

Communication from Public

Name: Andrew Wagenhals

Date Submitted: 09/20/2021 07:56 AM

Council File No: 21-0646

Comments for Public Posting: My name is Andrew Wagenhals and I am resident at 1446 S Beverly. Today I am speaking on behalf of myself and fellow adjacent residents at 1440 S Beverly, Cassandra Horne and Alexander Budda. I'd also like to note many stakeholders have been unable to attend this hearing due to scheduling conflicts with work. As stated by commissioner Pearlman in the February 25th CPC meeting: "This project does not enhance the built environment or provide a function or service that is or essential or beneficial to the community and that it is not compatible with and will adversely effect or further degrade adjacent properties in the surrounding neighborhood." On February 25th, after the applicant failed to make requested structural changes to provide increased parking as the project did not include an adequate number of spaces for the proposed units and a requested decrease in height as the structure broke neighborhood height restrictions by 22-feet, this project was unanimously denied for conditional use and does not have approval for its current density. In response lack of revisions make to the project since the prior January 28th CPC meeting, Commissioner Pearlman states: "Let's go into what has been brought back to us. We asked this project, this applicant, to go back after hearing our comments, and to revise the project to address some of our concerns. One of which, a major one, was as to the height... 67-feet in an area that's zoned 45 and I've sat through more than my share of density bonus cases and the typical exception that's allowed is 11-feet." Again, this project was unanimously denied by CPC. DPC has since released multiple incorrect letters of determination that do not align with audio documentation of the January and February CPC meetings. Errors across these multiple letters include incorrect citation on the CPCs voting record, items listed as approved that were denied, and project detail inconsistencies based on the applicant's proposed structure plans. These letters also were never mailed to key stakeholders and were only released buried on the LA city website. As we have previously stated along the entirety of this process, we the community are not opposed to new projects that benefit the neighborhood or increase affordable housing, the unfortunately reality is that this structure will do nothing but negatively impact our community in the long term. CPC opposed this project and it does not have the necessary approval to be built

at its current density per the motion of the February 25th CPC meeting.



andrew wagenhals <helloandrewwags@gmail.com>

Letter of Determination Error - 1432-1432 South Beverly Drive (Case No. CPC-2020-0595-DB-CU)

10 messages

andrew wagenhals <helloandrewwags@gmail.com>
To: alexander.truong@lacity.org, cecilia.lamas@lacity.org
Cc: cpc@lacity.org, irene.gonzalez@lacity.org

Wed, Apr 28, 2021 at 5:46 PM

Hi Cecilia and Alexander!

Hope your week is off to a great start. I wanted to bring to your attention an error in the latest [Corrected Letter of Determination released April 27, 2021](#) regarding:

1432-1432 South Beverly Drive
Case No. CPC-2020-0595-DB-CU
CEQA: ENV-2020-0597-CE
Plan Area: West Los Angeles

It appears as though this Letter of Determination does not accurately represent the City Planning Commission's vote from the February 25th meeting. At said meeting, the project was unanimously denied 8-0 on the grounds the applicant had not made requested adjustments to the project previously requested by the commission.

Item 3 in the letter is listed as approved, yet the commission denied the project the specifics that it broke neighborhood height limits by 22 feet, did not include sufficient parking infrastructure for the proposed density, did not increase the number of affordable units in the neighborhood enough to qualify for select incentives, and did not have an adequate amount of side-yard available on the lot.

Since the February 25th meeting, the residents of the neighborhood have not received any mailed notices or seen any public notices at the site. It was only due to recent development activity at the site that I happened to find the Letter of Determination online. As a member of the larger neighborhood community, many of us have followed this project from when it first went before our local South Robertson neighborhood zoning board to make our voices heard in opposition to this project. It would be a great disappointment to our entire community if a clerking error in a document allowed the commission's decision to be overturned and a project that does not benefit the citizens of the neighborhood go forward.

Having been in attendance on the day of and reviewing the audio of the February 25th meeting myself, I ask this letter be adjusted to accurately reflect the commission's 8-0 position to deny the project.

Thank you so much for your time.

