING.
2. PROVIDE A VAPOR BARRIER SHALL BE PROVIDED IN DIRECT LOCATIONS EDC TO 1.1.1.
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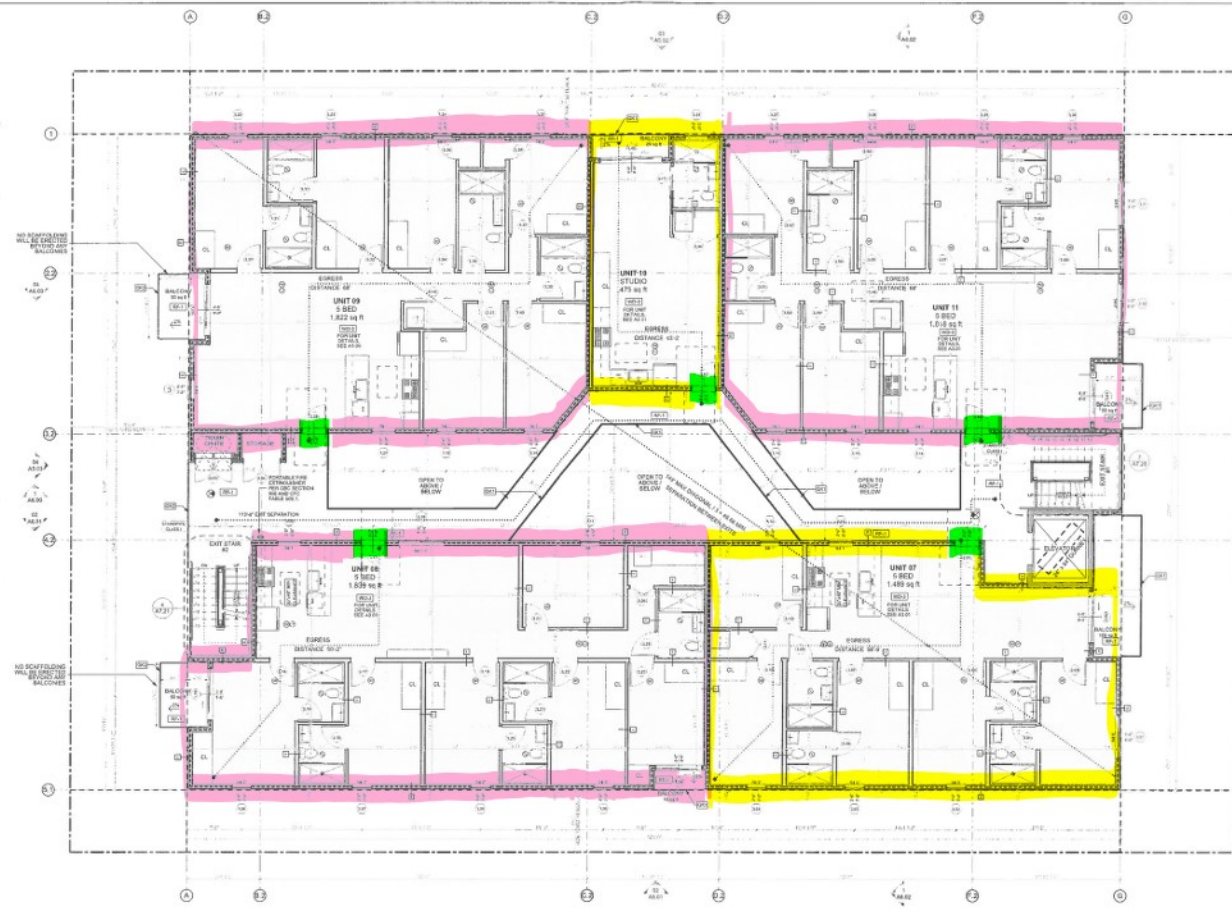
MEANS OF EGRESS:
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EXHIBIT "A"
Page No. 5 of 16
Case No. 19-5388

LEXINGTON

5817 Lexington Ave
Los Angeles, CA 90038



11.12.19 PM: MTD 2

08.28.19 10% RD / CD REV.

