



APPLICATIONS:

APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

Related Code Section: The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

Purpose: The Appeal - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- 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.

1. Case Information

Environmental Case Number: ENV-2020-428-CE
Related Entitlement Case Number(s): DIR-2020-427-SPP
Project Address: 464 Crane Boulevard
Date of Final Entitlement Determination: 12/28/2021

The CEQA Clearance being appealed is a(n):

- [] EIR [] SCEA [] MND [] ND [x] CE [] SE

2. Appellant Identity (check all that apply)

- [] Representative [] Property Owner [] Other Person
[] Applicant [] Operator of the Use/Site

3. Appellant Information

Appellant Name: Crane Boulevard Safety Coalition
Company/Organization:
Mailing Address: 438 Crane Boulevard
City: Los Angeles State: CA Zip: 90065
Telephone: (323) 216-3567 E-mail: christohoward@gmail.com

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

- [x] Self [] Other:

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

4. Representative/Agent Information

Representative/Agent name (if applicable): Jamie T. Hall
 Company: Channel Law Group, LLP
 Mailing Address: 8383 Wilshire Blvd., Suite 750
 City: Beverly Hills State: CA Zip: 90211
 Telephone: (310) 982-1760 E-mail: jamie.hall@channellawgroup.com

5. Appeal Justification

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

6. Applicant's Affidavit

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

Appellant Signature:  Date: 01/11/2022

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

1. 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.

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

2. 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. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

3. Appeal Fee

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

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)

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*ALSO Admitted in Texas

January 11, 2021

VIA ELECTRONIC UPLOAD

City Council of the City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Re: Justifications for CEQA Appeal; 464 Crane Boulevard; ENV-2020-428-CE

Dear Members of the Los Angeles City Council:

This firm represents Crane Boulevard Safety Coalition (“Appellant” or “Coalition”). The Coalition is an organization dedicated to the protection of both the local community and the environment. On or about December 28, 2021, the City of Los Angeles (“City”) issued a Letter of Determination (“LOD”) denying an appeal brought by the Coalition and approving certain entitlements for the development project located at 464 Crane Boulevard (“Project”). The East Area Planning Commission also determined that the Project was exempt from the California Environmental Quality Act (“CEQA”). Coalition hereby appeals the categorical exemption for the Project pursuant to Public Resources Code Section 21151(c)¹. This letter outlines the justifications for the CEQA appeal.

The Coalition brings this appeal because the Coalition and its members have a direct and substantial beneficial interest in ensuring that City complies with laws relating to environmental protection. Further, the Coalition and its members are adversely affected by City’s failure to comply with CEQA and planning and zoning law in approving the Project. The Coalition and its members’ safety and environmental interests are directly and adversely affected by the City’s approval of the Project.

¹ PRA section 21151(c) states as follows: “If a nonelected decisionmaking body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency’s elected decisionmaking body, if any.”

I. Justifications for Appeal

In his remarks to the Nation on January 6, 2022, President Joe Biden made some observations about fundamental American principles in a democracy:

“You can’t love your country only when you win.

You can’t obey the law only when it’s convenient.

You can’t be patriotic when you embrace and enable lies.”

These principles, related to the central concept of the rule of law in our national electoral process, apply with equal force to all of the laws we enact to govern ourselves and the bureaucracies we rely upon to enforce such laws for our protection.

In this case, the City Planners who signed the staff recommendation report to the East Los Angeles Planning Commission, embraced and enabled a lie of the architect. And the East Los Angeles Planning Commission uncritically collectively shrugged its shoulders and embraced it as well. No government can survive in the long-term if it embraces and enables lies, and obeys its own laws only when it is convenient.

The Big Lie in this case occurred when it was established in the record that the Project is a three-story structure under the definitions of both the Planning and Building Code, located in a mapped Earthquake Induced Landslide Area, requiring a heightened environmental study the Applicants and their architect do not wish to perform, and so the architect relabeled the plans to claim the former art studio on the lower floor was the world’s tallest and most luxurious fully heated and air conditioned 10 foot high “Basement Crawl Space.”

The deceitful change of the plans, performed merely to evade proper environmental review, were obvious. To bolster the architect’s claim that the lowest level art studio was now a basement, the City Planning Staff in its report, incorrectly stated that a portion of the lowest level was embedded into the hillside. Even a casual inspection of the original and revised plans created by the architect show that all levels of the structure are supported exclusively out of the steep slope on the proposed caisson structure -- the very structure that is supposed to be subjected to heightened environmental review when a three-story structure is proposed on a mapped Earthquake Induced Landslide Area.

On this ground alone, the City’s planning laws have been ignored by City Planners and the Area Planning Commission. It was a gross abuse of discretion.

Appellant previously detailed in key letters submitted to the City Planning Department and Planning Commission other grounds why the Project does not qualify for an exemption from CEQA review. Appellant relies on each and every argument and supporting evidence touching on the appropriate level of CEQA review of this project. Previous letters are also attached hereto as **Exhibits 1, 2, 3, 4 and 5**. Appellant’s investigation on this appeal continues and will be supplemented at hearing.

II. Conclusion

For the aforementioned reasons, the appeal should be granted. I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent and the last name "Hall" following in a similar style.

Jamie T. Hall

Exhibit 1

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July 6, 2021

VIA ELECTRONIC MAIL

East Los Angeles Area Planning Commission
c/o Jennifer Edwards, CEA
201 N. Figueroa Street
Los Angeles, CA 90012
apceastla@lacity.org

Re: CRANE BOULEVARD SAFETY COALITION JUSTIFICATION FOR APPEAL; DIR-2020-427-SPP; 464-466 CRANE BOULEVARD

Dear East Area Planning Commissioners:

This firm represents Crane Boulevard Safety Coalition on a pro-bono basis with respect to the proposed development project located at 464-466 Crane Boulevard ("Project"). This letter supplements the bases of appeal for the Project.

The Crane Boulevard Safety Coalition is a group of affected neighbors to multiple real estate development projects proposed simultaneously along the very steep and narrow portions of the 300 to 500 block of Crane Boulevard in Mount Washington. The issues over which the Coalition advocates affects property owners and tenants throughout the City due to certain practices of the City it has reason to know are unlawful, yet for which the City persists in ways to deprive communities of their right to participate in the government's planning and decision making processes.

A review of the Director's Determination, issued on April 19, 2021, reveals the following defects that require lawful environmental review and modification of the proposed project:

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I. Application of the Specific Plan Instead Of The Baseline Hillside Ordinance (Including the Refusal Of The Planning Department to Require Proper Calculation of the BHO FAR) to Calculate Permitted FAR Is Unlawful.

SUMMARY

Section 2 of the Specific Plan requires the City to apply the most restrictive FAR calculation in either the Los Angeles Municipal Code (“LAMC”) or the Mount Washington/Glassell Park Specific Plan (“Specific Plan”). Records in Navigate LA show the average slope of the site is at least 65%. Under the Baseline Hillside Ordinance slope band analysis, had it been performed, the City’s law would have restricted the size of this project to less than that approved by the City Planners. There has been a grievous deliberate abuse of discretion by the Director of Planning refusing to apply the most restrictive FAR calculation because on such a steep lot, the BHO is likely to permit a smaller house to protect public health and safety.

ANALYSIS

Essence of the Defect

The provisions of the LAMC control the development of this Project site unless Section 2 of the Specific Plan, entitled “Relationship to other provisions of the Los Angeles Municipal Code”, directs more restrictive (and as to height or some set backs less restrictive) standards. As to the determination of whether the floor area ratio (FAR) calculated by the LAMC or Specific Plan applies, Section 2 directs that the Specific Plan FAR supercedes the LAMC FAR if and only if the Specific Plan FAR calculation yields an allowable FAR more restrictive than the calculation yielded by the LAMC.

LAMC §12.21 C.10.b sets forth the slope band analysis method for calculating allowable FAR for a project in the hillside areas of the City. That is why this section of the LAMC is commonly known as the Baseline Hillside Ordinance (“BHO”). The BHO was amended in recent years as a result of harmful, oversized luxury housing proposed in the sensitive hillsides. The City Council made specific factual findings in support of the adoption of the BHO that reductions in grading and construction on steep hillsides was necessary to protect public health and safety.

In enacting the BHO, the City Council identified certain hillside areas that were not subject to the BHO, however, the Mount Washington/Glassell Park Specific Plan was not listed as exempt from the BHO. Thus, the legislative history of the recent BHO amendment carries a presumption that if City Council knew how to list exceptions to the BHO on its initial enactment, its failure to include the Mount Washington/Glassell Park Specific Plan on the exception list is substantial evidence of intent that the BHO apply as specified in Section 2 of the existing Specific Plan.

Before this latest amendment of LAMC, the Specific Plan would almost always have been a more restrictive FAR allowance. Hence, historically since the 1993 enactment of the Specific Plan, its FAR allowance was the operative development control on FAR. However since the enactment of the BHO, the steeper the lot, the more restrictive LAMC’s new slope band analysis would be. Thus, on steep lots in the Specific Plan area, it became more likely

that the BHO enacted within LAMC would yield a more restrictive maximum allowable FAR, and hence under Section 2 of the Specific Plan, the LAMC would control the FAR of a project. The BHO, since the 2017 amendment removed certain bonuses the continued to lead to oversized development, the BHO, particularly on steep lots almost always yields a more restrictive FAR calculation that must be applied by City Planners.

In this case, the Director's Determination fails to include a calculation of the FAR both ways so a determination can be made in accordance with the provisions of Section 2 of the Specific Plan. In fact, it does not appear that the City required the LAMC FAR calculation to be performed. If it was, it is not mentioned in the Director's Determination which is the operative document under review here. This fact alone, that the City Planning staff refused to conduct the FAR calculation comparison, is a failure to proceed in accordance with law constituting a prejudicial deprivation of the rights of the community to have its Specific Plan administered to protect public health and safety.

The refusal of the Director to obtain an accurate calculation of the LAMC FAR calculation under LAMC section 12.21 C.10.b means that the Director lacks substantial evidence in the record proving that the Specific Plan FAR calculation is the most restrictive FAR for this Project in accordance with Section 2 of the Specific Plan.

Even worse, in a recent development, the Director of Planning, through his staff, appears to have declared it is the policy of the City to ignore the plain language of Section 2 of the Specific Plan in determining which FAR calculation to apply. The City Council in enacting Section 2 commanded City Planning staff to apply the LAMC FAR calculation unless the Specific Plan calculation is more restrictive. City Planning staff now routinely defies the legal command of Section 2 and declared that City Planning staff will always apply the Specific Plan FAR calculation without regard to whether the LAMC FAR calculation is more restrictive. The City Planning staff's refusal to make the determination required under Section 2 of the Specific Plan is a failure to proceed in accordance with law. The refusal to provide residents living in the Specific Plan area with equal protection of the law that by plain language applies to this Project violates the United States and California Constitutions.

The General Plan Framework, Community Plan, and Specific Plan Findings All Consistently Require City Decisionmakers To Make Decisions Restricting Development To Limit Impacts on the Environment and Maximize Private Open Space.

The legislative history of City Planning Documents, and the development of the LAMC and the Specific Plan implementation of those planning policies establish a clear and unbroken intent of the City Council to restrict the intensity of development in sensitive hillside areas. Time and time again, the City Council has adopted findings, policies and implementation programs that reflect an intent to protect public safety of current and future residents of the hillside areas, maximize private open space in connection with development projects, and require City decision makers to carry out these policies in the application of the specific municipal codes of the City. These findings, policies and implementation programs were supported by facts on the ground.

The City's General Plan Framework and applicable Northeast Community Plan have long recognized the particular planning challenges and need for attention to the safety of residents and preservation of open space to the maximum extent feasible:

General Plan Framework Policies And Implementation Programs.

The City's Framework acknowledges the critical role specific plans and zoning code play in the implementation of the General Plan:

“4. The General Plan Framework Element and Its Relationship to Specific Plans

The City has a number of adopted specific plans which set detailed development regulations for local areas and include various types of regulatory limitations. Examples of **these limitations include** "trip caps," design review boards, **density/intensity limits, maximum heights, landscape, lot coverage, etc.** The General Plan Framework Element is consistent with and does not supersede nor override these local requirements.

5. Zoning Approvals and Zoning Consistency

The community plans and their implementing zoning set forth how property may be used and form the basis for decisions on discretionary permits.”

Zoning, specific plans and other discretionary approvals and designations are implementing tools of the general plan as reflected in the community plans.

The City's Framework Element acknowledges that the intent of the Framework is implemented by the City's adherence to its specific plans which address particular challenges in those areas of the City:

“Specific Plans

The City has adopted a number of specific plans that set detailed development regulations in their local areas. **Some of these impose limits on the amount of development that can be accommodated to reflect transportation constraints and intended community character and some impose design guidelines to improve the quality of physical development.** Among them are Specific Plans for Ventura Boulevard, Warner Center, Central City West, Park Mile, Porter Ranch, Sherman Oaks-Reseda, Century City, San Vicente Scenic Corridor, **Mt. Washington**, Granada Hills, Mulholland Scenic Corridor, Pacific Palisades Village, Westwood Village etc. In many respects, **these plans advance the fundamental goals of the Framework Element** for focusing growth, increasing mobility, reducing air pollution, and establishing a higher quality built environment for the City's residents.

Adoption of the Framework Element does not supersede nor alter adopted specific plans. Adopted specific plans are consistent with the General Plan Framework Element.” (Emphasis added.)

In its Land Use section, the Framework acknowledges the expectation that decision makers will follow specific plans in order to assure implementation of the paramount safety, environmental, infrastructure needs of the City.

“ISSUE ONE: DISTRIBUTION OF LAND USE

GOAL 3A

A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, **reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities**, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1

Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.7 Allow for development in accordance with the policies, standards, and programs of specific plans in areas in which they have been adopted.

(Emphasis added.)

Thus, the City's General Plan Framework directs the City Planning Department to follow the specific plans in order to maintain consistency with the intent of the Framework. Failure to follow the plain language of a specific plan, including the Specific Plan in Mount Washington/Glassell Park, is a failure to proceed in accordance with the General Plan Framework's direction to only “[a]llow for development in accordance with . . . specific plans.”

The Framework also recognizes the importance of private land open space, particularly in communities like Mount Washington and Glassell Park where City decision makers are directed to apply development standards in favor of preservation of private open space to the maximum extent feasible:

Framework Policy 6.1.6 makes it the policy of the City to:

“Consider preservation of private land open space to the maximum extent feasible. In areas where open space values determine the character of the community, development should occur **with special consideration of these characteristics.”**

This Policy, adopted with the Framework on December 11, 1996, was implemented under Implementation Program Number 70 with revisions to applicable City zoning code provisions, including the BHO that, as outlined herein, imposed more restrictive development standards due to ongoing negative safety and environmental impacts in over crowded hillside areas:

“P 70 - **Formulate or modify appropriate ordinances**, including consideration of a mountain overlay zone, **to preserve private land with open space characteristics to the extent feasible**. Consider incorporating the following:

a. **Appropriate sections of the adopted Hillside, Oak Tree, Mountain Fire Protection and Slope Density ordinances;**

b. Provisions for wildlife corridors; watershed management and natural landscape preservation;

c. **Transportation Improvement and Mitigation Plans for hillside areas;**

d. **Development standards for new construction**, and

e. Provisions to facilitate land donations to non-profit organizations such as the Santa Monica Mountains Conservancy.

Responsibility: Department of City Planning” (Emphasis added.)

Thus, the Framework contemplated that the City Planning Department would lead an effort to further assess amendments to the zoning code in order to implement additional restrictions of building sizes and lot coverage in order to maximize the preservation of private open space. As discussed herein, this implementation process occurred and there is no evidence in the City’s records indicating any intent to exclude the Mount Washington/Glassell Park Specific Plan area from the protections afforded in the LAMC’s BHO to other hillside areas of the City.

Northeast Community Plan Policies and Programs

Los Angeles’s General Plan Land Use Element consists of 35 community plans and district plans that contain more specific policies expressing intent to protect sensitive hillside areas by restricting residential unit density and the intensity of development with density and floor area ratio restrictions.

The Northeast Community Plan specifically acknowledges the challenges of development in Mount Washington:

“Mount Washington is residential enclave located east of Cypress Park, north and west of Figueroa Street and Marmion Way, west of Avenue 50 and south of El Paso Drive. **It is characterized by steep canyons and narrow ridges, in which cabins began to be built near the end of the Nineteenth Century. The area has since been developed incrementally with single-family houses served by narrow, winding streets. In recent years, the threat of construction of a housing tract with numerous extremely large houses resulted in the enactment of a specific plan to regulate development to preserve more of the rustic ambience and viewsheds that have been major attributes of the community.** Mt. Washington residents are not served by adjacent or readily accessible commercial or institutional uses, except for an elementary school.” (Emphasis added.)

Under the land use policies of the Northeast Community Plan are the following policies implemented by proper application of the LAMC and Specific Plan:

“Objective 1-5 **To limit the intensity and density of development in hillside areas.**

Policies

1-5.1 **Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.**

* * *

Program: **Implementation of the Plan is, in part, based on continued application of the Citywide Hillside Ordinance and the Mount Washington/Glassell Park Specific Plan.**

1-5.2 Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.

Program: Decisionmakers should adopt findings which address the availability of these services and utilities as part of any decision relating to hillside residential development.

Program: Continue the implementation of the Citywide Hillside Ordinance.

1-5.3 **Consider the steepness of the topography and the geologic stability in any proposal for development within the Plan area.**

Program: **The Plan Map retains restrictive land use designations and zones in hillside areas because of topography, geologic stability, and restricted access.**

1-5.4 **Require that any proposed development be designed to enhance and be compatible with adjacent development.**

Program: **Plan implementation is based, in part, on the continued application of the Mt. Washington/Glassell Park Specific Plan and the Citywide Hillside Ordinance.**

The Fire Protection Section of the Northeast Community Plan expressly acknowledges that realistic fire protection mandates implementation of the development restrictions enacted into both the LAMC Hillside Ordinance and Specific Plan:

“FIRE PROTECTION GOAL

**Objective 9-1 ADEQUATE COMMUNITY PROTECTION THROUGH A
COMPREHENSIVE FIRE AND LIFE SAFETY PROGRAM.**

**Ensure that fire facilities and protective services are
sufficient for the existing and future population and land
uses.**

Policies
9-1.1

Program: The Plan Map concentrates future multiple-family commercial, residential, and industrial development in areas served by major thoroughfares and designates hillside areas for low and very low density residential uses and open space.

* * *

Program: Continued implementation of the citywide Hillside Ordinance and the Mt. Washington/Glassell Park Specific Plan will help to minimize development in areas with narrow, winding streets. (Emphasis added.)

In the Circulation section of the Northeast Community Plan, the City expressly states that density and development in hillside areas must be restricted due to deficient infrastructure and fire fighting and emergency access challenges:

“CIRCULATION

* * *

“Residential density will also continue to be constrained for the foreseeable future in hillside areas served by steep substandard streets that make access by emergency vehicles difficult, especially when additionally constricted by on-street parking.” (Emphasis added.)

The steep, narrow, curving street transportation structure in hillside areas, in particular in Mount Washington and Glassell Park, where road widths and infrastructure do not meet the ability for fire and emergency vehicles to arrive at the emergency with appropriate response times, is particularly inadequate **and a growing public danger in a time of the rise of urban wildfire as climate change exacerbates deadly fire risks.**

In the Specific Plan area, and in particular in the vicinity of the Project, the street width can only accommodate one side of on-street parking and one lane of traffic. In order to pass each other on Crane Boulevard and countless other streets in the community, drivers must pull over into the parking lane to allow oncoming vehicles to pass. In recent years, as the City has processed increasing intensity of development, each new development on the parking

lane side of the street removes more space once available for on-street parking with access driveways where no street parking can occur any longer, and areas to pull over to allow ongoing traffic to pass becomes less and less available. Additionally, areas of the roadway where on-street parking is possible, are now filled with an unbroken line of parked vehicles decreasing the ability of drivers to pull over to allow oncoming traffic or emergency vehicles to pass.