Andrew Wagenhals
Visual + Experience Designer
585.755.8249 // andrewwags.com

andrew wagenhals <helloandrewwags@gmail.com>
To: alexander.truong@lacity.org, cecilia.lamas@lacity.org
Cc: cpc@lacity.org, irene.gonzalez@lacity.org

Wed, Apr 28, 2021 at 7:03 PM

Per my previous email, I'd like to specify that the items listed incorrectly on the referenced [Corrected Letter of Determination released April 27, 2021](#) are items 3-5. In accordance with the February 25th meeting audio, item 3 was not approved and items 4-5 were not adopted by the commission.

Thank you again for all your help resolving this issue. I really appreciate it. Looking forward to hearing from you soon.

Andrew Wagenhals
Visual + Experience Designer
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Alexander Truong <alexander.truong@lacity.org>

Fri, Apr 30, 2021 at 2:13 PM

To: andrew wagenhals <helloandrewwags@gmail.com>

Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>

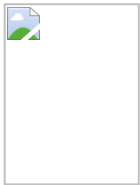
Hello,

Thank you for your email concerning the determination letter for CPC-2020-595-DB-CU. We reviewed the audio for that meeting date and determined that the Letter of Determination is consistent with the action taken that day.

While Commissioner Perlman did make a motion to deny the Conditional Use, no denial findings were provided with regard to the Density Bonus. The motion specifically discusses the findings for denial of the conditional use. Typically when the Commission denies a project, findings and a justification is provided for each entitlement request; in this case none were provided with regard to the density bonus incentives.

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**Alexander Truong**

Preferred Pronouns: He, His, Him

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**andrew wagenhals** <helloandrewwags@gmail.com>

Mon, May 3, 2021 at 6:29 AM

To: Alexander Truong <alexander.truong@lacity.org>, cecilia.lamas@lacity.org

Cc: Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, dperlman@perlmanlaw.com, helen@mas.la, caroline@nbcitalinc.com, lisa.webber@lacity.com

+ Looping in the commission for visibility.

Good morning. Hope you had a great weekend and a chance to get outside to enjoy the summer weather!

To recap, on February 25th, 2021 the commission reviewed revised designs for a proposed 67-foot high density structure at 1432-1432 South Beverly Drive (Case No. CPC-2020-0595-DB-CU). This project previously came before the commission on January 28th, 2021 where they requested the project be adjusted to better reflect neighborhood height and building standards.

On February 28th, after a thoughtful conversation around the issues with the project, the commission voted 8-0 to not move forward with a proposed project. An initial Letter of Determination was released on April 13th, 2021 incorrectly citing the vote count and listing items approved/adopted incorrectly. A [Corrected Letter of Determination](#) was released April 27th, 2021 with an adjusted vote count, but continues to list items 3-5 as approved/adopted inconsistent to the commission's decision on February 28th (including an inconsistent number of units compared to the plans that went before the commission).

It's also important to note neither the initial Letter of Determination nor the Corrected Letter of Determination were ever mailed to neighborhood stakeholders or posted publicly at the property. The appeal date of the Corrected Letter of Determination is unfair to the community as residents have not yet been made aware. The only reason I became aware of the document's existence was from looking online after noticing development activity at the property.

Alexander, I appreciate your insight on the technicalities surrounding items being clearly articulated in the motion process. Unfortunately per the [audio from the February 25th meeting](#), the motion does not specifically call out the conditional use alone and alludes to prior conversation surrounding additional items.

Commissioner Perlman's motion states:

"I'm going to move to deny staff's recommendations because CUP findings I believe cannot be made. I believe that, as I said, this does not enhance the built environment or provide a function or service that is or essential or beneficial to the community and that it is not compatible with and will adversely effect or further degrade adjacent properties in the surrounding neighborhood" (Perlman, February 25th 31:25).

Although items 3-5 are inconsistent with the meeting records in accordance with the above motion and have no documentation to support their approval/adoption, I'd like to draw attention specifically to item 3. b i: "to permit a 22-foot height increase from 45-feet to 67-feet."