08.28.19 PLAN CHECK

08.27.19 10% REFERRAL

07.22.19 100% SD

05.07.19 100% SD

DATE DESCRIPTION

PROJECT NO. #P00010

Level 3 Plan
Scale: 1/8" = 1'-0"

PARTITION TYPES, SEE A7.00

GENERAL KEYNOTES:
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FINISH LEGEND

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LEGEND

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A2.02

GENERAL NOTES
CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS, AND NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR INSTALLATION. CONFIRM SHEAR WALL & OTHER STRUCTURAL REQUIREMENTS WITH STRUCTURAL ENGINEER'S DRAWINGS. SEE ALSO GENERAL NOTES A0.01 & A0.02

- [illegible]

GENERAL REQUIREMENTS

- THE CONTRACTOR SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSTRUCTED ACCESS TO THE PUMP, VALVE, TRANSDUCER, OR GAS LINE PUMP, VALVE, METERS, APPURTENANCES, ETC. DUE TO THE LOCATION OF THE HOOR-UP. THE HOOR-UP SHALL BE LOCATED AT THE END OF ANY POWER LINE, WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURES TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.
1. A GAS VALVE SHALL BE INSTALLED ON THE GAS LINE ON THE DOWNSTREAM SIDE OF THE UTILITY METER AND BE SECURELY CONNECTED TO THE EXTERIOR OF THE BUILDING. THE VALVE SHALL BE ACCESSIBLE TO THE UTILITY ORGANIZATION TO KEY (SEPARATE PLUMBING PERMIT IS REQUIRED).
2. PROVIDE ULTIMATE FURST WATER CLOSURES FOR ALL NEW CONSTRUCTION. CASTING SHOWN DRAWINGS AND TOOLS MUST BE AVAILABLE TO THE UTILITY ORGANIZATION.
3. SHOWER COMPARTMENTS AND WALLS ABOVE BATHTUBS WITH INSTALLED SHOWERHEADS SHALL BE FINISHED WITH A SMOOTH, NON-SLIP FINISH. FINISHES SHALL BE APPROVED BY THE CHAIN-NEUTRAL SECTION (210.2.3). USE OF WATER-RESISTANT GYPSUM BOARD (DOWD) IS STRONGLY ENCOURAGED TO AVOID

MEANS OF CORRECTION

- [illegible]

FIRE PROTECTION

- [illegible]

B. EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE LEVEL.

- [illegible]

CONTACT WITH FUR SLAB ON GRADE. _____

- [illegible]

PARTITION TYPES. SEE A7.00

- 24 2x6 SPT SKILL, 2-4 HR FIVE RATED
 25 4x4 CONCRETE WALL, 2-4 HR FIVE RATED
 26 TROUGH DRAINLESS SHIRT WALL, 2-4 HR FIVE RATED
 27 6x6 SHIRT WALL @ INT. WALL, 2-4 HR FIVE RATED
 28 STUCCO CHIP-SHIRT WALL, 2-4 HR FIVE RATED
 29 STUCCO TILE WALL, 2-4 HR FIVE RATED
 30 WOOD SHIRT @ INT. WALL, 2-4 HR FIVE RATED
 31 CHIP-DRY SHIRT WALL, 1-4 HR FIVE RATED
 32 SPT SEPARATION-CHARGE WALL, 2-4 HR FIVE RATED
 33 SPT SEPARATION-CHARGE WALL @ TILE, 2-4 HR FIVE RATED
 34 6x6 @ TILE WALL
 35 TILE @ TILE WALL
 36 CHIP-DRY / 2x6 CHIP-DRY, 2-4 HR FIVE RATED
- GENERAL KEYWORDS**
 SSKS STANDARD, TO BE 47 MM. HEIGHT WITH 1.50"/MM.
 OPENING SIZE, SEE DETAIL 9.147.11
 SSKS STANDARD, TO BE 47 MM. HEIGHT WITH 1.50"/MM.
 OPENING SIZE, SEE DETAIL 9.147.11
 SSKS STANDARD, TO BE 47 MM. HEIGHT WITH 1.50"/MM.
 OPENING SIZE, SEE DETAIL 9.147.11