While the Department of City Planning has been alerted to these growing safety concerns, its response has been to refuse to study or meaningfully mitigate the cumulative impacts of many houses during construction, and establish meaningful traffic “pullover” red zones that would feasibly prevent current traffic conflicts and bottlenecks, particularly along Crane Boulevard when the narrow, steep, and curved streets are leading to dangerous backups on the street as vehicles are unable to pull over to the parking side to allow uphill oncoming traffic pass. Some vehicles must back up 50 to 100 feet uphill to reach a place to pull into open parking lane. In some cases, verbal conflicts and horn honking now occur among drivers and the mass of construction vehicles moving on the street on any given day. As many residents can testify, the situation has particularly become more dangerous in recent years during the current construction boom.

Over the life of the Project, the Specific Plan’s direction to City Planning and decision makers to apply the most restrictive FAR calculation is consistent with and implements the multiple Northeast Community Plan Policies and Programs that acknowledge the need for restricted levels of development in steep hillside areas of the Community Plan Area. The Specific Plan’s direction to use the most restrictive FAR implements all of these policies is the critical point where City policy overrules the wishes and desires of real estate developers/owners to build whatever luxury housing they want.

The Specific Plan Findings

Even the Specific Plan itself sets forth factual findings consistent with the General Plan Framework and Northeast Community Plan that implements the City’s practical acknowledgement that intense development in hillside areas is not feasible or desirable for the safety of residents:

“WHEREAS, the Northeast Los Angeles Community Plan, a part of the Land Use Element of the General Plan of the City of Los Angeles, seeks to create an environment with diversity, balanced growth, identity, and historical continuity; to encourage the preservation and enhancement of the community’s varied and distinctive residential character; to preserve, maintain and improve existing, stable single-family residential neighborhoods; **and in hillside residential areas, to limit land use intensities and population densities to those which can be accommodated by the transportation system, public service facilities, utilities and topography;** and

WHEREAS, the Mount Washington and Glassell Park community is **characterized by distinctive hills and canyons; mature and native vegetation and wildlife habitats; natural open space and panoramic vistas; and pedestrian walking trails opportunities, all worthy of preservation;** and

WHEREAS, Mount Washington Drive and San Rafael Avenue provide opportunities for

scenic views of the City and the surrounding mountains and natural canyon vegetation;
and

WHEREAS, some single-family residential development in recent years has been inconsistent in significant respects with the scale and character of the community's hillside terrain, rustic nature, architectural diversity; and

WHEREAS, many public hillside streets have narrow widths or do not meet present City design or dedication standards, thus creating adverse impacts on public safety, vehicular access, circulation and the availability of off-street parking; and

WHEREAS, some multi-family residential development in recent years has been distinguished by a scale and character that have impinged upon the privacy, light and ventilation, usable open space and visual quality for adjoining residential neighborhoods; and

WHEREAS, in order to assure that development proceeds in an orderly fashion and in conformance with the General Plan, it is necessary to adopt the following Specific Plan.” (Emphasis added.)

Thus, even the findings found just before Section 2 of the Specific Plan acknowledge that the Plan, must of necessity, limit the intensity of development in hillside areas of the Specific Plan area.

Relationship Between The Citywide Hillside Ordinances and Specific Plan

The City's original Citywide Hillside Ordinance regulated some aspects of development projects but not sufficiently to mitigate impacts of overdevelopment in the hills. The April 1993 adoption of the Mount Washington/Glassell Park Specific Plan, with its sliding FAR restrictions as the size of the lot increases, marked a significant advance in constraining out of scale, inappropriate development intensity in the Specific Plan area. At the time the Specific Plan was adopted, its FAR calculation, different and more inclusive than the more permissive floor area definition of the LAMC, helped reduce mansionization and loss of private open space in the Specific Plan area. It was successful and used by the City in developing similar plans in the City.

From 1993 to 2011, the City Planning Department properly applied Section 2, and almost all the time the Specific Plan's FAR calculation yielded a more restrictive FAR than the Citywide Hillside Ordinance. In 2010, the City enacted the first version of the Baseline Hillside Ordinance, which applied a slope band analysis that restricted the allowable FAR based upon steepness, but also granted significant exceptions that resulted in many houses eligible under the BHO for more FAR than that permitted by the Specific Plan's sliding restrictions based only on lot size. Thus, the original enactment of the BHO, which included a list of exceptions that did not include the Specific Plan, had little impact on the Section 2 comparison of FAR calculations.

That changed in 2017. In response to severe criticism that the exceptions and bonuses were being abused by the real estate development community to evade the intent of the BHO, the 2017 amendment eliminated many of the exceptions and bonus FAR provisions. As

amended, starting a few years ago, the BHO limits became tightened to the point that on sloped hillside lots, the slope band analysis of the BHO resulted in a FAR more restrictive than that of the Specific Plan. At that point, the City Planning Department began applying the BHO and Specific Plan inconsistently.

By way of example, projects that initially violated both the FAR restrictions of the BHO and the Specific Plan were approved under the less restrictive Specific Plan FAR calculation even though the City Planner knew or should have known the BHO FAR calculation was more restrictive. A project at 763 Museum Drive illustrates this ongoing pattern and practice problem and we have submitted relevant records for the Commission to examine. In that case, both an initial Specific Plan FAR calculation and a BHO slope analysis were performed.

However, the slope band analysis was incorrectly performed purporting to grant the greater FAR for the most steeply sloped cliff on the site and the least FAR to the small flat portion of the lot lying next to the street. The BHO slope analysis map submitted by the developer and signed off by a planner claimed the allowable FAR was 1693 square feet but had the math been correctly performed, the BHO allowed only 1,134.8 sq. ft. plus a 200 sq. ft. exemption for the garage for a total of 1,334.8 sf. The initial Specific Plan calculation shown on the original plans totaled 1,616 sf plus a 500 sf garage for a total of 2,116 sf. This design complied with neither the Specific Plan limit of 1,756.8 including the garage, nor the correct BHO FAR limit of 1,334.8 sq. ft. including the 200 sq. ft. garage exemption.

Incredibly this easily observed conflation of the calculation was nonetheless signed off by a City Planner. Ultimately, the developer submitted revised plans that reduced the size of the house to be at precisely 1,756 sq. ft. to comply with the less restrictive Specific Plan FAR limit, but City Planners simply pretended the BHO slope analysis in the project file did not exist. The project is on hold at the building permit stage because of the failure of the Planning Department to properly review the FAR. The Project is facially unlawful because it exceeds the FAR limits allowed by the BHO, and even the approved plans do not appear to be within the less restrictive Specific Plan FAR limit. But somehow it was approved by City Planning anyway.

The case at 763 Museum illustrates that in 2017 when that case was first submitted, the Planning Department started to comply with the BHO slope analysis mapping in order to compare FAR limits generated under the BHO and the Specific Plan. However, while 763 Museum was pending, and responding to political pressure from luxury real estate developers who wanted more FAR to increase their profits, the City Planning staff changed course without any notice to the community. Like at 763 Museum, City Planners began ignoring the BHO slope analysis FAR calculation, and instead, in a gross abuse of discretion, began only applying the Specific Plan FAR which since 2017 rarely generated an allowable FAR more restrictive. The decision of the Planning Department to ignore the plain language of Section 2 of the Specific Plan is an unlawful pattern and practice of the City Planning Department. After decades of General Plan Framework and Northeast Community Plan policies calling for implementation of the most restrictive FAR calculations within the very sensitive hillside areas of the Specific Plan, the Planning Department deliberately chose the opposite path: a defiance of the City's fundamental plans and a give away to new development projects proposed in the Specific Plan. The Planning Department would no longer apply the most restrictive FAR calculation in the Specific Plan area.

This pattern and practice is extremely harmful to the community. Now, the restrictions of the BHO are applied throughout the City and NOT in the Specific Plan. This has incentivized acquisition of Mount Washington and Glassell Park vacant lots by foreign investment trusts seeking to make fast profits with now larger developments allowed by the City Planning Department's unlawful turn away from complying with the City's own laws.

The 464-466 Crane Project Has Not Been Properly Analyzed Both Ways

Section 2 of the Specific Plan, entitled: "Relationship to the Other Provisions of the Los Angeles Municipal Code", begins with the general statement that the provisions of the LAMC will apply to a project developed within the Specific Plan area, unless otherwise directed by the Specific Plan.

"A. The regulations set forth in this Specific Plan are in addition to those set forth in the Los Angeles Municipal Code (LAMC), as amended, and do not convey any rights or privileges not otherwise granted under the provisions and procedures contained therein, except as specifically provided herein."

Thus, for 464-466 Crane the starting point is the LAMC, which contains the BHO regulations at Section 12.21 C.10.b. That law mandates the preparation of slope band analysis showing the calculation of allowable FAR under the LAMC.

If and only if the calculation generated under the slope band analysis required by LAMC is LESS RESTRICTIVE than the FAR calculation performed under the separate provisions of the Specific Plan, would the Specific Plan's FAR rules supercede the BHO's FAR allowance.

"Wherever this Specific Plan contains provisions which require more or less restrictive front yards, less restrictive height, more restrictive Floor Area Ratios, more restrictive landscaping requirements or other greater restrictions or limitations on development than would be required by the provisions contained in the LAMC Chapter I, the Specific Plan shall prevail and supersede the applicable provisions of the Code."

The City Council in adopting this plain language guiding which set of FAR calculations for City Planners to apply states the LAMC must be applied unless the FAR calculation under the Specific Plan is more restrictive. It is the most specific provision addressing the choice of development standard for FAR. Only if the Specific Plan allows less FAR, does the Specific Plan control the FAR of the building.

Section 6 of the Specific Plan sets out merely the method for calculating the FAR of a building under the Specific Plan so that the comparison set forth in Section 2 of the Specific Plan can be made:

"Section 6

A. Floor Area. Notwithstanding LAMC Section 12.21, **no building or structure shall exceed** the Floor Area Ratio based on the formula below:

1. For lots less than 5,000 square feet in size, the maximum Floor Area Ratio is 0.5:1 (0.50 times the lot area).
2. For lots greater than or equal to 5,000 square feet in size, but less than 10,000 square feet in size, the maximum Floor Area Ratio shall be determined by using the following equation: $0.50 - \{[(\text{Lot Area} - 5,000) \times 0.10] \div 5000\}$
3. For lots greater than or equal to 10,000 square feet in size, but less than 15,000 square feet in size, the maximum Floor Area Ratio shall be determined by using the following equation: $0.40 - \{[(\text{Lot Area} - 10,000) \times 0.08] \div 5000\}$
4. For lots greater than or equal to 15,000 square feet in size, but less than 20,000 square feet in size, the maximum Floor Area Ratio shall be determined by using the following equation: $0.32 - \{[(\text{Lot Area} - 15,000) \times 0.05] \div 5000\}$
5. For lots greater than or equal to 20,000 square feet in size, the maximum Floor Area Ratio is 0.27:1 (0.27 times the lot area)." (Emphasis added.)

Section 6 of the Specific Plan sets a not to exceed FAR limit which is a mathematical calculation based upon proper measurement of the proposed project plans. But Section 6 is not the end of the analytical road. The FAR limit of the Specific Plan must be compared to the FAR limit accurately calculated under the BHO's slope band analysis and only then can the most restrictive development standard be applied.

The Specific Plan and BHO FAR Calculations For 464-466 Crane

Based upon a review of the Project Plans and data sets of the City, we undertook a calculation of both the allowable FAR under the Specific Plan and the BHO.

Specific Plan Maximum FAR

Calculation of the Residential Floor Area for the Specific Plan is:

According to ZIMAS the area of the two lots is: 8,913.90 sq. ft. = 5,311.90 + 3,602.00.

Per the Specific Plan the Floor Area Ratio is: $.5 - \{[(\text{Lot Area} - 5,000) \times .10] / 5,000\}$

Or: $.5 - \{[(8,913.90 - 5,000) \times .10] / 5,000\} = .42$

And therefore, the maximum RFA under the specific plan is:

$.42 \times 8,913.90 = 3,744.83 \text{ sq. ft.}$

Baseline Hillside Ordinance Maximum FAR

Calculation of the Residential Floor Area (RFA) for 464-466 Crane Blvd per the Baseline Hillside Ordinance (BHO) LAMC Section 12.21 C.10.b – Maximum RFA.

The following analysis was performed using ARCGIS and City of Los Angeles area, slope, and

geographic data recorded in its ZIMAS, Navigate LA, and Geohub systems including the LARIAC 4-foot contours dataset. See the map and tables below.

The total maximum RFA under the BHO is: **2,988.60 sq. ft.** or 755 sq. ft. more restrictive than the Specific Plan. Per the Specific Plan language in Section 2 the controlling RFA for the proposed project is that calculated per the BHO. Under the BHO, the following limits apply based upon the slope bands of the lot:

Slope Band	Slope Band (%)	RFAR	RFA
1	0-14.99	0.45	-
2	15-29.99	0.45	-
3	30-44.99	0.40	217.01
4	45-59.99	0.35	921.18
5	60-99.99	0.30	1,650.42
6	100+	0.00	-
Total RFA from Slope analysis			2,788.60
Exempted Parking			200.00
Total RFA			2,988.60

We show in the below tables how we used the City’s own data bases to derive this calculation.

RFAR and Slope Analysis						
Area Index	Contour	DelH	DeIL	%Slope	Slope Band	RFAR
1	704	4	9.37	42.7	3	0.4
2	700	4	6.13	65.3	5	0.3
3	696	4	8	50.0	4	0.35
4	692	4	7	57.1	4	0.35
5	688	4	7.6	52.6	4	0.35
6	684	4	7.3	54.8	4	0.35
7	680	4	6.5	61.5	5	0.3
8	676	4	9.1	44.0	3	0.4
9	672	4	6.3	63.5	5	0.3

10	668	4	7.3	54.8	4	0.35
11	664	4	5.2	76.9	5	0.3
12	660	4	7	57.1	4	0.35
13	656	4	6.5	61.5	5	0.3
14	652	4	7.1	56.3	4	0.35
15	648	4	6.6	60.6	5	0.3
16	644	4	6.2	64.5	5	0.3
17	640	4	4.64	86.2	5	0.3
18	636	4	4.36	91.7	5	0.3
19	716	2	2	100.0	6	0
20	708	4	6.84	58.5	4	0.35
21	704	4	6.36	62.9	5	0.3
22	700	4	5.8	69.0	5	0.3
23	696	4	6.2	64.5	5	0.3
24	692	4	6.9	58.0	4	0.35
25	688	4	6.4	62.5	5	0.3
26	684	4	5.7	70.2	5	0.3
27	680	4	5.5	72.7	5	0.3
28	676	4	4.8	83.3	5	0.3
29	672	4	5.1	78.4	5	0.3
30	668	4	4.7	85.1	5	0.3
31	664	4	5.5	72.7	5	0.3
32	660	4	4	100.0	6	0
33	656	4	5.5	72.7	5	0.3
34	652	4	4.8	83.3	5	0.3
35	648	4	4.6	87.0	5	0.3
36	644	4	4.6	87.0	5	0.3
37	640	4	5	80.0	5	0.3

Area and RFA Analysis					
FID	Area	Area Index	Slope Band	RFAR	RFA
0	152.2	36	5	0.3	45.67
1	329.6	16	5	0.3	98.88
2	11.8	19	6	0	-
3	283.3	20	4	0.35	99.15
4	278.1	21	5	0.3	83.44
5	207.6	22	5	0.3	62.28
6	212.3	23	5	0.3	63.70
7	267.1	24	4	0.35	93.48
8	224.1	25	5	0.3	67.24
9	182.7	26	5	0.3	54.81
10	179.4	27	5	0.3	53.82

11	192.0	28	5	0.3	57.60
12	230.1	29	5	0.3	69.02
13	159.8	30	5	0.3	47.93
14	164.9	31	5	0.3	49.47
15	227.3	32	6	0	-
16	152.1	33	5	0.3	45.62
17	167.9	34	5	0.3	50.37
18	186.2	35	5	0.3	55.86
19	123.7	37	5	0.3	37.12
20	184.0	1	3	0.4	73.62
21	356.3	2	5	0.3	106.88
22	293.8	3	4	0.35	102.85
23	298.6	4	4	0.35	104.51
24	275.6	5	4	0.35	96.45
25	302.3	6	4	0.35	105.81
26	319.0	7	5	0.3	95.71
27	358.5	8	3	0.4	143.39
28	343.2	9	5	0.3	102.96
29	258.0	10	4	0.35	90.29
30	341.1	11	5	0.3	102.33
31	343.4	12	4	0.35	120.18
32	304.5	13	5	0.3	91.36
33	309.9	14	4	0.35	108.47
34	415.0	15	5	0.3	124.50
35	65.6	18	5	0.3	19.68
36	213.9	17	5	0.3	64.16
Total	8,914.9				2,788.60



While the above calculation is based upon 4 foot slope bands instead of 2 foot slope bands specified in LAMC, the Commission can see that under the Specific Plan, the maximum FAR allowed is consistent with what the applicant says: 3,744.83 sq. ft. However, using the City’s own publicly available data, we calculated a reasonably close illustration demonstrating that the Project under BHO is limited to not more than 2,988.60 sq. ft. Thus, while the proposed Project with 3,633 sq. ft. might fall within the maximum limit of FAR on the Specific Plan, it is significantly over the maximum BHO FAR of 2,988.60 by about 645 sq. ft. While we are not required to do the City Planning Department’s work for it, this illustration establishes substantial evidence in the record that the Project at 464-466 Crane as currently designed is significantly over the most restrictive FAR mandated by Section 2.

The City Planning staff has made conflicting statements about its “interpretation” of the LAMC and Specific Plan. No doubt in the staff report there will be an effort to justify only applying the Specific Plan’s FAR calculation to projects in the Specific Plan area, including the one at 464-466 Crane. We see this over and over the Planning Department treats developers, not the people of Los Angeles, as its “customers.” Capitulation to lobbying of wealthy developers is not a Policy or Program of the General Plan, but it has become a stealth “Program” in this administration.

However, the Planning Commission and City Council should keep in mind two determinative realities:

- The City Planning Director and his staff have no authority to take a pen and strike out the provisions of Section 2 as if they are not there. The staff is not the legislative body of the City. Only the City Council can amend the City’s laws. The City Planning staff cannot declare it is merely “interpreting” the meaning of the Specific Plan when such interpretation would effectively write Section 2 mandates out of the law enacted by City Council. The City Planning staff and this Commission do not possess this authority. They have a duty to comply with the law, not defeat it. Thus, Planning staff and Planning Commissions are required to follow the plain language of Section 2.
- The City Planning staff, in any reasonable “interpretation” of the Specific Plan, is required to follow an interpretation that is consistent with and faithfully implements all of the Goals, Objectives, Policies and Implementation Programs of the General Plan Framework and the Northeast Community Plan listed above. There is an unbroken chain of consistent Policies and Program statements in the City’s fundamental planning documents mandating application of the most restrictive FAR as expressly stated in Section 2 of the Specific Plan.

There is no reasonable interpretation of the Specific Plan’s choice of FAR regulations that permits the City Planning Department, or this Commission, to declare that applying a less restrictive FAR in the Specific Plan area is consistent with the Specific Plan itself or with the General Plan. In fact, the Northeast Community Plan requires that in any discretionary decision, the decision maker is required to make a consistency finding with the Northeast Plan. The Director’s Determination contains no general plan consistency finding. Indeed, to apply the less restrictive FAR limit is not consistent at all with the General Plan – the City cannot make a credible finding of consistency of this approval with the General Plan.

For all of these reasons, the Director’s Approval of a Specific Plan Compliance Permit Determination for 464-466 Crane Boulevard (1) violated the law by refusing to analyze the FAR calculation under the LAMC’s BHO, and (2) violated the law by approving a Project based only on the calculation of the Specific Plan FAR limit without any evidence supporting a conclusion that it was more restrictive than the FAR limit now provided in the LAMC’s BHO.