In his motion, Perlman states "as I said" connecting back to earlier statements about issues surrounding the project which had been requested of the applicant to adjust: "First of all, let's go into what has been brought back to us. We asked this project, this applicant, to go back after hearing our comments, and to revise the project to address some of our concerns. One of which, a major one, was as to the height." (Perlman, February 25th, 18:23).

In response to the applicant's "perceived" height of the structure still surpassing neighborhood standards by 22 feet, Perlman states "I don't believe that. I wrote it down because that's what it was. It changes the 'perceived' roof height only from Beverly. It does not change it from any of the other perspectives or from the neighbors who adjoin it on the other two sides who are still going to have a building that is 65-feet... 66-feet... 67, I'm sorry, 67-feet in an area that's zoned 45 and I've sat through more than my share of density bonus cases and the typical exception that's allowed is 11-feet." (Perlman, February 25th 18:53).

The 67-foot height of the project was a major issue for the commission as it broke neighborhood height standards so much so that it required the project to come before the commission a second time. The height was not revised and the commission noted it continued to be unacceptable for the neighborhood zoning of 45-feet. **How then is item 3. b i pertaining to an approved 22-foot height increase to 67-feet approved in the Corrected Letter of Determination when the council openly objected in audio documentation and voted 8-0 against it?**

The commissioners invest time, energy, and thoughtfulness into the decisions they make. DCP Administrative documentation of CPC decisions should be executed with the same integrity as the commission's vote and not seek to undermine the authority of their role. As a member of the impacted community raising valid concerns over clear discrepancies between the February 25th CPC meeting and the Corrected Letter of Determination regarding Case No. CPC-2020-0595-DB-CU, I request that the Corrected Letter of Determination be Re-Corrected and mailed to all stakeholders as required by the city of Los Angeles.

Thank you so much for your time. I and the Pico/Beverly community really appreciate all your help on this issue.

Andrew Wagenhals

Visual + Experience Designer

585.755.8249 // andrewwags.com

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andrew wagenhals <helloandrewwags@gmail.com>

Wed, May 5, 2021 at 8:05 PM

To: Lisa.Webber@lacity.org

Hi Lisa!

I wanted to forward this email I shared with some other members of DPC and CPC. It's an issue with a discrepancy in a letter of determination from a project that the CPC unanimously denied at the February 25th meeting. Many people in my neighborhood were concerned about the scale of this project and relieved when it was not approved. Per the email below, no letters of determination were ever mailed out to the public so residents are unaware of the administrative error or of a pending appeal date.

It would be a shame and a major disappointment to our community if a project that breaks so many of our neighborhood building standards were to go forward due to a DPC clerical error undermining the CPC's vote. Please take some time to reach the below email for a full understanding of the scope and severity of the issue. Feel free to reach out with any questions.

Andrew Wagenhals

Visual + Experience Designer

585.755.8249 // andrewwags.com

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andrew wagenhals <helloandrewwags@gmail.com>

Tue, May 11, 2021 at 9:03 AM

To: Alexander Truong <alexander.truong@lacity.org>, cecilia.lamas@lacity.org
Cc: Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, dperلمان@perلمانlaw.com, helen@mas.la, caroline@nbcaltalinc.com, Lisa.Webber@lacity.org

Good morning!

Hope your week is off to a great start. I just wanted to reach out and follow up on the email I sent last week pertaining to Case No. CPC-2020-0595-DB-CU and the incorrect documentation of the commission's motion per the [audio from the February 25th meeting](#) in the [Corrected Letter of Determination](#).

Per my prior email, I would hope the DPC would re-correct the letter of determination and mail it to stakeholders for visibility. As a citizen of Los Angeles I am very concerned an error of this gravity could be made by an administrator allowing a project unanimously voted against by the CPC to be listed as "approved" and move forward. I am even more concerned at the absence of communication from the city in response to the issue.

Thank you so much for your time and I really appreciate all your help resolving this mistake.