FINISH LEGEND

- | | |
|----|--|
| CE | SECRETITE MASHBURY UNIT |
| CH | UNIDRILL CO. INC. W/ SHOOTING PIN, SOLAR RESISTANT |
| CL | VALVE 1.50 PERM ASPH 20/30 |
| CM | TYPIC 1' CONCRETE SLAB, 4" REINFORCED W/ #4 |
| CT | TEMPERED GLASS SHOWER ENCLOSURE |
| MT | METAL W/ POWDER COATED FINISH |
| PL | BAND FINISH PLASTER IN INTERIOR, COLOR W/ |
| PR | BAND FINISH PLASTER IN INTERIOR, COLOR W/ |
| ST | GRAINBUSH-GRAVEL OVER COMPACTED FILL |
| FL | FLUOROPOLYMER PRESISTANT |
| TL | CERAMIC WALL TILE |
| TR | GRAVEL TO CURB |
| VE | VERTICAL WOOD SIDING 1" X 6" CLEAR CEDAR 2" |
| WO | WOOD DECKING SPACING 1" F.T.B.D |
| WH | 6" WHITE PINE WHITE PAINTED PL. W/ SLIP |
| WH | WHITE GOLF VERTICAL GRAIN WOOD VENEER |
| WH | GRAVEL VENT-EXHAUST (SEE LIST) |
| WH | 60 MPH SPEEDWAY GRAY, 34.5 SEC (AT 70) |
| WH | SARAFI, MICHIGAN, WHITE, LARIS 2400 100 |

LEGEND

- FLOUTANCE
 SET AREAS
 CENTERLINE
 LINE OF OBJECT ABOVE
 LINE OF OBJECT BELOW
 STRUCTURAL CORLINE
 WALL THICKNESS AT 0°
 SLOPE TO DRAIN MAX 2%
 FLOOR ELEVATIONS
 MAX. ELEV. TRANSITION W/ 6" MAX 1:2 SLOPE
 AREA DRAIN
 WATER REMOVAL LOCATION
 EXIT SIGN

- [illegible]

Level 4 Plan

Level 4 Plan

bittoni
architects

2128 Cotner Ave
Los Angeles, CA 90025
t: 310-841-8857
bittoniarchitects.com

EXHIBIT "A"
Page No. 6 of 16
Case No. 19-6388

LEXINGTON

5817 Lexington Ave.
Los Angeles, CA 90028

11.12.19	PC MTG 2
09.26.19	100% SD / DB REV.
06.28.19	PLAN CHECK
06.27.19	TOC REFERRAL
07.27.18	100% CD
05.07.18	100% SD
DATE	DESCRIPTION

PROJECT NO. (Project Code)

SHEET NAME

Level 4 Plan

A2.03

GENERAL NOTES
CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS, AND NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR INSTALLATION. CONFIRM SHEAR WALL & OTHER STRUCTURAL REQUIREMENTS WITH STRUCTURAL ENGINEER'S DRAWINGS. SEE ALSO GENERAL NOTES A0.01 & A0.02

- [illegible]

1. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER.

1. DISTRIBUTION OF FUEL GAS (POWER) PIPES, PUMP WORK, ELECTRICAL, AND/OR PIPING SHALL BE LOCATED IN THE APPLICABLE ROOMS, ETC. OR TO THE LOCATION OF THE ROOM. IF THE CONSTRUCTION SHALL NOT BE DEEPER THAN TEN FEET OF ANY POWER LINES AND/OR NOT THE LINES ARE LOCATED ON THE EXISTING CONSTRUCTION, THE CONTRACTOR SHALL MAINTAIN THE EXISTING CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.
2. AN APPROVED WARNING GAS SHUT-OFF VALVE MUST BE INSTALLED ON THE FUEL GAS LINE ON THE BOAT/STREAM SIDE OF THE UTILITY LINES. THE VALVE SHALL BE INSTALLED IN THE EXISTING BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING. LINE OPERATORS 170 INCH (10 FEET) PLANNING PERMITS ARE REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VALVE AND THE CONSTRUCTION OF THE EXISTING SHOWER HEADS AND TOILETS MUST BE ADAPTED FOR LOW WATER CONSUMPTION.
3. SHOWER COMPARTMENTS AND WALLS ABOVE BATHROOMS WITH A SHOWER HEAD SHALL BE CONSTRUCTED WITH A SLOPED NON-SLIPPERY SURFACE TO HEIGHT NOT LESS THAN 72" ABOVE THE DRAIN INLET. EXISTING 12 INCH 3/4" OF WATER RESISTANT GYPSUM BOARD SHALL BE STRIPPED TO A FINISH.
4. WATER HEATER MUST BE STRAPPED TO WALL. (SEC. 901.3.4)