These actions are a prejudicial failure to act in accordance with law. This appeal should be granted on this ground alone and remanded to the City Planning Department for conduct of analysis required by law.

II. The Apparent Exclusion of Certain Portions of the Building From the Floor Area of the Proposed Structure.

SUMMARY

A preliminary review of the project plans appears to show that certain areas of the structure have been excluded from the floor area calculation in violation of both the Specific Plan or the BHO. Thus, no matter which law is applied, the structure appears to be inconsistent with proper floor area calculations.

ANALYSIS

Even if the Specific Plan FAR maximum applied to this Project, which it does not based upon the above approximate calculations, the plans approved by the Director do not appear to include all required floor area under the Specific Plan definition in the FAR calculation.

The Specific Plan defines Floor Area as measured from the outside walls of the structure and including nearly everything that impacts the environment except uncovered outdoor decks:

“Floor Area: Notwithstanding LAMC Section 12.03, Floor Area is that areain square feet confined within the exterior walls of a building of a One-Family Project, including the area of stairways, shafts, covered automobile parking areas and basement storage areas, and excluding uncovered outdoor decks.”

The approved plans contain unmarked shafts and a huge mechanical room, all of which are not shown with Specific Plan FAR calculations. Because the plan set before the Commission fails to contain enough measurements and depictions of covered decks, there is no substantial evidence in the record that the house even complies with the FAR limit of the Specific Plan. The plans appear to not include areas that are countable in floor area calculations.

For all of these reasons, the Director’s Approval of a Specific Plan Compliance Permit Determination for 464-466 Crane Boulevard violated the law by failing to include in the FAR calculation all of the spaces appearing on the approved plans.

III. The Failure to Prepare An Environmental Assessment and At Least An MND Because The Project Has Unusual Circumstances Of Adverse Slope/Soil, Mapped State Habitat Of Special Concern, And Cumulative Safety Impacts Of Simultaneous Houses At The Same Time.

Summary

A categorical exemption cannot be used where there are unusual circumstances. The Director’s Determination skips mentioning of project site conditions that should have triggered preparation of an environmental assessment and preparation of at least a mitigated negative declaration as the proper environmental review document. The project site has had prior soils reports that show conditions adverse or extremely challenging for construction on the steeply sloped lot, with difficult bedrock conditions, and with 7 to 15 feet of loose soil lying on top of the bedrock.

This project was on hold for a period of time. The applicant was required by LADBS to conduct one extensive borehole on the site as part of the latest review. The community observed this unusual circumstance and the results of such an unusual review should have been publicly disclosed and analyzed in at least an MND to calm community concerns about a landslide or slope failure at this troublesome site. Only one borehole was done at the site because the applicant could not safely drill a second one due to the adverse slope conditions.

The Directors Determination failed to identify adjacent state mapped areas of special concern and study the impacts upon those areas.

The Directors Determination ignores previous community concerns raised about intense construction activity on up to 10 sites in just the 300 and 400 block of Crane Boulevard. The cumulative construction impacts of multiple sites under construction at the same time has not been analyzed at all and therefore the City has not shown the cumulative impacts of narrow and steep Crane Boulevard do not require a more detailed study of impacts and extraordinary project conditions to protect the health and safety of workers at the site and the surrounding residents – particular in a Very High Fire Hazard Severity Zone.

Analysis

The Project Compliance Permit Determination for the Specific Plan is a discretionary decision which is a project subject to the California Environmental Quality Act (“CEQA”). The City’s Project description in its Notice of Exemption fails to describe the whole of the action required in order to develop the Project at 464-466 Crane Boulevard. It is fundamental that to determine whether or not a categorical exemption can be applied to a project, a description of the whole of the actions the City will consider for approval and a reasonable description of environmental setting is a basic first step. That did not happen here.

Here is the entire project description: “The project proposes new construction of a three (3)-story, 3,633-square foot single-family dwelling, with a 533-square foot attached garage, on an 8,914.1–square foot vacant lot that is within the Mount Washington-Glassell Park Specific Plan.”

A failure to appropriately describe a project can result in a failure to analyze potential significant impacts associated with the whole project.

A More Complete Project Description is Required to Analyze Eligibility for Categorical Exemption.

Beyond the anodyne description of the City, the Project seeks the discretionary approval of a Specific Plan Project Compliance Permit and a number of other discretionary and ministerial approvals including a waiver of the Bureau of Engineering’s requirement to dedicate a 5-foot addition to Crane Boulevard along the front of the building site, and all permits necessary to remove lateral support soil of Crane Boulevard, and construct a retaining wall in 6 or more feet of incompetent soils lying to the immediate east of the public right of way and concrete roadway. According to the Soils and Geology Report of GeoSystems, the Project involves the construction of two bridges between the street and two garages included inside the house structure which will rest on a series of friction piles drilled many feet down into the hillside. Additionally, another bridge and large concrete planter structure appears to be proposed between the two garage bridges.

If the Project’s characteristics or setting requires an Environmental Assessment, CEQA Guidelines mandates that the City assess the entire project represented by not only the Specific Plan Project Compliance Permit but all of the other discretionary and ministerial permits as well. In other words, for the purposes of CEQA, to avoid unlawful piecemealing of the environmental review, the Project must be assessed as encompassing all of the work authorized by all of the permits the applicant needs to build the Project. CEQA Guidelines Section 15268 (d) imposes this requirement: “Where a project involves approval that

contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.” Thus, here where the applicant seeks a mixture of discretionary and ministerial permits in order to complete the whole project, all of the permits must be treated as part of the discretionary action. The failure of the City to include these other permits and what work on the environment they involve is a failure to describe the entire project as required by basic CEQA regulations. This type of project description is wholly missing from the proposed exemption prepared by the City.

Absence of a Description of the Environmental Setting Improperly Obscures Review of Several Critical Environmental Issues.

The subject two lots are not just located in a hillside area as the Notice of Exemption blandly states, they are uniquely situated at the crest of a particularly steep escarpment on Mount Washington. According to the Soils and Geology Report of Geosystems, the slope descends 210 feet in elevation to the roadway of Marmion Way at the foot of the escarpment. The subject site, based upon the topographical map, drops 71 feet over the 104 feet of the average downhill length of the lots. At this particular location, the entire length of the frontage is protected with a steel guardrail because just on the other side of the guardrail the hillside plunges downward at slopes so steep it is hard for humans to stand up.

As stated above, prior to the Director’s Approval the applicant was required to enter the lots and set up a drilling rig to drill down into the bedrock a testhole of 66 feet. (Actually, the drilling stopped at 66 feet because the bedrock became impenetrable which raises concerns whether blasting or ever more dangerous activities are required to sufficiently anchor the house to the escarpment.) The borehole was drilled at the far northwest corner of the two lots, the only location where there is a bit of flat dirt before the slope plunges downward. In order to physically place a drilling rig on the southern lot, excavation and temporary shoring of the hillside to construct a roadway would be necessary to investigate the bedrock underlying the other lot. Therefore, no borehole was undertaken at all on the lot at 464 Crane.

The City’s own criteria designate a slope such as this as an Extreme Slope. Moving construction drilling equipment onto the slope will likely involve temporary excavation and shoring to built a pathway out and down slope to the drilling locations, yet the Project description contains no explanation of how this extraordinary drilling operation will be carried out without an upset or debris rolling down the hillside onto Marmion Way. Additionally, if there will be drilling of friction piles at Crane Boulevard, there is no description how all of this work will be carried out without impacting the travel side of Crane Boulevard where all vehicles must pass at the frontage of the two lots.

The City civilly sanctioned the prior owners of these lots when they entered upon the lots and chopped down multiple protected black walnuts, and at least one significant tree under the regulations of the Specific Plan, a large California Pepper Tree. The owners were required to plant remedial trees, and due to their location at the far bottom of the lot, and lack of maintenance, it is unknown if they survived. The tree removals, contrary to the City’s Specific Plan application form, were not disclosed, and there is no substantial evidence that the impacts and degradation of the site by the prior owner have been mitigated. A construction ban was placed upon these lots and the project description fails to disclose this penalty, or whether it still operates on the property.

Based upon the foregoing, the City’s one sentence “project description” fails to disclose all discretionary and ministerial approvals necessary to build the Project and the failure to describe the work associated with all of these permits is an unlawful piecemeal of the Project description. Additionally, the failure to describe the environmental setting of the proposed Project improperly obscures the health, safety, extraordinary noise, diesel and other construction impacts on the sensitive receptors that are within just a few feet of the excavation, grading, and friction pile drilling. Additionally, these loud and very disruptive processes, clearly required to drill 8 to 10 piles 50-70 foot lengths into competent bedrock will go on for extended periods of time disrupting the lives of the sensitive receptors. Such activities cannot be mitigated even partially with the City relying on the City’s noise ordinance – a regulatory “control” measure mostly observed in the breach with no enforcement at construction sites.

A Proper Project Description Confirms The Project is Not Entitled to Categorical Exemption.

The City, based upon its one sentence project description, asserts that the Project qualifies for a Category 3 CEQA exemption because it is a single-family house. Generally, CEQA Guideline 15303 for New Construction of Small Structures might apply if this were (1) a flat lot, (2) not on a 210 foot escarpment, and (3) in the middle of a potential construction zone of up to 10 single family homes under construction in the 300-400 block of Crane Boulevard on one to steepest, narrowest, hair pin turned segments of roadway in Mount Washington.

There is substantial evidence that Guideline 15300.2 (a), (b) and (c) apply to require preparation of a of an Environmental Assessment form, and prepare at least a mitigated negative declaration, if not an EIR if any impacts like construction noise could simply not be mitigated beneath a properly disclosed threshold of significance.

Guideline 15300.2(a)

This guideline does not permit a Class 3 exemption for any project located adjacent to or in a specially mapped area of environmental concern.

The Project site has value as habitat for both Southern California Black Walnuts and Toyon. As shown below, the project site shares a boundary within a mapped biological resource area. These resource areas are shown in Page C-11 of the City’s CEQA Thresholds Guide. (The Guide is available at <https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/A07.pdf>.)



The City may not use a Class 3 exemption when a project “may” impact on an environmental resource of critical concern. The mapped biological resource areas in the City’s Thresholds Guide constitute environmental resources of critical concern and the Project may have an impact on said resources.

Some of the environmental resources located within a biological resource area include sensitive species. Southern California Black Walnut trees are included in the City CEQA Thresholds Guide’s “Sensitive Species Compendium” as shown below. The status of this tree is listed as “4” – which means “Plants of limited distribution - a watch list.” A footnote describing this species category is included that states:

“Very few of the plants constituting List 4 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and few, if any, are eligible for listing. Nevertheless, many of them are significant locally, and the DFG recommends that List 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. This may be particularly appropriate for the type locality of a List 4 plant, for populations at the periphery of a species’ range or in areas where the taxon is especially uncommon or has sustained heavy losses, or for populations exhibiting unusual morphology or occurring on unusual substrates.”

Markup of Sensitive Species Compendium for L.A. CEQA Thresholds Guide

C. Biological Resources

Exhibit C-7, continued

SENSITIVE SPECIES COMPENDIUM - CITY OF LOS ANGELES

SCIENTIFIC NAME	COMMON NAME	STATUS	ZONE *	HABITAT
Plants (Con't)				
<i>Deinandra minthornii</i> (<i>Hemizonia parryi australis</i>)	southern tarplant	1B	Unknown	ET, GL, VP
<i>Dichondra occidentalis</i>	western dichondra	4	4	CH,OW,CS, GL
<i>Dithyrea maritima</i>	beach spectaclerpod	ST, 1B	4	CD,CS
<i>Dodecahema leptoceras</i>	slender-horned spineflower	SE, FE, 1B	1	AF,CH
<i>Dudleya b. blochmaniae</i>			3	CS,CB,CH, GL
<i>Dudleya cymosa marcescens</i>		1B	3	CH
<i>Dudleya cymosa ovatifolia</i>			3,4	CH,CS
<i>Dudleya multicaulis</i>			2	CH,CS,GL
<i>Dudleya virens</i>			4	CH,CS
<i>Erysimum insulare suffrutescens</i>	suffrutescent wallflower	4	unknown	CB,CD,CS
<i>Fremontodendron mexicanum</i>	Mexican flannelbush	SR, FE, 1B	1,2,3	MF,CH,OW
<i>Galium angustifolium gabrielense</i>	San Antonio Canyon bedstraw	4	1	MF
<i>Galium cliffonsmithii</i>	Santa Barbara bedstraw	4	2,4	OW
<i>Galium johnstonii</i>	Johnston's bedstraw	4	unknown	MF
<i>Goodmania luteola</i>	golden goodmania	4	Unknown	DW,PL,GL
<i>Helianthus nuttallii parishii</i>	Los Angeles sunflower	1A	3	CM,FM
<i>Heuchera abramsii</i>	Abram's alumroot	4	Unknown	MF
<i>Heuchera elegans</i>	urn-flowered alumroot		Unknown	MF
<i>Hulsea vestita gabrielensis</i>	San Gabriel Mtns. sunflower	4	1	MF
<i>Juglans c. v. californica</i>	So. Cal. black walnut	4	1,2,3	CH,OW,AF
<i>Juncus acutus leopoldii</i>	southwestern spiny rush	4	4	CD,CM
<i>Juncus duranii</i>	Duran's rush	4	Unknown	MF
<i>Lasthenia glabrata coulteri</i>	Coulter's goldfields	1B	Unknown	CM,PL,VP
<i>Lepechinia fragrans</i>	fragrant pitcher sage	4	3	CH
<i>Lilium humboldtii ocellatum</i>	ocellated Humboldt lily	4	1,2,3	CH,OW,CO
<i>Linanthus orcuttii</i>	Orcutt's linanthus	1B	Unknown	CH,MF
<i>Lupinus elatus</i>	silky lupine	4	Unknown	MF
<i>Lupinus excubitus v. johnstonii</i>	interior bush lupine	4	Unknown	MF
<i>Lupinus peirsonii</i>	Peirson's lupine	1B	Unknown	CH,CS,RW
<i>Malacothamnus davidsonii</i>	Davidson's bush mallow	1B	1,3	CS,RW
<i>Microseris douglasii v. platycarpha</i>	small-flowered microseris	4	Unknown	OW,CS,GL
<i>Monardella cinerea</i>	gray monardella	4	Unknown	MF

The Southern California Black Walnut is a sensitive species with a Class 4 status

Juglans c. v. californica (circled in red)

Refer to Exhibit C-1

A marked-up screenshot of the Sensitive Species Compendium Key Chart from the Thresholds Guide is shown below:

Exhibit C-7, continued
SENSITIVE SPECIES COMPENDIUM - CITY OF LOS ANGELES

KEY (continued)

California Native Plant Society (CNPS)	
1A	Plants presumed extinct in California ³
1B	Plants that are rare, threatened, or endangered in California or elsewhere ³
2	Plants that are rare, threatened, or endangered in California, but more common elsewhere ³
3	Plants about which more information is needed - a review list ⁴
4	Plants of limited distribution - a watch list ⁵
Habitat Code Designations - California Natural Diversity Database (CNDD)	
AF	Alluvial Fan Sage Scrub
BW	Brackish Water
CB	Coastal Bluff Scrub
CD	Coastal Dunes
CH	Chaparral
CL	Coastal Lagoon
<p>³ All of the plants constituting Lists 1A, 1B, and 2 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for listing. According to the DFG, if the taxa on List 1A are rediscovered, they should be fully considered during preparation of environmental documents relating to CEQA. List 1B and 2 plants should be fully considered during preparation of environmental documents relating to CEQA.</p> <p>⁴ Some of the plants constituting List 3 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for listing. The DFG recommends that List 3 plants be evaluated for consideration during preparation of environmental documents relating to CEQA.</p> <p>⁵ Very few of the plants constituting List 4 meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and few, if any, are eligible for listing. Nevertheless, many of them are significant locally, and the DFG recommends that List 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. This may be particularly appropriate for the type locality of a List 4 plant, for populations at the periphery of a species' range or in areas where the taxon is especially uncommon or has sustained heavy losses, or for populations exhibiting unusual morphology or occurring on unusual substrates.</p>	

The Southern California Black Walnut is a "plant of limited distribution" that "should be evaluated under CEQA."

Based on the threat to this native tree, in 2006 the City adopted Ordinance 177404 to amend its Protected Tree Ordinance. The Southern California Black Walnut was added to the list of protected trees and their removal was prohibited without the issuance of a tree removal permit and a determination from the Board of Public Works that removal was "necessary" in order to allow for "reasonable development."

Notably, the City Planning Commission made the following finding when it recommended approval to the City Council for the amended Protected Tree Ordinance:

In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent, and provisions of the General Plan. It implements Policy 3 of Section 6: Endangered Species of the Conservation Element⁴ of the

General Plan by *revising regulations concerning endangered species*; and Policy 4 of Section 10s: Habitats of the Conservation Element of the General Plan by creating legislation that encourages and facilitates protection of local native plant and animal habitats. It also implements the California Environmental Quality Act by designating *Juglans californica var. californica* as a protected species, consistent with the recommendations of the California Native Plant Society (6th. Inventory of Endangered Species, RED Code 4-4-4) that this “locally significant” species be “evaluated for consideration during the preparation of environmental documents relating to CEQA.

The City Council adopted the Planning Commission’s findings. Policy 3 of Section 6: Endangered Species of the Conservation Element of the General Plan states:

Policy 3: continue to support legislation that encourages and facilitates protection of endangered, threatened, sensitive and rare species and their habitats and habitat corridors.

Policy 4 of the Habitats portion of the Conservation Element of the General Plan states:

Policy 4: continue to support legislation that encourages and facilitates protection of local native plant and animal habitats.

The Conservation Element clearly lays out the rationale for regulation and protection: “Without protection of habitats suitable for species propagation, entire species of native plants and animals gradually will decline or become extinct. A couple of hundred plants and animals that live in Los Angeles habitats are listed on the federal and/or state endangered, threatened or species of special concern lists. Within the Santa Monica Mountains National Recreation Area alone 26 plants and animals are classified as rare, threatened or endangered and 58 more have been placed on the list of species of special concern by the National Park Service. Within the city more than 180 plant and animal species are listed by the Environmental Affairs Department for the city as a whole.” The Conservation Element is available at: <https://planning.lacity.org/cwd/gnpln/consvelt.pdf> It appears that the original source document incorrectly states the section number where the “Habitats” portion of the Conservation Element is found. The “Habitats” section is located in Section 12 (not Section 10)

The City’s official CEQA Thresholds Guide states: A project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
- The loss of individuals or the reduction of existing habitat of a **locally designated species** or a reduction in a locally designated natural habitat or plant community; (emphasis added)
- . . .

It is clear that this is a parallel to the definition of a “sensitive biological resource” found in that same document: For the purposes of the Thresholds Guide, a sensitive biological resource is defined as follows:

- A plant or animal that is currently listed by a state or federal agency(ies) as endangered, threatened, rare, protected, sensitive or a Species of Special Concern or federally listed critical habitat;
- A plant or animal that is currently listed by a state or federal agency(ies) as a candidate species or proposed for state or federal listing; or
- A locally designated or recognized species or habitat.

The quoted statement from the CEQA Thresholds Guide above, in combination with the definition of a sensitive biological resource and the requirement that the description of the environmental setting include a “statement of the potential for existing sensitive resources, based upon review of Exhibit C-7” make it clear that California Black Walnut trees are a sensitive resource in the City of Los Angeles.⁶ The presence of this sensitive species⁷ is an unusual circumstance with the potential to result in biological resource impacts.