Andrew Wagenhals

Visual + Experience Designer

585.755.8249 // [andrewwags.com](#)

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Alexander Truong <alexander.truong@lacity.org>

Tue, May 11, 2021 at 2:30 PM

To: andrew wagenhals <helloandrewwags@gmail.com>
Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, dperلمان@perلمانlaw.com, helen@mas.la, caroline@nbcaltalinc.com, Lisa Webber <Lisa.Webber@lacity.org>

Hello Andrew,

Thank you for your email. We are aware of the issues that you've raised and are looking into it.

Thank you,
Alex

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andrew wagenhals <helloandrewwags@gmail.com>

Tue, May 18, 2021 at 7:32 PM

To: Alexander Truong <alexander.truong@lacity.org>
Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, dperلمان@perلمانlaw.com, helen@mas.la, caroline@nbcaltalinc.com, Lisa Webber <Lisa.Webber@lacity.org>

Hi Alex,

Thank you so much for looking into these issues. I just wanted to reach out to you and bring to your attention an additional [Re-Corrected Letter of Determination](#) that was issued. This letter has yet to be mailed out and does not reflect any changes from the prior corrected letter of determination. I would like to elevate the same issues as above in this latest letter and request the items be adjusted to accurately reflect the commission's motion.

Thank you again for all your help. I really appreciate it!

Andrew Wagenhals

Visual + Experience Designer

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Alexander Truong <alexander.truong@lacity.org>

Wed, May 19, 2021 at 7:18 AM

To: andrew wagenhals <helloandrewwags@gmail.com>

Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, dperلمان@perلمانlaw.com, helen@mas.la, caroline@nbcaltalinc.com, Lisa Webber <Lisa.Webber@lacity.org>

Hello Andrew,

During the recent CPC meeting on 5/13/21, during Commission Business ([audio](#)), Dana Perlman clarified his motion during the 2/25/21 CPC meeting for the subject case. This motion is again consistent with the subsequent corrected determination and the second corrected letter of determination.

Thank you,
Alex

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andrew wagenhals <helloandrewwags@gmail.com>

Fri, May 21, 2021 at 9:11 AM

To: Alexander Truong <alexander.truong@lacity.org>

Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Planning CPC <cpc@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, dperلمان@perلمانlaw.com, helen@mas.la, caroline@nbcaltalinc.com, Lisa Webber <Lisa.Webber@lacity.org>

Morning Alex!

Thank you for sharing that audio from the 5/13/21 CPC meeting. Per the clarification from commissioner Perlman, there are still standing concerns regarding the Letter of Determination. The proposed plans taken before the commission on 2/25/21 were not for a 13-unit structure. How is it possible for the commission to have approved this project without seeing plans for the building? I also am curious how and why a 67-foot building is now approved when the commission previously had outlined that element of the structure to be a major concern given our neighborhood zoning.

As an adjacent neighbor to the project site I am happy to move forward with a formal appeal process as there are still inconsistencies from when the commission last saw the project at the 2/25/21 meeting. Can you also confirm this letter of determination will be mailed to stakeholders or at least posted at the property? The prior two were not. There are many elderly residents in our neighborhood who are concerned with the project and they may not know how to navigate the LA city planning website.

Andrew Wagenhals

Visual + Experience Designer

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Communication from Public

Name: Alex Buda

Date Submitted: 09/20/2021 10:31 AM

Council File No: 21-0646

Comments for Public Posting: I support the appeal of this project. I live directly beside the property in question and believe putting a 6-7 story building in its place would be impractical and violate the building standards of the neighborhood. The infrastructure of our neighborhood cannot accommodate the street parking this building would bring, and the space between our two buildings where our driveway is located is already minimal to the point it is easy to damage your car if you aren't careful while pulling in or out. The construction would not be as big an issue to me if my partner and I weren't still working from home because of the pandemic. Having a building constructed on the edge of the property line, which is less than 10 feet away from my apartment while I am home 90% of the time, would be unbearable, not to mention the breathing hazard that would come from the destruction of a 50+-year-old building. I am deeply disappointed in the way this project is being handled since I was not only not given public notice of the letter of determination for this project, even though I am a direct neighbor to the property, I was also under the impression that the CPC in a past decision had not approved the project. It seems to me that someone is trying to push this decision through without the full approval of the neighborhood, and if so, would be the cause for legal action.