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- [illegible]

5. THIS BUILDING MUST BE EQUIPPED WITH AN AUTOMATIC FIRE EXTINGUISHING SYSTEM, COMPLYING WITH NFPA 13, THE

- [illegible]

IDENTIFIED BY A TACTILE DOT SIGN WITH THE FOLLOWING WORDS AS APPROPRIATE:

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LANDSCAPE CERTIFICATION, FORM GRN 12, SHALL BE COMPLETED PRIOR TO FINAL INSPECTION APPROVAL.

6. BATH PANS TO BE ENERGY STAR COMPLIANT. CONTROLS
HURDLE/STAY-VENTED TO EXHAUST
7. PERIMETER SHALL BE IMPERMEABLE AND SEALED COMPLE
TYPE: WOOD-BURNING FIREPLACES AND OTHER WOOD-BUR
DEVICES ARE PROHIBITED
8. ALL DUCT AND OTHER RELATIVE DISTRIBUTION COMP
ONINGS SHALL BE COVERED WITH TAPE, PLASTIC, OR SHAI
9. METAL FRAMES, INSULATION OF THE HEATING, COOLING
VENTILATING EQUIPMENT
10. A COPY OF THE CONSTRUCTION DOCUMENTS OR A COPY
DETAILING THE INFORMATION FROM ENERGY E
CTIONS 70.1330 THROUGH 70.1390 SHALL BE PROVIDED
OCCUPANT