Guideline 15300.2(b)

Cumulative impacts of extremely equipment heavy construction activity that will significantly contribute to construction noise, diesel, and construction traffic blockage should all the individual projects the City has approved or requested to approve go to construction at about the same period will place public safety at risk. The justification for the Categorical Exemption claims that there is no construction in the vicinity of the Project site. That may have been true when the Exemption was drafted but it is no longer true. As the Crane Boulevard Safety Coalition has stated in the record for the project next door at 462 Crane, cumulative major construction projects are destined to negatively impact the community under the City’s current lack of oversight. See pictures of the construction materials at 462 Crane where drilling and foundation work continues.

The City relies upon an environmental study on cumulative traffic impact, but it has not disclosed or distributed this cumulative impact study for the rigors of public comment via the negative declaration, mitigated negative declaration or EIR public comment process. The City asserts: “trust the developer’s consultant report in the file that we showed to no one.” That is not the way that CEQA works.

The fact that the City and developer decided to prepare an environmental study at all to support the bogus categorical exemption claim is substantial evidence that the report should have been part of a comprehensive negative declaration or EIR public comment process, not some secret back pocket environmental study justifying an improper Categorical Exemption claim. Thus the City has the process backwards: One does not prepare a series of environmental studies of discrete topics as a basis to claim exemption from CEQA. This was a failure to proceed in accordance with the CEQA statute and guidelines.

Guideline 15300.2(c)

A categorical exemption may not be used to avoid environmental review if the project description reveals unusual circumstances that the Project may have a significant impact.

The piecemealing of the discretionary and ministerial permits from the Project description means that the entire Notice Exemption evaluation failed to assess the full scope of work needed to build the Project, and whether all of the scope of work qualifies for exemption. Additionally, proposing to perch a single-family house on friction piles drilled into an Extreme Slope as defined by the City itself, and building bridges from Crane Boulevard street infrastructure over to the house structure merits a full and careful environmental review.

Despite the City claiming that the construction of this house will be no different from others in the vicinity, that is simply not true. None of the existing homes surrounding the Project site are constructed this way. All are poured concrete foundations on grade, anchored to bedrock in accordance with whatever the construction standards were at the time of construction. By drilling essentially 60 foot levers into the Extreme Sloped bedrock, there has been no opportunity of the community to review and comment on the construction plan and assure justified concerns that the weight of the entire house will not adversely impact the bedding planes of the bedrock that underlie Crane Boulevard or nearby homes.

Members of the community have a right to see a methodical and objective evaluation of the actual project placed in its extremely challenging and problematic environmental setting. The Soils and Geology Reports, materials the Planners are holding in their files, and readily available, are substantial evidence in the record before the City that these unusual and very concerning circumstances merit preparation of an Environmental Assessment and conduct of a public comment process on the project concept, potential impacts, and imposition of legally enforceable mitigation measures to protect public health and safety.

IV. The Improper Use of Regulatory Control Measures When It Cannot Be Shown In The Record That There Will Not Be Significant Noise, Grading, And Safety Impacts.

Summary

The City's pattern and practice of merely listing regulatory control measures without demonstrating with substantial evidence that they in fact at this particular project site will not leave potential significant impacts unmitigated is contrary to law.

Analysis

The mere existence of certain laws that a project may have to comply with does not mean that a particular environmental impact of the project has been ipso facto mitigated beneath the threshold of significance. It requires analysis of substantial evidence in the record that application of a particular law will reduce impacts of this particular Project beneath the threshold of significance for each environmental issue.

Additionally, a Regulatory Control Measure (RCM) itself is not a threshold of significance. In other words, the fact that a Project will comply with a law or regulation does not automatically mean that impacts have been reduced or eliminated beneath a threshold of significance.

Nonetheless, the City Planning Department in recent years has developed a boilerplate list of

Regulatory Control Measure that the City state may be applied and enforced on an individual project. Again, this is not how CEQA works. The City cannot say “maybe” certain laws and regulations will apply to the project to mitigate the impacts beneath the reasonable levels of significance. The City has to do the work. It has to articulate the threshold of significance from its handbook on thresholds, or otherwise as set by law, analyze the how and to what extent the expected project impacts will be mitigated. The City is also required to supplement the RCMs with project conditions to further mitigate the Project impacts. If all impacts can be mitigated beneath the articulated thresholds of significance, a mitigated negative declaration is permissible. If not, an EIR is required.

That is the process when a proper project description shows possible significant impacts when an Environmental Assessment is required because a Project is not exempt. Because this Project is clearly shown subject to unusual and dangerous site construction and maintenance conditions, it does not qualify for a categorical exemption as discussed herein.

But even if there was a serious exemption question, the City is not permitted by CEQA, as it has done here, to simply cite the existence of some list of RCMs, and assert without citation to the record and analysis how each of the RCMs applies to this Project, and how each addresses a particular environmental topic. Again, the City has to do the work, and it has not done so. The City attached to the Director’s Determination a boilerplate list of RCMs that are commonly applied, without informing the public that which of the RCMs are in fact applicable, how they are applied to a threshold of significance, and how the RCMs “solve” the Location, Cumulative Impacts, and Unusual Circumstances of the Project at hand.

Having failed to even try to do this, waving a list of RCMs and claiming they are a legitimate basis to conclude an exemption is applicable is a failure to proceed in accordance with law.

V. The Use of a Tree Report That Appears To Fail To Study The History Of Tree Removals From the Project Site And Account For Their Replacement.

Summary

The Specific Plan and City’s application requires analysis of the history of tree removals at a project site. This was not done in this case even though a record of unlawful tree removals is readily available to City Planners. The removal of trees from the site since the enactment date of the Specific Plan is required to be addressed, and the failure to do so is an abuse of the Director’s discretion.

Analysis

In 2005, the previous owner to the two lots removed a number of native Black walnut trees from the 466 Crane Blvd. lot without permits and in violation of the City’s native tree ordinance and the Specific Plan. Local residence asked the City to investigate and the City determined that the trees had been removed in violation of the native tree ordinance (and because of the size of the trees likely the Specific Plan as well) and an enforcement action was taken that included replacing the removed trees. This record is still available to the City and the current owners as indicated on in Building and Safety online information system.

466 N CRANE BLVD

Date Received: 5/27/2005
 Description: MISCELLANEOUS COMPLAINTS
 Inspector: HENRY OJEDA
 Status: CLOSED

Order Information

Order Number	Order Type	Effective Date	Issued By	Phone
0	ORDER TO COMPLY	5/27/2005	HENRY OJEDA	

Code Violation Information

Violation	Date in Compliance
Removal of native and/or significant tree without the required Project Permit per The Mount Washington/Glassell Park Specific Plan. Arrange for inspection before commencing any further work.	11/6/2006

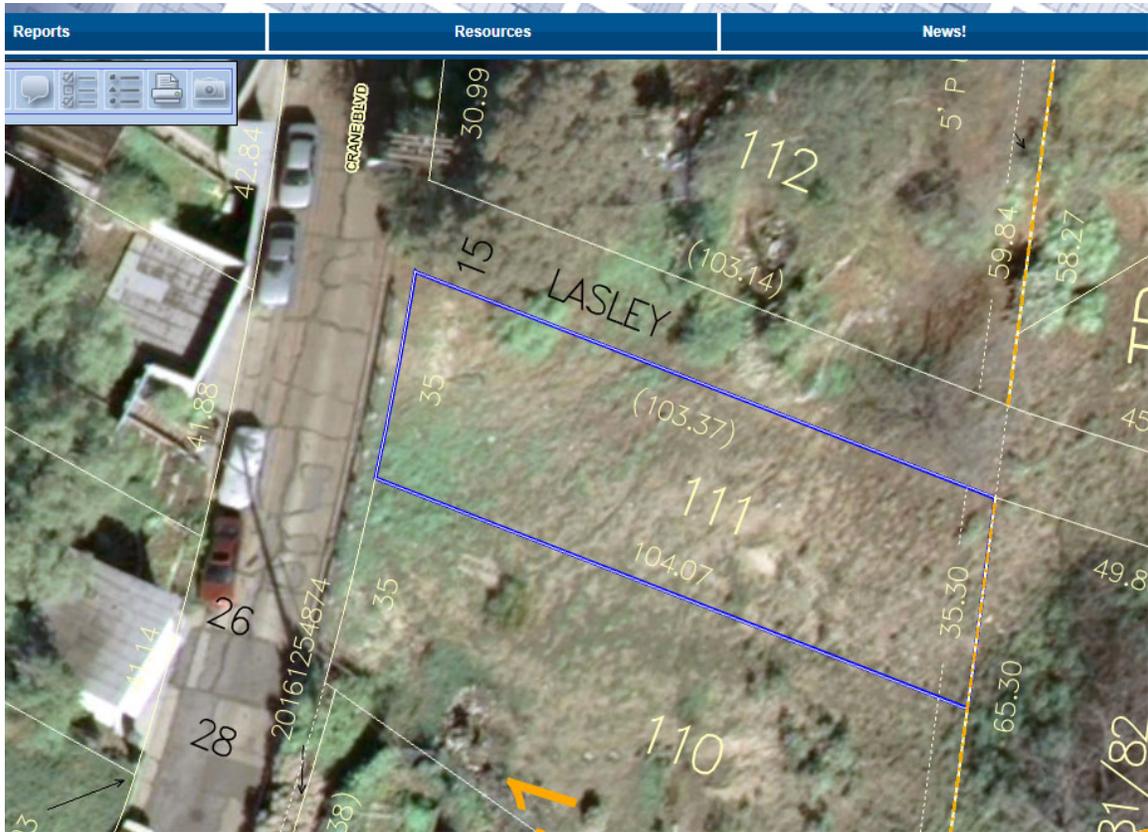
While neighbors witnessed replacement trees being planted (at the lower part of the lot), they also witnessed no watering or establishment of the replacement trees. The replacements were never properly established and died within the first year. The City enforcement action required, as the LADBS documentation above shows, that the owner was to arrange for further inspection before any further work was to commence. The current tree report before you fails to disclose this history and to account for the failure of the required replacement trees to become established.

As a result, you should require a new tree report that accounts for this past history and that recommends how the current owner intends to cure the violation and meet the requirements of the enforcement.

In reviewing the records for these lots on ZIMAS, one can visually see the evidence of the trees existence prior to 2005. Here is the ZIMAS ortho image from 2001 showing over half the lot covered by trees.



And here is the lot in 2006 showing no trees (similar inspection on ZIMAS shows no trees up to 2017).



VI. The Decision's Inclusion Of Language Creating A Vague Fire Safety Regulation Exception To The Requirements Of The Specific Plan That Does Not Exist.

Summary

On page 3, the Director included language that purports of function as an override of the Specific Plan's native tree, shrub and landscaping requirements. This provision is inconsistent with the City Council's enactment of the Specific Plan and is a failure to comply with requirements, including potentially excusing performance of legal requirements at the building permit or inspection stage of the project.

Analysis

Condition 6 c states: "Fire Safety. The landscaping and preservation, relocation, and removal of Native and Significant Trees shall not require any planting in violation of applicable fire safety regulations."

The City brush clearance ordinance and fire code for an area that is in a Very High Fire Hazard Severity Zones (VHFHSZ), such as these lots, requires vegetation to be trimmed and maintained in a specific manner, see <https://www.lafd.org/fire-prevention/brush/brush-clearance-requirements>. The requirements include trimming grasses and native brush

The Specific Plan on the other hand requires in Section 8 that "Each replacement tree planted on a slope shall be a minimum of 15 gallons in size and shall be surrounded by Native Plants according to xeriscape and landform planting specifications."

The landscape plan for the project shows a number replacement native trees (for the ones noted in the tree report for removal, but not the ones removed in 2005 and never properly replaced) and other native plants. The plan appears to meet the fire code requirements for a VHFHSZ but not the Specific Plan requirement on surrounding the replacement trees with native plants as per the City's landscape ordinance. The density of native plants is low to very low for this landscape and appear to be driven by Condition 6 c to the degree that that landscape architect has weighed the potentially conflicting requirements: the Specific Plan on one hand and the LAFD code on the other.

Condition 6 c is being used to trump the requirements of the Specific Plan. But the Director does not have the authority to re-write a City Ordinance such as the Specific Plan requirements. At a minimum the degree to which the Fire Code and the Specific Plan have been determined by the City to be in tension would constitute an unusual situation and merit further analysis in an MND.

However, in our view, the two codes (Fire and Specific Plan as written need not be (or are not) in conflict. But rather the landscape architect and City planners appear to believe they are (or might be) and hence have proposed and approved a landscape plan that clearly meets the Fire Code but not the Specific Plan. Condition 6 c should be removed as a condition (after all it is entirely superfluous and merely states that the project must conform to the law) and a new landscape plan should be required that implements the Specific Plan landscape requirements.

VII. The Complete Absence From the Director's Decision Of Reference To The History Of Soil Reports And The Conditions Imposed By The City In The Geology Approval Letter.

Summary

It is the City's practice to require preparation of soils reports and in approving such reports, the City exercises discretion in determination of project conditions to provide for the safety in construction and over the project's useful life. The failure of the Director's Determination to identify the soils reports and project conditions appears to be a tactic to avoid expressly imposing project conditions for a project subject to CEQA. The Director has a legal duty under CEQA to study the safety of grading and construction methods, particularly on such a steep and geologically troubled lot. Thus, it appears the Director has avoided mentioning the geology approval conditions because to do so would be an admission that an environmental assessment was required and at a minimum, a mitigated negative declaration was required to address the serious construction and safety challenges at this site.

Analysis

This seventh ground for appeal was initially identified and focused on the City's review of the Soils and Geology reports prepared for the project site (GeoSystems November 2020 and SubSurface Design November 2005) as a glaring violation of CEQA by avoiding any mention of either of these reports in the Director's Determination. Copies of these two reports are placed into the record before the Commission.

Both of these reports recommend that the City impose conditions that are more stringent than building codes or other laws. Such conditions apply the expertise of the geology and engineering firm to the particular soil and geologic conditions found at the Project site. The City, after review of the report, routinely issues, as it did here, a Soils and Geology Approval letter in which the City generally adopts the report's recommended project conditions.

Project conditions that are more stringent than building codes or other laws and regulations are not RCMs. They are the application of discretion to the facts of the particular case. They are conditions imposed to address environmental harms found on the CEQA Checklist, and as such, in adopting the recommendations of the GeoSystems Report dated November 3, 2020, the City imposed many environmental conditions. But this has the CEQA process backwards.

A lead agency cannot process a Notice of Exemption of a Project from CEQA, and then purport to impose numerous discretionary environmental conditions on the project. If a project has potential impacts so significant that the soils and geology firm had to recommend custom project conditions to assure a safe project, such mitigation measures are required by CEQA to be imposed through the circulation of the proposed mitigation measures for public review and comment, and after close of comment, incorporation of such project conditions into a legally binding project approval with supporting environmental clearance.

We also observe that the applicant saw fit to prepare other environmental studies that are lying in a file at City Hall but never circulated in an appropriate environmental document for

public comment. These other studies include: a traffic study by Jano Baghdanian of JB Associates that concluded the Project would work “without unnecessary delays and will coordinate schedules and parking with any developers in the surrounding area”; a Construction Traffic Management Plan where the Notice of Exemption states: “The proposed project will be subject to the conditions detailed in the Project’s Construction Traffic Management Plan, included in the case file, which was reviewed and stamped- approved by LADOT on March 11, 2021”; a tree report by Arsen Margossian with recommended project conditions to require a 4:1 replacement ratio for the removal of one black walnut tree on the denuded slope.

The fact that the City or applicant contracted for the preparation of all of these reports in an effort to document that potential environmental impacts are mitigated to less than significance is only proof of one thing: an Environmental Assessment should have been performed, these reports should have been attached and circulated in support of a negative declaration, mitigated negative declaration, or EIR.

The City’s conduct is completely off the rails. It cannot short circuit the CEQA review process by performing studies on multiple potential significant impacts, tuck the reports into its file without circulated them for review and public comment, and then say with the project conditions in these reports the Project really truly must be exempt. The opposite is true. The Project is subject to Environmental Assessment to determine what level of environmental review will be necessary to investigate the potential impacts and whether they can all be mitigated beneath the level of significance.

Thus, the Director’s imposition of undisclosed project conditions in various reports not mentioned to the public in the Director’s Determination or, in the case of the geology reports, in the Notice of Exemption, is a failure to proceed in accordance with law. No categorical exemption is established. An Environmental Assessment must be performed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with a large initial "J" and "H".

Jamie T. Hall

Exhibit 2

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July 12, 2021

VIA ELECTRONIC MAIL

East Los Angeles Area Planning Commission
c/o Jennifer Edwards, CEA
201 N. Figueroa Street
Los Angeles, CA 90012
apceastla@lacity.org

Re: DIR-2020-427-SPP-1A, ENV-2020-428-CE, 464-466 Crane Blvd

Dear Planning Commissioners:

This office represents appellant Crane Boulevard Safety Coalition, a group of homeowners and tenants negatively impacted by patterns and practices of the Los Angeles City Planning Department. Some of those practices followed in this case threaten to impact the lives, safety, and rights of the Coalition and its members.

I. THE PLANNING DEPARTMENT'S FAILURE TO GIVE ADEQUATE MINIMUM NOTICE OF THE APPEAL HEARING VIOLATES LAW.

The Area Planning Commission's operating rules at Section 4.3 set forth a process that requires both land use appellants and general members of the public to submit written materials in accordance with deadlines. Under Section 4.3(a), land use appellants and the public may submit Initial Submission materials of unlimited length in support of their land use appeals and comments on projects. The deadline for this Initial Submission is generally the Monday before the week in which the Commission's hearing is scheduled. When the day of Initial Submission falls on a holiday under Civil Code section 7, as it did in this case, the documents are due at the close of business the next day, as authorized in Civil Code sections 9, 10, or 11.

In accordance with Commission Rule 4.3(a) and the Civil Code, after confirming with Planner Debbie Lawrence, and as a courtesy, the Coalition submitted to the record its Initial Submission documents midday on July 6, 2021, although it lawfully could have continued to refine its materials until close of business on that day. The Coalition's materials have been

appended to the end of the Planning Appeal Report distributed to Commissioners.

It was particularly onerous to prepare the Coalition's Initial Submissions because the City, now inconsistent with constitutional principles of fair notice, only chose to mail the hearing notice via U.S. Mail, when it gathers and has readily available in the Planning File, the email address of the Appellant and its Representative, this firm. Inexplicably, although hearing notices were placed in envelopes postmarked Thursday, June 25, 2021, in some cases they did not arrive the 4 miles between City Hall and Mount Washington/our offices until Tuesday, June 30, 2021, five days after the postmark. Such a delay whether via U.S. Mail delay or failure to actually mail on the postmark date, establishes that email notice was constitutionally required to assure the minimum required days of advanced hearing notice. The Coalition and this firm objects to the failure of the City to use readily available electronic email addresses in addition to U.S. mail notice, when it demanded such email addresses on the appeal form, and then failed to use them as an efficient and constitutionally appropriate means of timely hearing notice. For this reason alone, the current hearing date must be continued to permit development of a fair administrative record.

II. THE PLANNING STAFF'S FAILURE TO RESPOND TO THE COALITION'S INITIAL SUBMITTAL DOCUMENTS REQUIRES CONTINUANCE OF THE HEARING TO PERMIT A FAIR OPPORTUNITY FOR REBUTTAL TO ANY SUPPLEMENT TO THE PLANNING APPEAL REPORT.

The Commission's information submittal rules allow sufficient time for the City staff to review the Initial Submission documents that came in from land use appellants and the public, and prepare a written response to be included in the Planning Department Appeal Report. This Commission's Operating Rules specifically contemplate this procedure by calling for written responses to Staff Recommendation Reports to be submitted not later than 48 hours prior to the Commission's hearing time. See Commission Rule section 4.3(b) ("**All materials in response to a Recommendation Report** or additional comments must be received electronically no later than 48 hours before the commission meeting." Emphasis added.)