LETTER

- ```

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 CHW TYPE WALL, 3/4" PIPE RATED

- [illegible]

502 CURBING, TO BE 42" MIN. HEIGHT WITH 3 1/2" MAX.

- OPENING SIZE, SEE DETAIL 21/07.11  
CURTAIN, TO BE 40" MIN. HEIGHT WITH 3 15/16" MAX.  
OPENING SIZE, SEE DETAIL 21/07.11

**CONCRETE MASONRY UNIT**  
A masonry concrete product, cast in-situ or precast, 8 in. x 8 in. solid, 16 in. wide.

- [illegible]

GENERAL KEYNOTE (THIS SHEET)

- GREEN BUILDING ACROBAT (THIS SHEET)  
 INTERIOR LINE  
 BREAKLINE  
 CENTERLINE  
 LINE OF OBJECT ABOVE  
 LINE OF OBJECT BELOW  
 STRUCTURAL OUTLINE  
 WALL TYPE PER AC 00  
 BLOCK TO DRAW MAX 2%  
 PASS ELEVATIONS  
 MAX GLEN TRANSMISSION W/LEVEL  
 W MAX 12.0 DUE  
 AREA SHADE  
 WATER PENETRATION LOCATION  
 DET SIGN

CEILING MOUNTED SMOKE DETECTOR

- [illegible]

**bittoni  
architects**

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Los Angeles, CA 90025  
t: 310-841-6857  
[bittoniarchitects.com](http://bittoniarchitects.com)

**EXHIBIT "A"**  
Page No. 7 of 16  
Case No. 19-6388

LEXINGTON

5817 Lexington Ave.  
Los Angeles, CA 90038



| DATE     | DESCRIPTION       |
|----------|-------------------|
| 11.52.19 | PG MTG 2          |
| 09.26.19 | 100% SD / DB REV. |
| 08.28.19 | PLAN CHECK        |
| 08.27.19 | TOC REFERRAL      |
| 07.27.19 | 100% CD           |
| 06.07.19 | 100% SD           |

PROJECT NO: #Project Code

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1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 26

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 Ingress/ Egress  
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A2.02

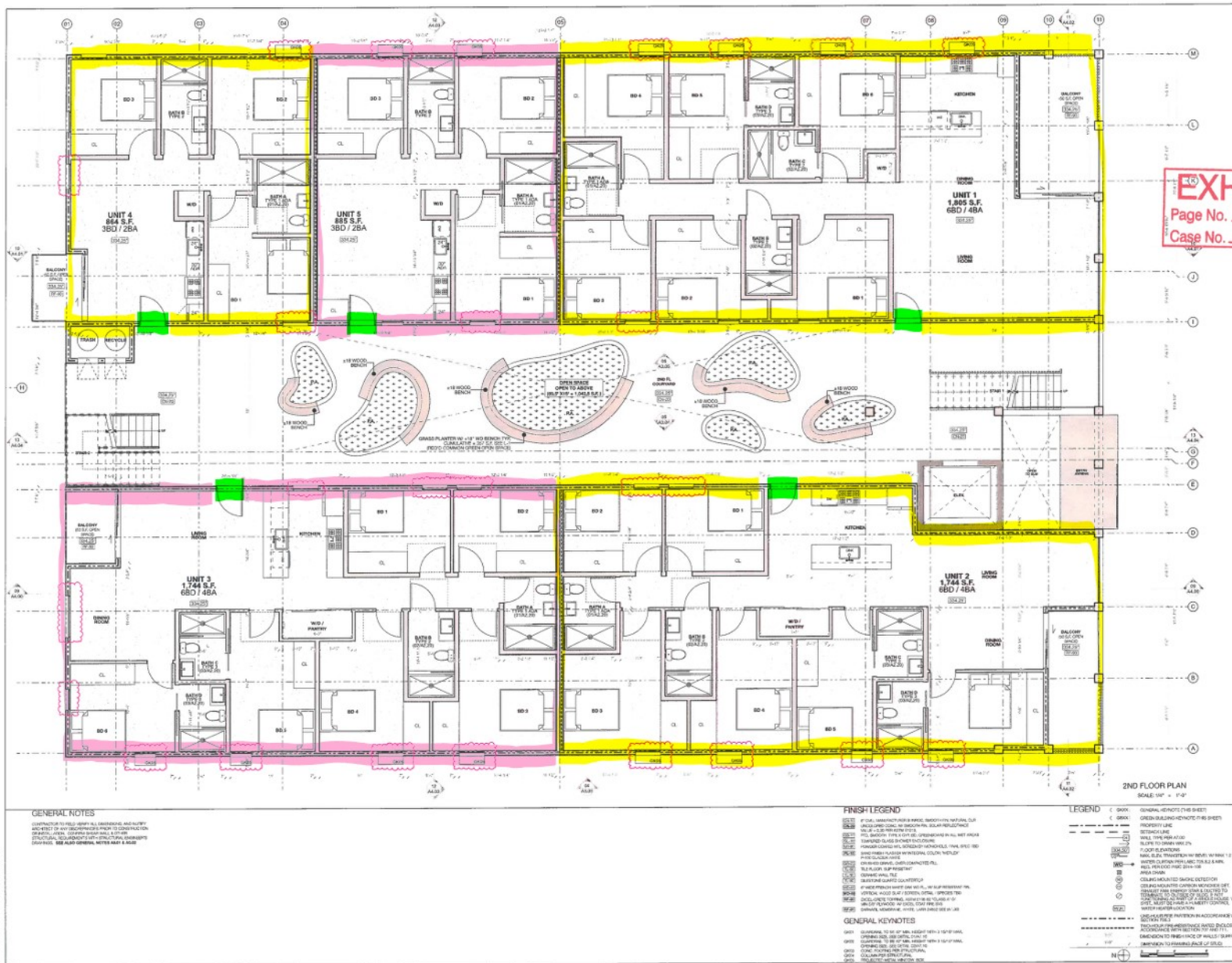


EXHIBIT "A"  
Page No. 8 of 23  
Case No. 19-7067



AMERICAN CHEMICAL SOCIETY  
 500 NORTH ZEEB ROAD  
 COLUMBIA, MD 21046  
 TEL: 410/528-5828  
 FAX: 410/528-5829  