However, contrary to this Commission's rules that land use appellants and the public have a reasonable opportunity to provide rebuttal to the Staff's assessment of Initial Submissions, the Planning Staff in this case chose to submit an Appeal Report that only addressed the appellant's notice of appeal and list of bases to appeal known at the time of appeal. Such a procedure is irregular. The Commission's rules contemplate that the Planning Staff will prepare an Appeal Report that actually responds to the Initial Submissions in support of the appeal.

This has not been done as conceded in the materials attached to the agenda for the Commission's July 14, 2021 meeting on the Title Page for INITIAL SUBMISSIONS: "**The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.**" Appellant's counsel is unaware if this statement on the INITIAL SUBMISSIONS page is a new pattern and practice of City Staff, but it clearly violates the intent requirements of the Commission's document submittal rules. They specifically contemplate that the City Planning Appeal Report and recommendations be released to land use appellants and the public **reasonably in advance of the Secondary Submission deadline**, so that land use appellants and the public can meaningfully respond to a City Planning report that itself responds

to the Initial Submission of argument and exhibits in support of the land use appeal.

If the City Planning Staff plans to issue a Supplement to the City Planning Appeal Report, that would violate fundamental fairness to the Coalition who submitted its detailed arguments and exhibits in accordance with Commission rules, only to now have no Appeal Report addressing the detailed arguments and evidence placed before the Planning Staff. Any Supplement to the Appeal Report issued by staff responding to the Initial Submission materials, would offer no reasonable opportunity to rebut any Planning Staff arguments or new exhibits because within the 48 hour period prior to the hearing, the Commission's rules purport to limit submissions to only 2 written pages and any pictures a land use appellant might wish to submit.

The Commission's rules do not contemplate City Planners evading response to the Initial Submissions of land use appellants and the public. If the Planning Department felt it could not respond within the days afforded by the Commission's rules for its response, it should have immediately given notice of a continuance initiated by the Planning Director. That did not happen although it is within the Planning Director's discretion. Instead, the City Planning staff issued an essentially out-of-date and non-responsive Appeal Report that will not assist this Commission in evaluating the case. This is also disrespectful to the members of this volunteer Commission. Members should receive up-to-date response and analysis from City Planners to inform its decisionmaking.

For these reasons, the Planning Director, to protect the due process rights of the land use appellant and surrounding community, must continue the hearing on July 14, 2021, to a date when the City Planning staff actually addresses the arguments and evidence submitted so that the land use appellant and public can respond to the City Planning staff Report.

III. THE CITY HAS AMPLE FACTS IN THE RECORD THAT ESTABLISH THE PROJECT CANNOT BE UNDERTAKEN USING ONLY A CATEGORICAL EXEMPTION.

The City Planning Appeal report repeated asserts without supporting evidence that the Coalition has not submitted substantial evidence that the Project does not qualify for a categorical exemption. First of all, the Coalition's Initial Submission includes detailed information establishing that the extreme slope at the Project site coupled with the proposed choice to conduct a massive pile drilling operation on it, establishes there is a reasonable possibility of a significant Geology, Soils, Traffic, Noise, Air Quality and Safety impacts to sensitive receptors as little as 20 feet from the drilling operations. As outlined above, the City Planners simply chose to not respond to the Coalition's Initial Submission, leaving this Commission with no guidance.

However, the Coalition should not even have to point out the obvious potential impacts. As described in more detail in our Initial Submission, it is the lawful duty of City Planners to prepare a proper project description, encompassing all of the permits and discretionary approvals, and then apply CEQA principles. Here, the steepness of the contour map on the building plans and in the geology reports, the descriptions of the extreme angle of the slope, the instability of 5 to 17 feet of loose soils and weathered bedrock lying on this extreme slope, the existence of unsuitable fill underlying Crane Boulevard and the garage at 463 Crane, are all facts of highly unusual Project site characteristics in the record and simply ignored by City Planners. Instead, the Appeal Report and Categorical Exemption falsely state that the character of the

Project site and the type of construction proposed is “similar” to adjoining properties. The City may not properly ignore the facts spread throughout the documents in the City’s files.

IV. THE COALITION’S GEOLOGY AND ENGINEERING EXPERTS ALSO CONCLUDED THE PROJECT SITE CONDITIONS AND PROPOSED CONSTRUCTION METHOD ARE UNUSUAL CIRCUMSTANCES WHERE THERE IS A REASONABLE POSSIBILITY OF A SIGNIFICANT GEOLOGY OR SOILS IMPACT; AN ENVIRONMENTAL ASSESSMENT IS REQUIRED.

Once members of the Coalition reviewed the GeoSystems Geology and Soils Report, and observed diagrams depicting loose soil beneath Crane Boulevard at this location and weathered bedrock extending under at least one garage across the street, an outside group of geology and engineering experts were retained to review the adequacy of the soil investigation reports.

Wilson GeoSciences Inc. and its team of Kenneth Wilson, Certified Engineering Geologist, and Ali Abdel-Haq, Geotechnical Registered Professional Engineer, submitted these executive summary points to the Commission:

“1) There is a reasonable possibility that the Project will have a significant Geology or Soils impact due to the circumstance that most of the Project site is located in an earthquake-induced landslide zone mapped by the California Geological Survey, this fact is not disclosed or analyzed in the two reports we reviewed, and such areas merit special investigation to protect safety of on-site residents and surrounding persons and property from landslide or collapse during strong earth movement.

2) There is also a reasonable possibility of a significant Geology or Soils impact due to the Project’s bedrock and soil conditions because studies performed to date on only one lot do not assure that conditions remain constant across the entire property, and the data in the GeoSystems and SubSurface reports suggests bedrock may have certain unstable conditions discussed herein.

3) There is a reasonable possibility of a significant Geology or Soils impact because it appears the GeoSystems report performed slope stability calculations based upon a two-story structure on piles above grade without a lower story but the Project plans approved by the City contain a lower level third-story that appears to require a retaining wall adjacent to Crane Blvd. not examined in the GeoSystems report.”

These experts also made these salient observations based upon their expert review of the existing Geology and Soils investigations:

“1)The GeoSystems and SubSurface reports were prepared for a two-story single-family residential structure. However, the associated approved project plans show a three-story single-family residential structure. The mass of the structure and associated foundations indicate that analysis and conclusions must be reconsidered.

2) Cross-section A-A' indicates artificial fill, natural soil, and highly weathered sedimentary bedrock underlie the proposed three-story residence and extend west beneath Crane Blvd. to the 463 Crane Blvd. lot and its adjacent properties. These geologic units are unsuitable as foundation materials and due to the proposed construction are susceptible to slope failures toward the steep slope descending from Crane Blvd. toward Marmion Way potentially involving 464, 466, and 463 Crane Blvd.

3) GeoSystems slope stability calculations do not consider bedding angles combined with joints and fractures in the bedrock.

4) GeoSystems and SubSurface indicate they see no evidence of landslides or surficial failures, yet neither did geologic mapping on the slope below Crane Blvd. Neither company documented any evidence of an actual aerial photograph analysis. This does not provide a highly credible explanation of an assessment of potential landslides. The site is within a State designated Earthquake-induced Landslide Zone and no recognition of this fact is given in the report and no related seismic slope stability analysis was performed as required by the City of Los Angeles. GeoSystems needs to evaluate the stability of the descending slope under seismic loading conditions, in compliance with the City of Los Angeles LABC 7006.3, 7014.1, Document No.: P/BC 2020-049 (Effective date: 01-01-2020).

5) The consultant must perform surficial slope stability analyses assuming a vertical depth of slip surface of greater than 3 feet, which represents the minimum depth required by the City of Los Angeles.

6) The locations and explanations of, and analysis for, "concrete foundation" and "concrete foundation wall" is not addressed by GeoSystems.

7) Due to the unusual very steep nature of the site and the very narrow access along Crane Blvd., construction at the site is likely to have numerous serious logistical challenges that should be addressed in an environmental impact document. The ability to meet the pile depth requirements given the very hard bedrock, the steep slope of the site, the narrow equipment space along Crane Blvd., and the location of the proposed pile foundations requires a more complete assessment to demonstrate feasibility of project.

8) Based on the reports reviewed it cannot be stated there will clearly not be significant Geology and Soil impacts, direct or indirect, of the Project, and due to the unusual circumstances of both the site location and design, a categorical exemption from any environmental review is unsupported on the records we reviewed."

V. **THE PROPOSED PROJECT FLOOR AREA EXCEEDS THE LIMITS OF BOTH THE SPECIFIC PLAN AND BHO RATIOS; THE DIRECTOR ABUSED DISCRETION BY APPROVING THE PROJECT ANYWAY.**

The floor area calculations on the front of the Plans (Exhibit C to Staff Appeal Report) appear to have been passively used by City Planners in the Project description and analysis without independent verification of their accuracy. There is one calculation under the Specific Plan and one under something called “LAMC” but it is not based upon the regulations of the Baseline Hillside Ordinance (“BHO”).

In both of these summary calculations, that do not show the calculations used to derive the numbers, do not include any of the non-habitable areas of the building (e.g. stairwells, mechanical room, exterior walls, etc.) as required by both the Specific Plan and the BHO. The Specific Plan has always counted as part of the Floor Area calculation ALL of the area “within the exterior walls” of the buildings.

The Specific Plan provides:

“Floor Area: Notwithstanding LAMC Section 12.03, Floor Area is that area in square feet confined within the exterior walls of a building of a One-Family Project, including the area of stairways, shafts, covered automobile parking areas and basement storage areas, and excluding uncovered outdoor decks.”

The Plans show a three level building with the basic dimensions of the exterior walls as: 30’ deep on the north side, on the east side 62’-8.5” (62.7’) wide and 52’-4” (52.33’) on the west side. The south side angles to make a triangular portion to otherwise a rectangular box. Level 2 and 3 are exactly these dimensions and Level 1 is somewhat shorter due to the topography of the site. Level one measures: 21’ deep by 62’-8.5” by 52’-4”.

The areas for each level including all area within the exterior walls is then easily calculated as (the rectangle minus the triangle that forms the south side):

$$\text{Level 1: } (21 \times 62.7) - [.5 \times (62.7 - 52.33) \times 21] = 1,253 \text{ sq. ft.}$$

$$\text{Level 2: } (30 \times 62.7) - [.5 \times (62.7 - 52.33) \times 30] = 1,726 \text{ sq. ft.}$$

$$\text{Level 3: } (30 \times 62.7) - [.5 \times (62.7 - 52.33) \times 30] = 1,726 \text{ sq. ft.}$$

Based upon the Specific Plan definition set forth above, the total proposed Floor Area for the project, **taken from the plans themselves, and not from the summary on the front of the plans**, is: 4,704 sq. ft. Thus, the assertion that the total floor area of the proposed house is 3,633 sq. ft. is not correct.

The LAMC Section 12.03 definition of floor area excludes non-habitable areas and does not include the area of the exterior walls. But in 2017 the City adopted modifications to the BHO which added the definition for Residential Floor Area which, like the Specific Plan, does not exempt non-habitable areas for hillside projects except some limited amounts for parking, accessory buildings, and basements. The BHO definition of Residential Floor Area of the LAMC now reads in part:

“FLOOR AREA, RESIDENTIAL. (Amended by Ord. No. 184,802, Eff. 3/17/17.) The area in square feet confined within the exterior walls of a residential or non-residential Building on a Lot in an RA, RE, RS, or R1 Zone.”

Thus, in 2017, even the BHO’s definition of floor area was modified to generally align with the Specific Plan’s definition enacted in 1993 (the City stopped excluding portions of hillside buildings from the floor area calculation). Under both laws, the floor area is generally measured using the simple exterior wall measurements. This is more simple and streamlined for City officials to review for accuracy, and assure compliance with the law.

In this firm’s July 6, 2021 Initial Submission correspondence, we showed calculations of the maximum allowed Floor Areas as prescribed by the Specific Plan and BHO. We agreed with the City and Applicant that the maximum allowable floor area square footage calculated for the Project under the Specific Plan is 3,743 sq. ft. However, we also performed a slope band analysis using data systems available on the City’s website, we showed our work in detail, and even after granting the 200 sq. ft. exemption for garage floor area permitted under the BHO in hillside areas, the maximum floor area allowed under the BHO was 2,989 sq. ft.

Based upon these calculations, the records before the Commission establish these facts:

Actual house floor area as measured along exterior walls under both Specific Plan (Specific Plan excludes only outside uncovered decks which do not exist on the plans for this house so the Floor Area will be the same as BHO), and BHO definitions since 2017: 4,704 sq. ft.

Such plans objectively exceed the maximum allowable floor area under both laws, and by significant amounts:

Specific Plan: 4,704 (House FAR) – 3,743 (Specific Plan Maximum) = 960 sq. ft. over

BHO: 4,704 (House FAR) – 2,989 (BHO Slope Band Maximum) = 1,716 sq. ft. over

Based upon these calculations, the authorized floor area ratios are:

Specific Plan allowed FAR: 3,743 / 8,914 (lot area) = .42

BHO allowed FAR: 2,989 / 8,914 = .34

Project as actually proposed: 4,704 / 8,914 = .53

As outlined in detail in our July 6, 2021 Initial Submission letter, Section 2 of the Specific Plan mandates that City officials determine and apply the LAMC containing the BHO ratio, **unless** the Specific Plan ratio is more restrictive. Because the BHO maximum FAR ratio over the site is .34 and the Specific Plan maximum FAR ratio is .42, the more restrictive BHO maximum FAR of 2,989 sq. ft. must be enforced under the plain language of Section 2.

On this basis, the proposed house at 4,704 sq. ft. is over the maximum allowable floor area of 2,989 sq. ft. Even if the Applicant’s faulty assertion that the house measures only 3,633 sq. ft. applied, which it does not, the proposed house remains over the maximum allowable floor area of 2,989 sq. ft. Accordingly, the appeal must be granted on this ground alone. City Planners and this Commission have a legal duty to enforce the City’s laws, not ignore them.

VI. THE PROJECT LACKS ARCHITECTURAL ARTICULATION MANDATED BY THE SPECIFIC PLAN.

The Specific Plan mandates that Projects submitted under the plan evidence articulation and architectural variety, especially that avoid long walls without a

“Section 3.

Architectural Design Elements: Shape, type and details of windows, balconies, columns and doors; architectural offsets; exterior or finishing building materials; roof treatments, including roof type, shape and pitch; exterior wall surface treatments; decorative elements; and color.

Section 8

C. One-Family Projects

Design Variation. In approving a Project Permit for a One-Family Project, the Director, or his or her designee, the City Planning Commission or the City Council on appeal shall **find that the Architectural Design Elements of the front and rear building elevations vary from the adjacent buildings.**

This determination shall be based on design guidelines which include, but are not limited to, the following:

1. Articulation of facades with Architectural Design Elements, including shape, type, details and the location of windows, doors, columns, and balconies;

2. Modulation of facades by offsetting portions of the facade from the remainder of the facade, or curves, insets and transparent openings; and

3. Variety of roof treatments, including roof type, shape and pitch.”

(Emphasis added.)

As outlined in the FAR calculation section, the Project proposes a three story rectangular box , with a triangular volume on the south side. The building proposed is relentless brutalism with significant modulation of the facades of the house. From the front side of the house, it appears to be a wall-like structure without the required architectural variety consonant with the varied architecture of the community.

Thus, the Director grossly abused his discretion in finding the Project design in conformity with Specific Plan requirements.

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CONCLUSION

On multiple grounds, the Commission must overturn the Director's approval, not adopt the proposed Categorical Exemption, and remand this case back to the Planning staff for vital health and safety environmental review.

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being the most prominent part.

Jamie T. Hall

Exhibit 3

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**ALSO Admitted in Texas

December 6, 2021

VIA ELECTRONIC MAIL (apceastla@lacity.org, debbie.lawrence@lacity.org)

East Los Angeles Planning Commission
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Re: 464-466 Crane Blvd. 3 Story House Project
Agenda Item 6 for December 8, 2021 Meeting of Commission
DIR-2020-427-SPP-1A, ENV-2020-428-CE

Honorable Members of the East Los Angeles Planning Commission:

This firm represents Crane Boulevard Safety Coalition. This letter and the record as a whole provides substantial evidence documenting why the three-story house project referenced above does not meet the required findings for a Project Permit Compliance Review for the Mount Washington Glassell Park ("MWGP") Specific Plan.

THE PROJECT REMAINS OUT OF COMPLIANCE WITH BOTH THE MWGP SPECIFIC PLAN AND BHO FLOOR AREA LIMITS.

We demonstrated in our correspondence on July 6 and 12, 2021, that the Original Plans for this Project exceeded both the FAR limits of the Baseline Hillside Ordinance as well as the MWGP Specific Plan. However, the Project was approved by the Director anyway. Based upon our analysis in those two prior letters, as well as today's detailed analysis by Mark Kenyon, who served on the Advisory Committee that analyzed and proposed the MWGP Specific Plan, the Revised Plans contain more floor area than disclosed on the architectural plan FAR summary on the front of the Plans, and therefore there is no substantial evidence supporting a finding that the Project complies with the MWGP Specific Plan FAR limit.

Additionally, as admitted by the City in the Revised Staff Report, if the Project is subject to the more restrictive Residential Floor Area of the Baseline Hillside Ordinance ("BHO"),

which it is, the Project far exceeds that more restrictive limit of the BHO of 2,952 sq. ft. (2,752 plus 200 sq.ft. allowed for garages located at front of hillside lot). The Revised Staff Report's suggestion that the "basement" of this building might be excluded from the FAR calculation under the BHO is incorrect. Basements exceeding a height of 3 feet in a project subject to the BHO are included within the FAR calculation. The only additional square feet that this Project is eligible to receive is 200 more square feet for covered parking at the street, which we have shown in all of our calculations. We also note that the Applicant's certified slope density concluded that the BHO slope density RFA is 2,752 sq. ft. while the less precise calculation we conducted in our July 12, 2021 letter generated an RFA only a few square feet higher at 2,788 sq. ft. This demonstrates that any person can easily estimate a comparison of the permissible FAR under the BHO and MWGP Specific Plan to determine within a few square feet which standard is more restrictive under Section 2 of the MWGP Specific Plan. The City Planning Department's claims of difficulty in applying the two standard is overstated. It is a relatively easy task as we demonstrated by performing the analysis ourselves with data sets readily available on the City's website. The BHO was required to have been applied in this case and it remains error for the City to refuse to do so.

THE PROJECT ALSO FAILS TO CONFORM TO THE SPECIFIC PLAN'S HEIGHT LIMIT AND ARCHTECTURAL VARIETY REQUIREMENTS.

An architectural plan review by Fran Offenhauser of Offenhauser Mekeel Architects reveal the Project plans are deficient in order to constitute substantial evidence that the Project complies with the minimum building design requirements of the MWGP Specific Plan, and the plans submitted to the City Planning department are so inconsistent and deficient as to not be adequate to attach to the file to demonstrate the project is lawfully conditioned to comply with the MWGP Specific Plan.

DUE TO LOCATION AND UNUSUAL CIRCUMSTANCES OF THE PROJECT SITE, NO CATEGORICAL EXEMPTION IS LAWFUL.

The Project in no way is eligible for a Class 3 or Class 20 exemption from the requirements of the California Environmental Quality Act (CEQA) under California Public Resources Code (PRC) and Guidelines. The Project is located on a steep escarpment, in a state mapped Earthquake Induced Landslide Area mandating enhanced environmental study the Applicant thus far refuses to perform. Additionally, the proposed conduct of massive caisson drilling next to homes as little as 15 feet away, and the construction staging impacts affecting safe passage of emergency vehicles during the construction phase have not been addressed. The July 12, 2021 analysis of Wilson Geosystems has not been addressed by the City Planning Department and the significant unaddressed potential environmental impacts of the Project remain established with substantial expert evidence in the record.

Furthermore, regarding the City's soils approval letter being based upon a review of only a two story house, the modifications of the Project plans are addressed in the next section.