 WWW.ACS.ORG

|          |       |
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| 07.09.19 | SD1   |
| 07.09.19 | SD2   |
| 07.09.19 | SD3   |
| 08.09.19 | SD4   |
| 09.09.19 | TOC 1 |
| 09.09.20 | TOC 2 |
| 09.09.20 | TOC 3 |

| DATE | DESCRIPTION |
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|------|-------------|

PROJECT NO: #Project Code

SHEET NAME

3RD FLOOR PLAN

A2.03

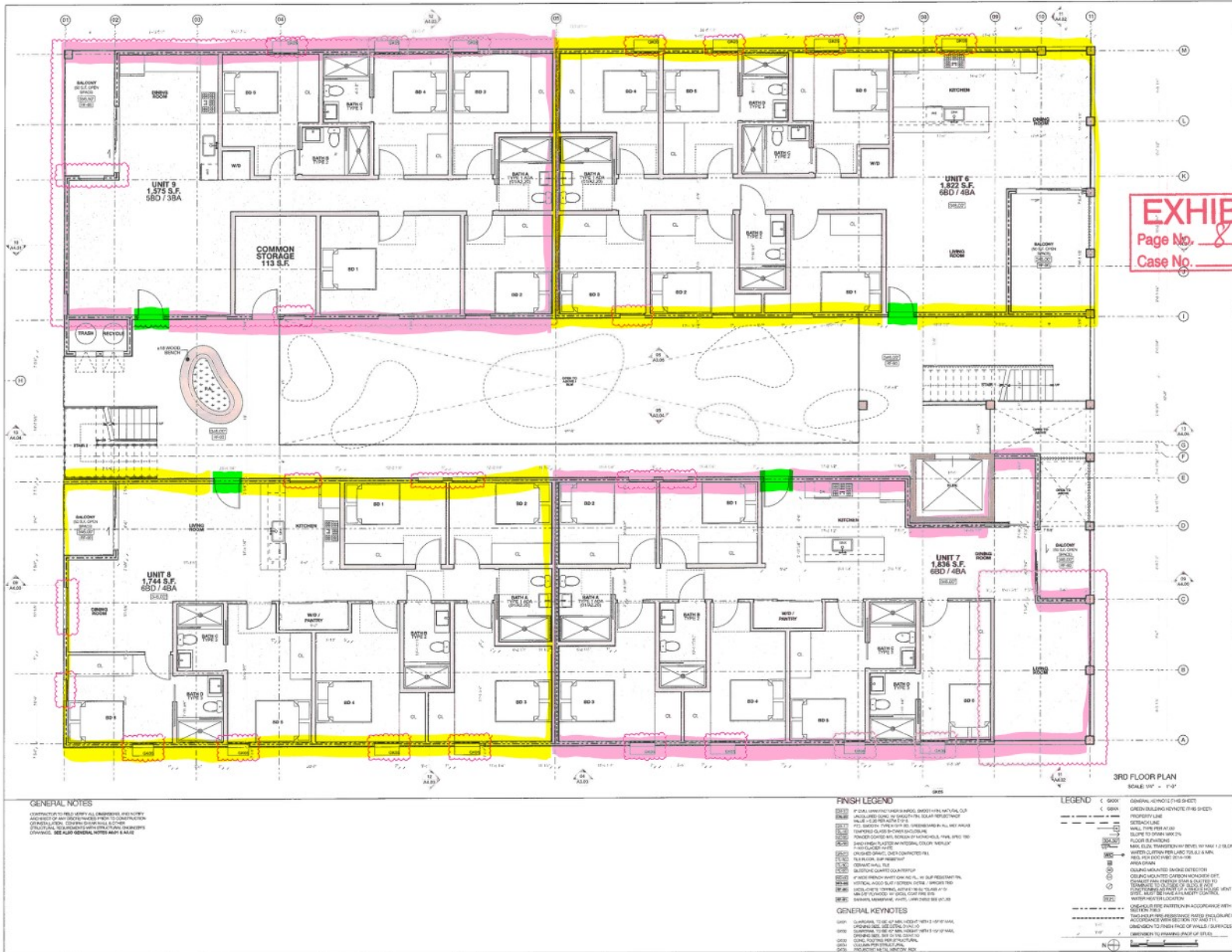




EXHIBIT "A"  
Page No. 9 of 23  
Case No. 19-7067

5806 LEXINGTON AVE.  
LOS ANGELES, 90038

[illegible]

A2.04

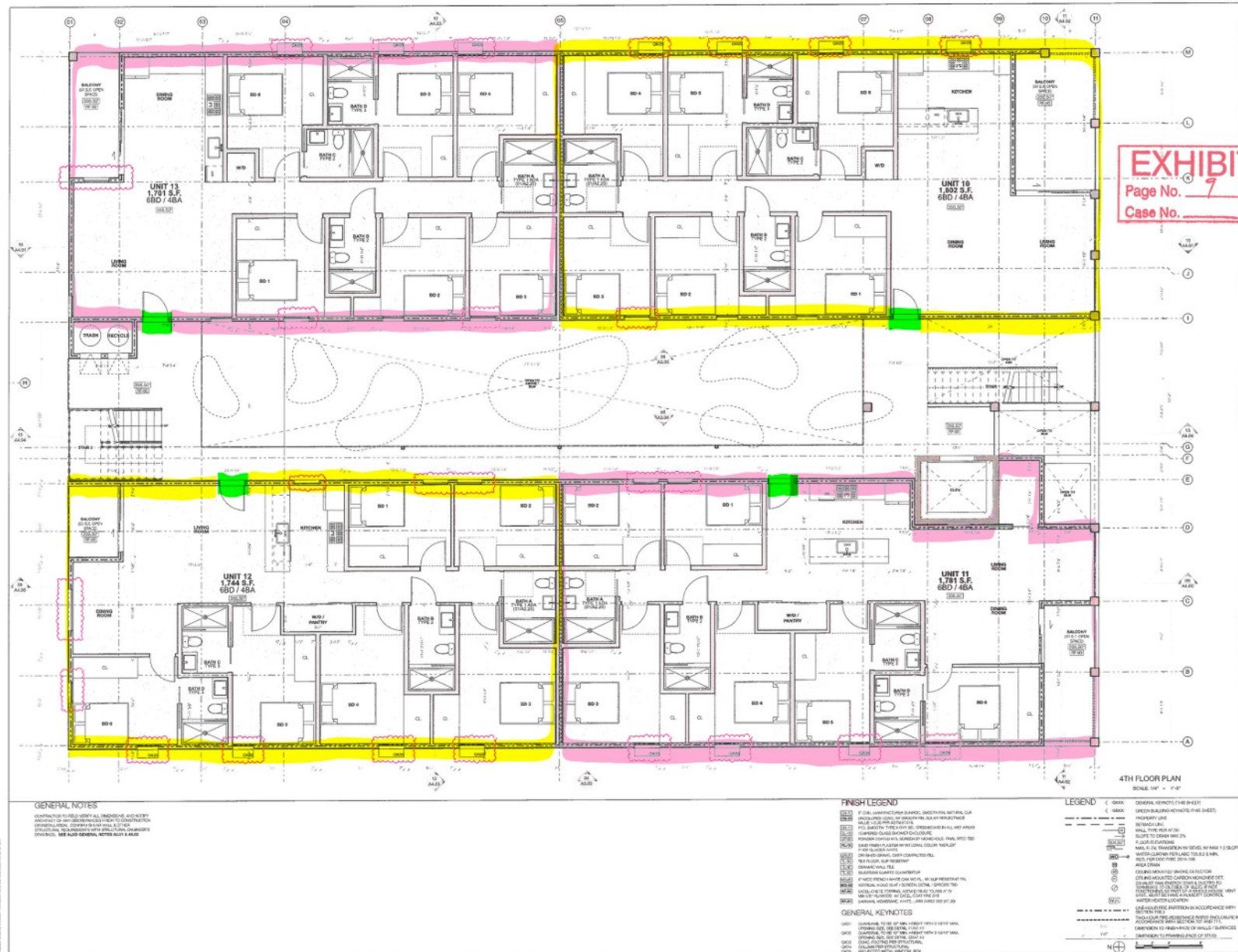


EXHIBIT "A"  
Page No. 10 of 23  
Case No. 19-7067

5806 LEXINGTON AVE.  
LOS ANGELES, 90038



|          |       |
|----------|-------|
| 07.03.19 | SE0   |
| 07.05.19 | SE2   |
| 07.06.19 | SE3   |
| 08.06.19 | SE4   |
| 08.08.19 | TDO 1 |
| 09.01.20 | TDO 2 |
| 08.08.20 | TDO 3 |

PROJECT NO. #Project Code

5TH FLOOR PLAN

A2.05