THE ARCHITECT'S RELABELING OF THE THREE STORY BUILDING DOES NOT CONSTITUTE A REMOVAL OF THE THIRD STORY UNTIL THAT FLOOR AREA AND STAIRS TO LEVEL ONE ARE ALSO REMOVED; THE HEIGHTENED STUDY IDENTIFIED IN THE WILSON GEOSCIENCE, INC LETTER OF JULY 12, 2021 IS A REQUIRED ENVIRONMENTAL STUDY.

The Revised Staff Report at page A-4 acknowledges that seismic slope evaluation is required for the project if it is a three-story project. The staff report itself acknowledges on page 1, page A-1 that the Project is a three-story house. The meeting agenda project description states that the Commission is asked to approve a three-story house. In the Revised Staff Report, the City attempts to run away from the required seismic environmental study as detailed herein.

Wilson Geosciences, Inc. filed a report on July 12, 2021 before the scheduled July 14, 2021 hearing. The report pointed out that the Applicant's geology report and City geology approval letter had failed to acknowledge that the slope on Crane is an officially state-mapped Earthquake Induced Landslide Area. The geology study performed for applicant contains a structural depiction of only a two-story structure, but the plans approved by the Director are three-story. Under law, any three-story structure triggers a legal requirement for more detailed testing to assure safety of occupants and surrounding neighborhood upslope/downslope (in this case to protect Crane and neighboring homes, and lands below, and persons walking and driving Marmion Way and the Gold Line Facilities).

We have obtained emails showing that after Mr. Wilson's letter was submitted on July 12th, the architect hastily modified the design plans in a very cursory way. The Original Plans approved by the Planning Director in April of 2021 and attached to the Revised Staff Report at **Exhibit C** had shown a home with three levels. The lowest level, an Art Studio and apparent outdoor deck spa, was marked "Level 1," the garages, living/kitchen/family areas, was marked "Level 2," and the bedrooms/den was marked "Level 3." All three floors were attached to a series of about 12 drilled caissons so that the entire three-story structure depends on the caissons to stand on the slope. None of Level 1, the lowest level, is embedded into the hillside. It is raised entirely above the natural grade in the Original Plans.

On July 14, 2021, the day of the scheduled appeal hearing, about three hours before the hearing started, the architect sent to Planner Debbie Lawrence a new set of floor plans. The Original Plans were modified in these ways: (1) Level 1 spaces had large sliding doors removed from the Art Studio and the entire enclosed portion of the floor was renamed "Crawl Space/Basement", (2) Level 2 was renamed Level 1 and Level 3 was renamed Level 2, (3) the side elevation cut away showed the lower floor had been removed from the plans (as if the Crawl Space/Basement would float in the air without a floor supporting it), however, the plan still showed an indication a floor was there with the original elevation of the floor still listed as "698.5 elevation", (4) the door schedule still specified the details of the Art Studio sliding doors, even though on other pages the Art Studio sliding doors were deleted. Additionally, in the FAR Summary on the front of the plans, the architect continued to list the square footages for Levels 1, 2, and 3 indicating it was a three-story structure with each story containing requested floor area.

At the hearing, City Planner Debbie Lawrence immediately asked that the "hearing be continued to a date uncertain." The meeting was adjourned. Emails between staff and the architect show little has been done other than the City Planning staff trying to rely on the contention the lowest level, through the architect's relabeling changes, has become "embedded in the hillside" (it is not), and no longer physically exists as a story of the three-story house approved by the Director.

Since then, the November 4, 2021 Revised Plans attached to the Planning Report do not differ much from the hastily prepared version submitted on July 14, 2021. Since then, the Los Angeles Department of Building and Safety agreed with Wilson Geoscience, Inc. that the heightened study requirement applies. However, based upon an apparent assurance from Planning Staff that the third level was no longer a story, the LADBS concurred that the previous study of a two-story structure need not be revisited. This email from LADBS, according to staff, was sent to Planning Staff on the afternoon of July 14, 2021.

The Revised Staff Report at page A-4 quotes the Planning Code definition of "Story" which states "Any space that is defined as a Basement is not considered a Story." However, the review of the structural systems of a building requires consultation of the City of Los Angeles' Building Code in this issue. In 2020, the City adopted with certain amendments, the 2019 California Residential Building Code.

The Los Angeles City Building Code has this definition for "Story":

[BG] STORY. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above (see "[Basement](#)," "[Building height](#)," "[Grade plane](#)" and "[Mezzanine](#)"). A [story](#) is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost [story](#), from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

[DSA-AC] That portion of a building or [facility](#) designed for human occupancy included between the upper surface of a floor and upper surface of the floor or roof next above. A [story](#) containing one or more [mezzanines](#) has more than one floor level. If the finished floor level directly above a [basement](#) or unused under-floor [space](#) is more than six feet (1829 mm) above [grade](#) for more than 50 percent of the total perimeter or is more than 12 feet (3658 mm) above [grade](#) at any point, the [basement](#) or unused under-floor [space](#) shall be considered as a [story](#).

As shown on Revised Plans, regardless of what it may be called, the lowest level of this building is more than six feet in height for more than 50 percent of the total perimeter of the floor. Additionally, the City's building code definition of [BG] STORY refers to the definition of "Basement". Here is the City's Building Code definition of "Basement":

[BG] BASEMENT. A [story](#) that is not a [story above grade plane](#) (see "[Story above grade plane](#)").

Thus, the City's Building Code defines any basement as a "story" that is not above grade plane. On the Revised Plans, the grade plane is shown and the space changed from Art Studio to Basement is below the grade plane partially, and as a basement it is a "story" within the meaning of Basement.

Even the City Planning Code's definition of Story, First Level incorporates the Building Code's concept described above, it says:

STORY, FIRST. The lowest Story of a Building where the finished floor level directly above the Story is more than six feet above grade for more than 50 percent of the total perimeter of the Building or is more than 12 feet above grade at any point.

This means that whether the Los Angeles Planning or Building Code is considered, the square footage and stairway leading to it on the former Level 1 now label Crawl Space/Basement is more than 6 feet above grade for at least 50 percent of the perimeter.

Also, contrary to the Revised Staff Report none of the former Level 1 is submerged into the natural grade, and if it was it would trigger the need for new grading review.

This means that the Commission is asked to approve a project unchanged as to including all the original requested Floor Area of lowest level, with plans shown the lowest level still there but with structural plans that removed the supporting floor system.

If the Commission approves the Project with the additional floor area, we can expect the plans to be replaced at the time of building permit review with revisions that show the original Art Studio back in place with a floor, sliding doors, etc. -- the evasion of the heightened safety review accomplished by the Applicant/Architect.

For the foregoing reasons, the appeal should be granted in full and the project sent back to the Planning for proper studies that remain missing.

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent and the last name "Hall" following in a similar style.

Jamie T. Hall

Exhibit 4

WILSON GEOSCIENCES INC.

Engineering and Environmental Geology

July 12, 2021

Mr. Jamie T. Hall, Esq.
Channel Law Group, LLP
8383 Wilshire Blvd., Suite 750
Beverly Hills, CA 90211

SUBJECT: Engineering Geology and Geotechnical Review of Submitted Geotechnical Documents Provided by Your Client Group Regarding the Proposed Development at 464 and 466 North Crane Boulevard, Los Angeles, California

Dear Mr. Hall:

INTRODUCTION

We have reviewed the Soils and Engineering Geologic Investigation report by GEOSYSTEMS, Inc. (GeoSystems; consultant) for the proposed development at the subject property (Project site) located at 464 and 466 North Crane Boulevard, Los Angeles, California (location shown on **Figure 1A** upper right). We also reviewed a prior report by SubSurface Design, Inc (SubSurface) . This letter report focuses on the geology and geotechnical engineering conditions at the project site. You have requested our evaluation of geotechnical issues affecting the proposed development of the site consistent with the Geology and Soils Section of the CEQA Guidelines Checklist related to significant impacts including "VII. GEOLOGY AND SOILS. Would the project: a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? b) Result in substantial soil erosion or the loss of topsoil? c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?" (California Code of Regulations, 2021).

EXECUTIVE SUMMARY

We conclude:

1) There is a reasonable possibility that the Project will have a significant Geology or Soils impact due to the circumstance that most of the Project site is located in an earthquake-induced landslide zone mapped by the California Geological Survey, this fact is not disclosed or analyzed in the two reports we reviewed, and such areas merit special investigation to protect safety of on-site residents and surrounding persons and property from landslide or collapse during strong earth movement.

2) There is also a reasonable possibility of a significant Geology or Soils impact due to the Project's bedrock and soil conditions because studies performed to date on only one lot do not assure that conditions remain constant across the entire property, and the data in the GeoSystems and SubSurface reports suggests bedrock may have certain unstable conditions discussed herein.

3) There is a reasonable possibility of a significant Geology or Soils impact because it appears the GeoSystems report performed slope stability calculations based upon a two-story structure on piles above grade without a lower story but the Project plans approved by the City contain a lower level third-story that appears to require a retaining wall adjacent to Crane Blvd. not examined in the GeoSystems report.

PROJECT BACKGROUND

In its December 18, 2020 approval letter the City of Los Angeles characterizes the Project as follows:

“The Grading Division of the Department of Building and Safety has reviewed the referenced current report dated 11/03/2020 concerning construction of a new residence on the referenced vacant property. A geotechnical map (scale of 1 inch = 10 feet) and a geologic cross section A-A' (scale of 1 inch = 20 feet) were included. As shown and described, the new residence (two levels) will be entirely elevated above the slope. Access to two garages using structural bridges, is proposed. Also as shown, described and discussed on pgs. 3 & 4, the residence is planned on slopes descending from the east side of Crane Boulevard. Overall, the slope descends for a height [sic] over 200 feet and is inclined at horizontal to vertical slope gradients steeper than 2: 1.”

The City of Los Angeles characterizes the general geologic and soils conditions as follows:

"Explored information showed that fill and soil overlies bedrock. The fill and soil are not considered suitable for support of foundations, concrete slabs or as a base for new compacted fill (pgs. 5 & 6). The fill, soil and weathered bedrock (to a depth of 15 feet below existing grade - pg. 15), are subject to downhill creep. Competent, un-weathered bedrock is the recommended bearing material. The referenced 11/03/2020 report is acceptable, provided the following conditions are complied with:" A total of 25 conditions for compliance were provided. The geotechnical and engineering geology conditions are discussed as appropriate below.

The GeoSystems report (2020) refers to an earlier report listed below that was used in their evaluation. This report was not provided in their entirety as a discrete report. The pdf copy lacked the three Plates cited in Appendix 1 as attachments in the Los Angeles Department of Building and Safety (LADBS) comment letters.

GEOSYSTEMS, Inc.:

Soils and Engineering Geologic Investigation for Proposed Single-Family Residence, Lots 110 & 111, Tract 5043, 464 & 466 North Crane Boulevard, Los Angeles, California, dated November 3, 2020.

SubSurface Designs Inc.:

Preliminary Geologic & Soils Engineering Investigation Proposed Single-Family Residence and Attached Garage Tract 5043, Lots 110 & 111, 464 & 466 Crane Boulevard, Los Angeles, California, dated November 7, 2005.

GEOLOGIC AND GEOTECHNICAL CONDITIONS DISCUSSION

The discussions in the following subsections contain both descriptions and discussion of data, and comments on the data, the conclusions reached by the two reports reviewed, and our recommendations. While the comments and recommendations are blended into the text, we have placed our comments in *italics* to highlight them.

Reviewed Reports, Summary Conditions, and Field Investigations

The 2020 GeoSystems report refers to, and relies upon, a previous 2005 SubSurface Design, Inc (SubSurface) soils and geology report. Both reports refer to the Project as a two-story single-family residential structure. *However the associated approved project plans (architect Simon Story, dated 4/7/2021) shows a three-story single-family residential structure.* These reports describe the earth materials at the subsurface exploration locations to consist of artificial fill and natural soil underlain by weathered and unweathered sedimentary bedrock. Please refer to these two reports for detailed descriptions of these geologic units. As is shown on Figure 1 below (from GeoSystems, 2020; cross-section A-A' Plate CS-1; partially shown on **Figure 1A**) artificial fill is located at the top of the site and under Crane Blvd. where it overlies weathered bedrock. These two geologic units are determined to be unsuitable as foundation materials. *These materials are potentially susceptible to surficial movement including possible slope failures toward the steep slope descending from Crane Blvd. toward Marmion Way.* The consultants recommend supporting the proposed structure on friction pile/caisson foundations extending into competent bedrock.

GeoSystems report summarizes the field investigations including those of SubSurface. Total subsurface exploration includes one boring and five hand-dug test pits (TPs). GeoSystems one boring and one TP are located immediately east of Crane Blvd within the Project site. GeoSystems Plate 1 shows two SubSurface TPs were near Crane Blvd. (TP-1 and TP-3) and two (TP-2 and TP-4) were lower on the slope. The artificial fill ranges in thickness from 4- to 10-feet with the greater thickness near Crane Blvd. Weathered bedrock appears to be in the upper 10- 15-feet of the bedrock.

Geologic Structure and Slope Stability Considerations

Measurements of bedrock bedding strike and dip indicate generally southwest dipping beds in the range of 20- to 30- degrees. *Cross-section A-A' (Figure 1A) appears to use the actual dip angle and does not compensate for the strike, which is not at all perpendicular to the cross-section. With strikes of north 14 west (N14W) to N85W, the apparent dips on the cross-section should be much flatter. This GeoSystems depiction is much more favorable than the actual condition suggests. When combined with joints and fractures in the bedrock, these very low apparent bedding angles that should be depicted on A-A' could result in lower factors of safety than presented by GeoSystems.* In the 2020 GeoSystems report, bedrock is described as slightly to moderately fractured with joints and fractures described as steeply dipping, randomly oriented, and

discontinuous where observed. *These planar features must also be considered in the slope stability calculations.* On the GeoSystems report page 7 describes the bedrock materials on/into which foundations will be located. *The GeoSystems report minimizes the impacts of joints and fractures on slope stability. Their test pit is the only “exposure” (surface location) they have and they did not map the slope below the property where bedrock is exposed.* The GeoSystems report also indicates they see no evidence of landslides or surficial failures. *Yet they did not map the slope and did no aerial photograph analysis.* SubSurface indicates it did a “stereoscopic examination of the referenced aerial photographs”. But SubSurface do not identify the years or scales of the aerial photographs, but simply state in the references “Aerial photographs in our files”. *This does not provide a highly credible explanation of an assessment of potential landslides. We observe an odd shaped canyon that terminates at the down slope edge of the property that resembles the edge of an old landslide. A thorough aerial photograph analysis of the oldest through recent photos should have been done and documented to investigate the Project site and this feature.*

The California Division of Mines and Geology (now the California Geological Survey) Seismic Hazards Zones Map for the Los Angeles Quadrangle shows most of the site is in an earthquake-induced landslide zone from Crane Blvd. to the base of the slope at Marmion Way (see map **Figure 1B** lower left). *No recognition of this fact is given in the report and no related seismic slope stability analysis was performed. Such an analysis must be performed to verify the stability of the slope per City of Los Angeles requirements (City of Los Angeles, P/BC 2020-044, 2020a) which states “Residential buildings three stories or higher are not exempt”.*

GeoSystems report (page 6) describes the bedrock as Tps, yet their geology map (page 31) uses Tps and Tps for the sandstone and shale members (also see **Figure 1C**; Bedrossian and Roffers, 2012). *They do not mention these member differences nor do they show any of these differences on their cross-section A-A’ (page 32).* The GeoSystems geology map (their Plate 3) also shows upfolds and downfolds (anticlines and synclines) in the areas around the site. *The presence of these local changes in bedding attitudes are not mentioned or discussed and could have an impact on slope stability. Also, without mapping the slope below the site to determine if such local changes may exist they are assuming the regional map is representative. In addition, the GeoSystems boring location is not shown on the cross-section to determine correlation with the bedding shown and any impact on the slope stability calculations.*

On page 8 GeoSystems indicates that because the site is 2-stories it does not qualify for “detailed pseudo-static slope stability analyses”. *Again the project is 3-stories so that exemption should not be considered. The consultant needs to evaluate the stability of the descending slope under seismic loading conditions, in compliance with the City of Los Angeles (2020b) LABC 7006.3, 7014.1, Document No.: P/BC 2020-049 (Effective date: 01-01-2020). Mitigation measures should be recommended, as necessary.*

GeoSystems consultant performed surficial slope stability analyses assuming a vertical depth of slip surface of 3 feet, which represents the minimum depth required by the City of Los Angeles. *However, considering geotechnical conditions at the site, a deeper slip surface could be justified due to the presence of upper unsuitable soils and weathered bedrock. The consultant must consider the potential for surficial instability due to a slip surface deeper than 3 feet. Mitigation measures should be recommended, as necessary.*

Foundation Characteristics and Geotechnical/Geologic Conditions

The Project plans (Storey, 2021; pages 7, 8, and 10) show several examples of “concrete foundation” and “concrete foundation wall”. GeoSystems describes the driveways as bridges, yet the Project plans show what appears to be a retaining wall and backfill separating the driveway from the undisclosed lower story. *No explanation of the nature of these foundations is provided and no analysis was performed by GeoSystems. No foundation excavation depths are provided and no indication of resulting soil volumes is presented.*

As mentioned previously, GeoSystems did no field work within the footprint of the proposed residential structure and accepted the past 2006 SubSurface field studies. Neither study included rotary core borings in the footprint area to examine bedrock samples and measure planar feature attitudes at the proposed depth of the piles/caissons. *Considering a) the minimal on-site subsurface information noted above, b) the knowledge stated by the consultant that the bedrock generally becomes harder and more difficult to excavate with increasing depth, and c) the necessity to excavate at least ten 16- to 20-foot deep 24-inch diameter friction pile holes, a more complete assessment is required since the ability to meet the depth requirements puts the safety and hence the feasibility of entire project in question. The feasibility issues are a) the ability to drill the required 24-inch diameter piles/caisson holes on the steep slopes in potentially very hard bedrock and the ability to maintain drilling equipment on or at the top of the steep slopes (Figure 1A) with continuous traffic along the 18- to 20-foot wide Crane Blvd., and b) the ability to guarantee traffic control and traffic/driver safety along the narrow substandard roadway.*

There is no description of the expected continuity of the various planar joint and fracture features mentioned and the geologic cross-section A-A’ does not show the possible dip angles of the planar features in the areas studies. *Because of the total lack of geologic data from additional borings, conditions beneath the proposed construction area are unknown. Additional planar joint and fracture information must be provided in order to conduct a valid slope stability analysis. Therefore a more complete investigation is warranted in order to avoid the reasonable possibility of a significant Geology or Soils impact on the Project and adjacent upslope properties.*

Groundwater and Subsurface Flow/Seepage

No groundwater or seepage was noted in the five test pits and the one boring excavated adjacent to Crane Blvd., and no potential for future groundwater seepage from offsite was described. Water runoff from the slopes above the proposed residence would have a pathway down the slopes that would pass under and around the proposed residence location. *The poor condition of Crane Blvd. (see Figure 1D) indicates surface water would likely infiltrate above the foundation areas and flow within open planar features (bedding, joints, fractures) down gradient toward the project site. This eventuality was not analyzed and could impact the slope stability analyses.*

Site Logistics: Construction Access, Traffic Disruption, and Noise

The construction activities at the site are expected to create a significant noise, to affect traffic movement for a significant period, and possibly to pose physical hazards to traffic movement along an already badly damaged Crane Blvd. (see Figure 1D). *Normally, an environmental impact assessment would be required to determine the level of disruption and the potential impacts to travelers and neighbors. With that being the case, we see serious challenges associated with this*

option including significant impacts on traffic movement and neighboring residents 50-feet or less from the construction pile drilling work proposed for the project.

With regard to the construction equipment needed, the proposed pile/caisson excavations at the site are expected by GeoSystems to encounter hard to very hard bedrock at depths below approximately 10-feet. Such equipment is normally wide and long, and must normally be oriented perpendicular to the slope. Most certainly large, heavy excavation equipment would be needed for construction. *As mentioned above, no specific data has been presented to describe the rippability/excavatability of the bedrock materials. The large, heavy equipment would necessarily completely block Crane Blvd. traffic lanes due to the narrow 18- to 20-foot wide roadway.*

In any case, construction equipment would need to be staged at the site for weeks. With very steep slope conditions at the proposed site, under ideal conditions the place for equipment staging is at the top of the slope along Crane Blvd. However, as discussed above, drilling of the pile/caisson holes on 30- to 40-degree slopes at to 50-feet from Crane Blvd. is not conventional and doing so in very hard bedrock will require large-sized equipment. *Therefore, due to the very steep nature of the site and the very narrow access along Crane Blvd., construction at the site is likely to have numerous serious logistical challenges that should be addressed in an environmental impact document, such as an MND.*

SUMMARY OF OBSERVATIONS AND CONCLUSIONS

- 1) The GeoSystems and SubSurface reports were prepared for a two-story single-family residential structure. However, the associated approved project plans show a three-story single-family residential structure. The mass of the structure and associated foundations indicate that analysis and conclusions must be reconsidered.
- 2) Cross-section A-A' indicates artificial fill, natural soil, and highly weathered sedimentary bedrock underlie the proposed three-story residence and extend west beneath Crane Blvd. to the 463 Crane Blvd. lot and its adjacent properties. These geologic units are unsuitable as foundation materials and due to the proposed construction are susceptible to slope failures toward the steep slope descending from Crane Blvd. toward Marmion Way potentially involving 464, 466, and 463 Crane Blvd.
- 3) GeoSystems slope stability calculations do not consider bedding angles combined with joints and fractures in the bedrock.
- 4) GeoSystems and SubSurface indicate they see no evidence of landslides or surficial failures, yet neither did geologic mapping on the slope below Crane Blvd. Neither company documented any evidence of an actual aerial photograph analysis. This does not provide a highly credible explanation of an assessment of potential landslides. The site is within a State designated Earthquake-induced Landslide Zone and no recognition of this fact is given in the report and no related seismic slope stability analysis was performed as required by the City of Los Angeles. GeoSystems needs to evaluate the stability of the descending slope under seismic loading conditions, in compliance with the City of Los Angeles LABC 7006.3, 7014.1, Document No.: P/BC 2020-049 (Effective date: 01-01-2020).
- 5) The consultant must perform surficial slope stability analyses assuming a vertical depth of slip surface of greater than 3 feet, which represents the minimum depth required by the City of Los Angeles.

- 6) The locations and explanations of, and analysis for, “concrete foundation” and “concrete foundation wall” is not addressed by GeoSystems.
- 7) Due to the unusual very steep nature of the site and the very narrow access along Crane Blvd., construction at the site is likely to have numerous serious logistical challenges that should be addressed in an environmental impact document. The ability to meet the pile depth requirements given the very hard bedrock, the steep slope of the site, the narrow equipment space along Crane Blvd., and the location of the proposed pile foundations requires a more complete assessment to demonstrate feasibility of project.
- 8) Based on the reports reviewed it cannot be stated there will clearly not be significant Geology and Soil impacts, direct or indirect, of the Project, and due to the unusual circumstances of both the site location and design, a categorical exemption from any environmental review is unsupported on the records we reviewed.

REFERENCES CITED

Bedrossian, T. L. and P. D. Roffers, 2012, Geologic Compilation of Quaternary Surficial Deposits in Southern California Los Angeles 30' X 60' Quadrangle, dated July 2012, California Geological Survey Special Report 217, Plate 9, Scale 1:100,000.

California Building Standards Commission, 2021, California Building Standards Code, <https://www.dgs.ca.gov/bsc>.

California Code of Regulations, 2021, 2021 California Environmental Quality Act (CEQA) Statute and Guidelines, (Public Resources Code 21000–21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000– 15387), <http://ccr.oal.ca.gov/>, VII. GEOLOGY AND SOILS, page 335.

California Division of Mines and Geology, 1999, State of California Seismic Hazard Zones Los Angeles Quadrangle, Zones of Required Investigation, March 25, 1999, <https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/>.

City of Los Angeles Department of Building and Safety (LADBS), 2006, Geology and Soils Approval Letter, dated April 21, 2006.

City of Los Angeles Department of Building and Safety (LADBS), 2020, Geology and Soils Review Letter, dated December 18, 2020.

City of Los Angeles Department of Building and Safety (LADBS), 2020a, Exemptions from Liquefaction, Earthquake-induced Landslide, and Fault-Rupture Hazard Zone Investigations, LABC 1613.3 & 1803.5, Effective: 01-01-2020, DOCUMENT NO.: P/BC 2020-044, Previously Issued As: P/BC 2017-044.

City of Los Angeles Department of Building and Safety (LADBS), 2020b, Slope Stability Evaluation and Acceptance Standards, LABC 7006.3, 7014.1, Effective: 01-01-2017, DOCUMENT NO.: P/BC 2017-049, Revised: 12-21-2016, Previously Issued As: P/BC 2014-049.

Geosystems, Inc., 2020, Soils and Engineering Geologic Investigation for Proposed Single-Family Residence, Lots 110 & 111, Tract 5043, 464 & 466 North Crane Boulevard, Los Angeles, California, dated November 3, 2020 (with City of Los Angeles Department of Building and Safety (LADBS), 2015, Geology and Soils Correction Letter, dated December 18, 2020.)

SubSurface Designs, Inc., 2006, Preliminary Geologic & Soils Engineering Investigation Proposed Single-Family Residence and Attached Garage Tract 5043, Lots 110 & 111, 464 & 466 Crane Boulevard, 464 and 466 North Crane Boulevard, Los Angeles, California, dated November 7, 2005 (with City of Los Angeles Department of Building and Safety (LADBS), 2006, Geology and Soils Approval Letter, dated April 21, 2006).

ZIMAS, 2021, City of Los Angeles, <http://zimas.lacity.org/>, accessed July 2021.

CLOSURE

This report has been prepared for the sole use and benefit of our client. The analysis, results, and conclusions were prepared in general compliance with normal industry practice in the City and County of Los Angeles. The intent of the report is to advise our client of geotechnical and engineering geologic conditions at the subject site, and the possible effects of these conditions on the proposed development and surrounding properties. It should be understood that the geotechnical engineering and engineering geologic consulting provided represents professional opinions and the contents of this report are not perfect. Any errors or omissions noted by any party reviewing this report should be reported to Wilson Geosciences Inc. and Geo-Dynamics, Inc. in a timely fashion. Only the client can authorize subsequent use of this report. No warranty is either expressed or implied.

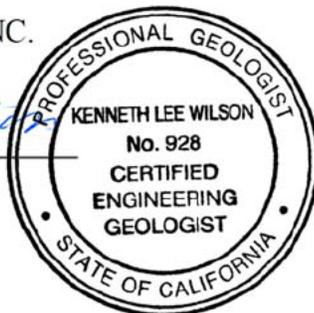
Please contact the undersigned at wilsongeosciencesinc@gmail.com or 626-791-1589 if you have any questions.

Sincerely,

WILSON GEOSCIENCES INC.

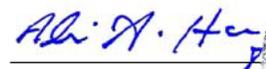


Kenneth Wilson
Principal Geologist
P.G. #3175, C.E.G. #928
(626) 791-1589



EXP. 2-28-22

GEODYNAMICS, INC



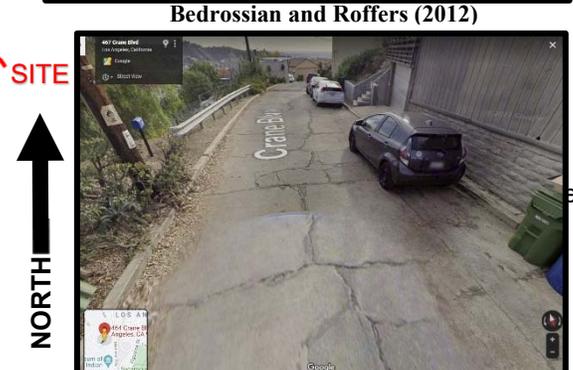
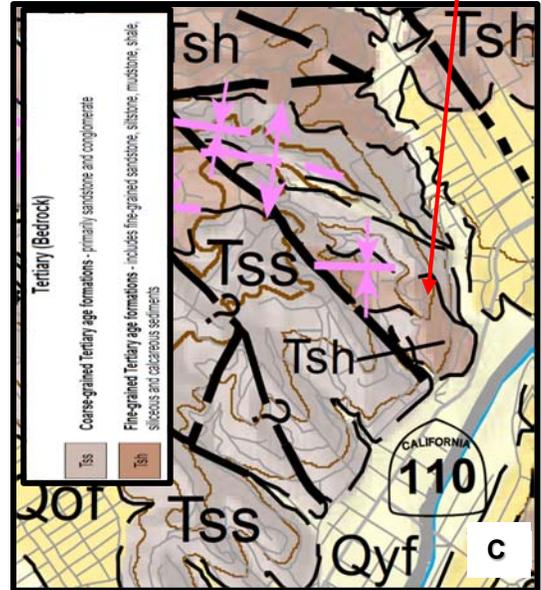
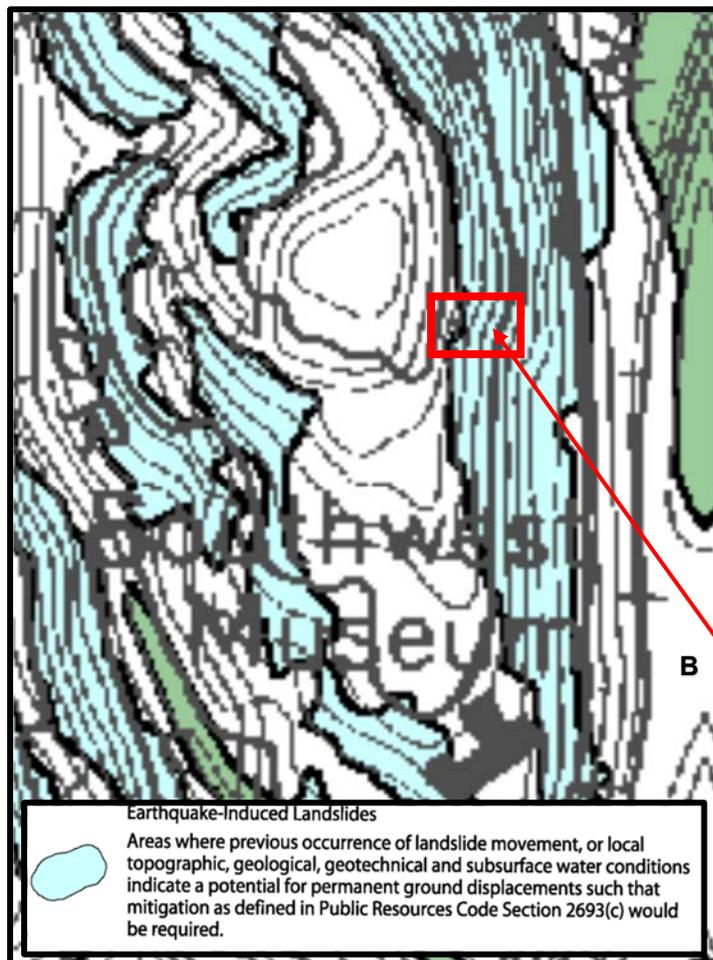
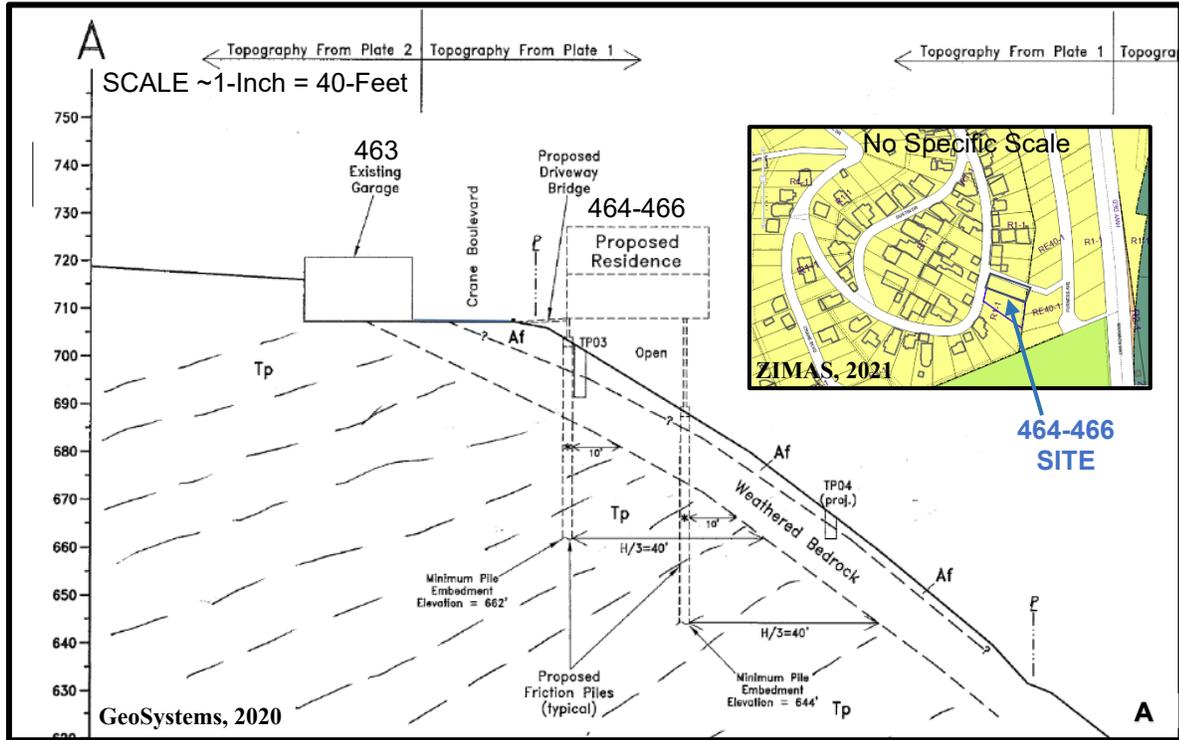
Ali Abdel-Haq
Principal Engineer
P.E. 46989, G.E. 2308
(805) 496-1222



ATTACHMENT 1

Figure 1 (A, B, C, and D)

FIGURE 1 – SITE MAPS AND CHARACTERISTICS



No Specific Scale California Division of Mines and Geology, 1999

Google Earth Image, January 2021

Exhibit 5

WILSON GEOSCIENCES INC.

Engineering and Environmental Geology

December 6, 2021

Mr. Jamie T. Hall, Esq.
Channel Law Group, LLP
8383 Wilshire Blvd., Suite 750
Beverly Hills, CA 90211

SUBJECT: Comments on City of Los Angeles Department of City Planning Appeal Report as they affect Our July 12, 2021 Engineering Geology and Geotechnical Review of Submitted Geotechnical Documents Provided by Your Client Group Regarding the Proposed Development at 464 and 466 North Crane Boulevard, Los Angeles, California

Dear Mr. Hall:

INTRODUCTION

We have reviewed the following documents your client group provided on December 4 and 5, 2021:

1. City of Los Angeles Department of City Planning Appeal Report, Case No.: DIR-2020-427-SPP-1A, 148-page PDF.
2. anonymous architects, Developer Drawing Set for 464 & 466 N. Crane Avenue, Los Angeles, California 90065, 11/4/2021 2:22 PM, 9-page PDF.
3. Your Client Group emails December 4 through 6, 2021.

Other documents referred to are listed in the References Cited section. Our original Final Review document (Review Report) "Engineering Geology and Geotechnical Review of Submitted Geotechnical Documents Provided by Your Client Group Regarding the Proposed Development at 464 and 466 North Crane Boulevard, Los Angeles, California" still stands with no changes.

PLANNING APPEAL REPORT (PAR)

The Review Report pointed out that the GeoSystems and SubSurface reports were prepared for a two-story single-family residential structure. However, the associated approved project plans showed a three-story single-family residential structure and as such does not qualify for exemptions from investigations as outlined by the City (City of Los Angeles, 2020a). The retaining wall bordering the basement on the west was not examined or analyzed in the GeoSystems report and we believe cannot be exempted. With the result of avoiding having to do seismic and earthquake-induced landslide investigations and analysis, the developer changed the house plans (anonymous architects, 2021) to remove the lower story art studio. This area, called

the Basement Level Floor Plan, is shown as a Crawl Space/Mechanical Access area with roughly 315 square feet of habitable stairs, walkways, and covered deck. It is our professional opinion that this roughly 315 square feet are a habitable First Story/Basement area. The remaining presence of this habitable area on the new plans appears to make this a three-story structure. Your client group has independently studied this issue based on current building codes and other sources to confirm this conclusion. In addition, mass of the structure, the associated foundations, and the uncertainties regarding bedrock orientation and stability indicate that the analysis and PAR conclusions must be reconsidered.

REVIEW REPORT EXECUTIVE SUMMARY

As stated in the Review Report, we concluded:

- 1) There is a reasonable possibility that the Project will have a significant Geology or Soils impact due to the circumstance that most of the Project site is located in an earthquake-induced landslide zone mapped by the California Geological Survey, this fact is not disclosed or analyzed in the two reports we reviewed, and such areas merit special investigation to protect safety of on-site residents and surrounding persons and property from landslide or collapse during strong earth movement.
- 2) There is also a reasonable possibility of a significant Geology or Soils impact due to the Project's bedrock and soil conditions because studies performed to date on only one lot do not assure that conditions remain constant across the entire property, and the data in the GeoSystems and SubSurface reports suggests bedrock may have certain unstable conditions discussed herein.
- 3) There is a reasonable possibility of a significant Geology or Soils impact because it appears the GeoSystems report performed slope stability calculations based upon a two-story structure on piles above grade without a lower story but the Project plans approved by the City contain a lower level third-story that appears to require a retaining wall adjacent to Crane Blvd. not examined in the GeoSystems report.

REVIEW REPORT SUMMARY OF OBSERVATIONS AND CONCLUSIONS

As stated in the Review Report:

- 1) The GeoSystems and SubSurface reports were prepared for a two-story single-family residential structure. However, the associated approved project plans show a three-story single-family residential structure. The mass of the structure and associated foundations indicate that analysis and conclusions must be reconsidered.
- 2) Cross-section A-A' indicates artificial fill, natural soil, and highly weathered sedimentary bedrock underlie the proposed three-story residence and extend west beneath Crane Blvd. to the 463 Crane Blvd. lot and its adjacent properties. These geologic units are unsuitable as foundation materials and due to the proposed construction are susceptible to slope failures toward the steep slope descending from Crane Blvd. toward Marmion Way potentially involving 464, 466, and 463 Crane Blvd.
- 3) GeoSystems slope stability calculations do not consider bedding angles combined with joints and fractures in the bedrock.

- 4) GeoSystems and SubSurface indicate they see no evidence of landslides or surficial failures, yet neither did geologic mapping on the slope below Crane Blvd. Neither company documented any evidence of an actual aerial photograph analysis. This does not provide a highly credible explanation of an assessment of potential landslides. The site is within a State designated Earthquake-induced Landslide Zone and no recognition of this fact is given in the report and no related seismic slope stability analysis was performed as required by the City of Los Angeles. GeoSystems needs to evaluate the stability of the descending slope under seismic loading conditions, in compliance with the City of Los Angeles LABC 7006.3, 7014.1, Document No.: P/BC 2020-049 (Effective date: 01-01-2020).
- 5) The consultant must perform surficial slope stability analyses assuming a vertical depth of slip surface of greater than 3 feet, which represents the minimum depth required by the City of Los Angeles.
- 6) The locations and explanations of, and analysis for, “concrete foundation” and “concrete foundation wall” is not addressed by GeoSystems.
- 7) Due to the unusual very steep nature of the site and the very narrow access along Crane Blvd., construction at the site is likely to have numerous serious logistical challenges that should be addressed in an environmental impact document. The ability to meet the pile depth requirements given the very hard bedrock, the steep slope of the site, the narrow equipment space along Crane Blvd., and the location of the proposed pile foundations requires a more complete assessment to demonstrate feasibility of project.
- 8) Based on the reports reviewed it cannot be stated there will clearly not be significant Geology and Soil impacts, direct or indirect, of the Project, and due to the unusual circumstances of both the site location and design, a categorical exemption from any environmental review is unsupported on the records we reviewed.

We do not believe that City reviews have addressed these concerns. The entirety of the July 12, 2021 Review Report is considered included herein by reference.

REFERENCES CITED

California Division of Mines and Geology, 1999, State of California Seismic Hazard Zones Los Angeles Quadrangle, Zones of Required Investigation, March 25, 1999, <https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/>.

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CLOSURE

This report has been prepared for the sole use and benefit of our client. The analysis, results, and conclusions were prepared in general compliance with normal industry practice in the City and County of Los Angeles. The intent of the report is to advise our client of geotechnical and engineering geologic conditions at the subject site, and the possible effects of these conditions on the proposed development and surrounding properties. It should be understood that the geotechnical engineering and engineering geologic consulting provided represents professional opinions and the contents of this report are not perfect. Any errors or omissions noted by any party reviewing this report should be reported to Wilson Geosciences Inc. and Geo-Dynamics, Inc. in a timely fashion. Only the client can authorize subsequent use of this report. No warranty is either expressed or implied.

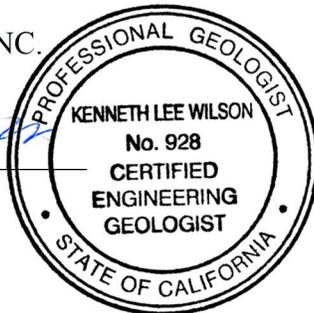
Please contact the undersigned at wilsongeosciencesinc@gmail.com or 626-791-1589 if you have any questions.

Sincerely,

WILSON GEOSCIENCES INC.



Kenneth Wilson
Principal Geologist
P.G. #3175, C.E.G. #928
(626) 791-1589



GEODYNAMICS, INC.



Ali Abdel-Haq
Principal Engineer
P.E. 46989, G.E. 2308
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EAST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **DEC 28 2021**

Case No. DIR-2020-427-SPP-1A
CEQA: ENV-2020-428-CE
Plan Area: Northeast Los Angeles

Council District 1 - Cedillo

Project Site: 464 North Crane Boulevard

Applicant: Rachel Foullon and Ian Cooper
Representative: Simon Storey, Anonymous Architects

Appellant: Christopher Howard, Crane Boulevard Safety Coalition
Representative: Jamie T. Hall, Channel Law Group

At its meeting of **December 8, 2021**, the East Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

Construction, use, and maintenance of a new, three-story, 45 feet in height, 3,633 square foot single-family dwelling with a 533-square foot attached garage, on an 8,914.1 square foot vacant lot.

1. **Determined**, that based on the whole of the administrative record as supported by the justification prepared and found in the administrative case file, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15303, Class 3, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies;
2. **Denied** the appeal and sustained the Director's Determination dated April 19, 2021;
3. **Approved with Conditions**, pursuant to Section 11.5.7 C of the Los Angeles Municipal Code and the Mount Washington-Glassell Park Specific Plan Ordinance No. 168,707, a Project Permit Compliance Review for the construction of a new, three-story, 3,633 square foot single-family dwelling, with a 533 square foot attached garage, on an 8,914.1 square foot vacant lot;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Campos
Second: Arellano
Ayes: Espinoza, Stevens
Abstain: Rascon

Vote: 5 – 0

 Irene Gonzalez, for

James K. Williams, Commission Executive Assistant II
East Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the East Los Angeles Area Planning Commission is final and effective upon the mailing of this determination letter and not further appealable.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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.

Attachment: Director's Determination dated April 19, 2021, Interim Appeal Procedure (CEQA)

c: Debbie Lawrence, Senior City Planner
Nicole Sanchez, City Planner
Nashya Sadono-Jensen, Planning Assistant

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

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DEPUTY DIRECTOR

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VACANT
DEPUTY DIRECTOR

**MOUNT WASHINGTON-GLASSELL PARK SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW**

April 19, 2021

Applicant/Owner

Rachel Foulton and Ian Cooper
2262 Duane Street
Los Angeles, CA 90039

Representative

Simon Storey
Anonymous Architects
1800 South Brand Boulevard
Suite 117
Glendale, CA 91204

Case No.: DIR-2020-427-SPP

CEQA: ENV-2020-428-CE

Location: 464 North Crane Blvd.

Council District: 1 – Cedillo

Neighborhood Council: Arroyo Seco

Community Plan Area: Northeast Los Angeles

Land Use Designation: Low Residential

Zone: R1-1

Legal Description: Lot 110; Tract TR5043

Last Day to File an Appeal: May 4, 2021

DETERMINATION

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7 C, and the Mount Washington-Glassell Park Specific Plan Ordinance No. 168,707, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Determine that based on the whole of the administrative record as supported by the justification prepared and found in the administrative case file, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15303, Class 3, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies; and

Approve with Conditions a Project Permit Compliance Review for the construction of a new, three (3)-story, 3,633-square foot single-family dwelling, with a 533-square foot attached garage, on an 8,914.1 square-foot vacant lot.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

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CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Floor Area.** The total floor area of all proposed buildings shall be limited to a total of 3,633 square feet of floor area. As defined by the Mount Washington-Glassell Park Specific Plan, Floor Area is that area in square feet confined within the exterior walls of a building of a One-Family Project, including the area of stairways, shafts, covered automobile parking areas and basement storage areas, and excluding uncovered outdoor decks. The Specific Plan determines a maximum Floor Area Ratio (FAR) for lots greater than or equal to 5,000 square feet in size, but less than 10,000 square feet in size, by using the following equation: $0.50 - \{[(\text{Lot Area} - 5,000) \times 0.10] \div 5,000\}$. For this project, the lot size is 8,914.1 square feet, and therefore the allowable maximum floor area ratio based on the formula is 0.42:1 or 3,743 square feet. The proposed project's FAR is 0.41:1 or 3,633 square feet of floor area, including a 533-square foot garage.
3. **Height.** The project shall be limited to 45 feet in height as measured per Los Angeles Municipal Code (LAMC) Sections 12.03 and 12.21.1. The Specific Plan also limits building and structure heights within six (6)-foot and 12-foot distances as measured from the front property line by requiring a stepback. The portion of the building or structures located within six (6) feet of the front lot line shall be below the permitted height of 15 feet. The portion of the building or structures located within six (6) to 12 feet shall be below the permitted height of 24 feet.
4. **Parking.** The project shall provide parking pursuant to (LAMC) Section 12.21. C.10.
5. **Prevailing Front Yard Setback.** The project shall provide a five (5)-foot front yard setback.
6. **Landscape Plan:**
 - a. Xeriscape Requirements. The project shall comply with the existing xeriscape requirements set forth under Sections 12.40 through 12.43 of the Los Angeles Municipal Code (LAMC).
 - b. Landform Planting Design. The subject property falls within a Hillside Area and Special Grading Area. To the extent feasible, the type and placement of landscape materials on graded sloped shall conform to the standards set forth in the Landform Grading Manual.

- c. Fire Safety. The landscaping and preservation, relocation, and removal of Native and Significant Trees shall not require any planting in violation of applicable fire safety regulations.
- d. Replacement, Relocation and Removal of Trees. As identified in the Tree Report prepared by Arsen Margossian, Certified Consulting Arborist (ISA #WE-7233) on November 4, 2019, there are four (4) Protected Southern California Black Walnut Trees and one (1) Significant Pepper Tree on site. The subject project is proposing to remove one (1) Protected Southern California Black Walnut Tree. Four (4) trees will be planted on a 4:1 ratio for the one (1) Protected Southern California Black Walnut Tree being removed. This Tree Report was approved by the Urban Forestry Division on November 30, 2019.

NOTE: Attachment "Exhibit B" lists the regulating codes and statutes regarding construction requirements and restrictions.

Administrative Conditions

- 7. **Final Plans**. Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
- 8. **Notations on Plans**. Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
- 9. **Approval, Verification and Submittals**. Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
- 10. **Code Compliance**. Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 11. **Department of Building and Safety**. The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code Compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

12. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
13. **Covenant.** Prior to the effectuation 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 or the Condition Compliance Unit 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 or Condition Compliance Unit for inclusion in the case file.
14. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
- a. 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.
 - b. 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.
 - c. 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 (b).
 - d. 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 (b).
 - e. If the City determines it necessary to protect the City's interests, 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, commission, 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.

FINDINGS

The subject project proposes to construct a new, three (3)-story, 3,633-square foot single-family dwelling, with a 533-square foot attached garage, on an 8,914.1-square foot vacant lot within the Mount Washington-Glassell Park Specific Plan.

The parcels surrounding this project site have a land use designation of Low Residential and are zoned R1-1. The surrounding area is vacant or developed with single-family dwellings.

The proposed residential project meets the requirements of Section 6 of the Mount Washington-Glassell Park Specific Plan for One-Family Project standards and Los Angeles Municipal Code 11.5.7, as follows:

1. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

a. Floor Area.

Per the Mount Washington-Glassell Park Specific Plan Ordinance floor area is based on a prescribed formula for properties that are more than 5,000 square feet in size, but less than 10,000 square feet in size. The Specific Plan determines a maximum Floor Area Ratio (FAR) for lots greater than or equal to 5,000 square feet in size, but less than 10,000 square feet in size, by using the following equation: $0.50 - \{[(\text{Lot Area} - 5,000) \times 0.10] \div 5,000\}$. For this project, the lot size is 8,914.1 square feet, and therefore the allowable maximum floor area ratio based on the formula is 0.42:1 or 3,743 square feet. As the project proposes a floor area of 0.41:1 or 3,633 square feet, the project would be in conformance with Section 6.A of the Specific Plan.

b. Building Height and Stepback.

The Mount Washington-Glassell Park Specific Plan permits a maximum height of 45 feet and requires that any portion of a building or structure located within six (6) and 12 feet of the front lot line be stepped back. Within six (6) feet of the property line, no building or structure shall exceed a height of 15 feet and within six (6) to 12 feet, no building or structure shall exceed a height of 24 feet above the street curb elevation at the centerline of the front lot line. As proposed, the single-family dwelling will have a height of 45 feet. The portion of the building or structures located within six (6) feet of the front lot line are below the permitted height of 15 feet. The portion of the building or structures located within six (6) to 12 feet are below the permitted height of 24 feet. As proposed, the building height and stepback distances are in compliance with Section 6.B of the Specific Plan.

c. Prevailing Front Yard Setback.

As indicated on Sheet A-000-1 of the stamped "Exhibit A," the prevailing front yard setback was calculated in accordance with Section 6.C of the Specific Plan. As calculated, the project would be required to observe a minimum five (5)-foot front yard setback. As proposed, the single-family dwelling will observe a five (5)-foot setback

from the front lot line to the main building, which complies with Section 6.C of the Mount Washington-Glassell Park Specific Plan.

d. Off-street Automobile Parking Requirements for Additions and Remodeling.

Off-street automobile parking requirements for additions and remodeling does not apply since the proposed project is new construction. The property currently fronts a Substandard Hillside Limited Street and requires a two (2)-foot dedication. The project includes a 533-square foot attached garage, which provides two (2) covered parking spaces. The project complies with LAMC Section 12.21 C.10 and Section 6.D of the Mount Washington-Glassell Park Specific Plan.

e. Public Health and Safety.

Haul routes are required only when the import and export of earth from on-site exceeds 1,000 cubic yards. The project proposes the cut of 10 cubic yards of soil, the fill of 10 cubic yards of soil, and the export of 0 cubic yards of soil, and therefore, a haul route is not required and the project is compliant with Section 6.E of the Mount Washington-Glassell Park Specific Plan and the LAMC.

f. Landscaping and preservation, relocation, and removal of native and significant trees.

As identified in the Tree Report prepared by Arsen Margossian, Certified Consulting Arborist (ISA #WE-7233) on November 4, 2019, there are four (4) Protected Southern California Black Walnut Trees and one (1) Significant Pepper Tree on site. The subject project is proposing to remove one (1) Protected Southern California Black Walnut Tree. Four (4) trees will be planted on a 4:1 ratio for the one (1) Protected Southern California Black Walnut Tree being removed. This Tree Report was approved by the Urban Forestry Division on November 30, 2019.

The removal of the four (4) Protected Southern California Black Walnut Trees and one (1) Significant Pepper Tree are necessary as its current location is located within the footprint of the proposed project. The removal of these trees would not result in undesirable, irreversible soil erosion through diversion or increased flow of surface waters which cannot be mitigated since the proposed dwelling will be constructed within the footprint of the existing trees. In addition, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant levels. RCMs include requirements to conform with the California Building Code and the City's Landform Grading Manual. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. The project will be required to comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter dated December 18, 2020 for the proposed project. Compliance with regulatory compliance measures relative to grading will be reviewed through the grading permit approval process.

- g. The architectural design elements of the front and rear building elevations vary from the adjacent buildings.**

The architectural effects of the exterior will be composed of white, fiber cement shingles. The dwelling will mainly consist of concrete and cement with accents of wood. The dwelling will also have steel cable trellis for climbing plants, as well as a wood screen and wood siding that will be dark gray. The overall design aesthetic of the home will be modern and contemporary, and provide varied massing of the architectural elements that vary from the adjacent buildings, which consist of mainly light gray and beige stucco. The single-family dwelling will differ from adjacent buildings in that the addition will have a flat roof as opposed to the existing pitched roofs on the adjacent residences. As proposed, the architectural elevations and sections, attached as "Exhibit A" are in conformance with the Design Variation standards contained in Section 8C of the Mount Washington-Glassell Park Specific Plan.

- 2. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The Planning Department has determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorical Exempt under Article 19, Section 15303, Class 3 (new construction or conversion of small structures). This project is located at 464 North Crane Boulevard.

The project proposes new construction of a three (3)-story, 3,633-square foot single-family dwelling, with a 533-square foot attached garage, on an 8,914.1-square foot vacant lot that is within the Mount Washington-Glassell Park Specific Plan.

There are six (6) Exceptions which must be considered in order to find a project exempt under Section 15303, Class 3: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

The site is zoned R1-1 and has a General Plan Land Use Designation of Low Residential. While the subject site is located within Hillside Area, Special Grading Area (BOE Basic Grid Map Act A-13372), Urban Agriculture Incentive Zone, Very High Fire Hazard Severity Zone, and is located 1.82 kilometers from the Raymond Fault, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include requirements to conform with the California Building Code and the City's Landform Grading Manual (see attached Regulatory Compliance Measures). These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils

Report Approval Letter dated December 18, 2020 for the proposed project. Thus, the location of the project will not result in a significant impact based on its location.

With regard to potential cumulative impacts during the construction phase of the project, there is no active construction activity in the vicinity of Crane Boulevard where the subject property is located. The traffic study, prepared by Jano Baghdanian, P.E., T.E., PTOE of JB & Associates, LLC, concluded the project will result in a construction process without unnecessary delays and will coordinate schedules and parking with any developers in the surrounding area in order to minimize any negative effects on the community. Therefore, the project will not have any significant impacts to traffic. The subject project submitted a Construction Traffic Management Plan for review by the City's Department of Transportation (LADOT), pursuant to the LADOT's Hillside Development Construction Traffic Management Guidelines released on June 16, 2020. These guidelines state the purpose of a Construction Traffic Management Plan is to address transportation concerns specific to hillside communities, including narrow streets, limited emergency access, and location in a Very High Fire Severity Zone. The proposed project will be subject to the conditions detailed in the Project's Construction Traffic Management Plan, included in the case file, which was reviewed and stamped-approved by LADOT on March 11, 2021. The conditions imposed address any potential cumulative effects of various projects of the same type in the same area. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Therefore, the subject project will have no cumulative impact to the City's circulation system.

As mentioned, the project proposes new construction of a three (3)-story, 3,633-square foot single-family dwelling, with a 533-square foot attached garage, on an 8,914.1-square foot vacant lot in an area zoned and designated for such development. All adjacent lots are vacant land or developed with single family dwellings, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 0.41:1 or 3,633 square feet on a site that is permitted to have a maximum FAR of 0.42:1 or 3,743 square feet. The project proposes a building height of 45 feet which is not unusual for the vicinity of the subject site, and is similar in scope to other existing low residential in the area. As identified in the Tree Report prepared by Arsen Margossian, Certified Consulting Arborist (ISA #WE-7233) on November 4, 2019, there are four (4) Protected Southern California Black Walnut Trees and one (1) Significant Pepper Tree on site. The subject project is proposing to remove one (1) Protected Southern California Black Walnut Tree. Four (4) trees will be planted on a 4:1 ratio for the one (1) Protected Southern California Black Walnut Tree being removed. This Tree Report was approved by the Urban Forestry Division on November 30, 2019. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The proposed project is located over 30.3 miles away from Topanga State Park, therefore, the subject site will not create any impacts within a designated state scenic highway. 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 this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with various City of Los Angeles Ordinances and State laws. Such RCMs include but are not limited to the Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts.

Therefore, the exceptions of CEQA Guidelines Section 15300.2 do not apply, mitigation measures are not necessary as there are no potentially significant negative environmental effects associated with the Project and the Project is categorically exempt pursuant to CEQA Guidelines, Article 19, Section 15303, Class 3.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination 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 that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

FINAL PLAN SIGN OFF AND APPROVAL

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, the Marvin Braude Building in the San Fernando Valley, or the West Los Angeles Development Services Center. In order to assure that you receive services without waiting, applicants are encouraged to schedule an appointment with the Development Services Center by calling (213) 482-7077 (Figueroa Plaza) or (818) 374-5050 (Marvin Braude Building) San Fernando Valley or (310) 231-2901 (West LA) or through

the Department of City Planning website at <http://planning4la.org>. The applicant is further advised to notify any consultant representing you of this requirement.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a 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 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, or the approval may be revoked.

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. 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 this Determination, 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://planning4la.org>.

Planning Department public offices are located at:

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

*Valley Office
6262 Van Nuys Boulevard,
Suite 251
Van Nuys, CA 91401
(818) 374-5050*

*West Los Angeles
1828 Sawtelle Boulevard
2nd Floor
Los Angeles, CA 90025
(310) 231-2901*

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, the Marvin Braude Building in the Valley, or the West LA development services Center. In order to assure that you receive service with a

minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077 (Figueroa Plaza) or (818) 374-5050 (Marvin Braude Building-San Fernando Valley) or (310) 231-2901 (West LA) or through the Department of City Planning website at <http://planning4la.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Reviewed by:

Debbie Lawrence
Debbie Lawrence, AICP, Senior City Planner

Nicole Sanchez
Nicole Sánchez, City Planner

Prepared by:

Nashya Sadono-Jensen
Nashya Sadono-Jensen, Planning Assistant
nashya.sadono-jensen@lacity.org

**“Exhibit B”
Regulating Codes and Statutes Regarding Construction Requirements and Restrictions.**

The Applicant or Owner shall be responsible for implementing all regulating Codes and Statutes in regards to construction regulations. All departments listed below are within the City of Los Angeles unless otherwise noted. As shown on the following table, each required regulating Code and Statute for the proposed project is listed and categorized by area, with accompanying enforcement agencies and contact numbers:

	Construction Requirements	Enforcement Agency*	Contact
1	When temporarily blocking portions of streets for deliveries of construction materials, please provide flag persons to assist with pedestrian and vehicular traffic. LAMC 62.46	BOSS	(800) 996-2489
2	Street closures shall not take place during peak traffic hours. Any street, sidewalk, or other improvement work shall be in conformance with the latest Manual on Work Area Traffic Control. LAMC 62.1-07	BOSS	(800) 996-2489
3	Care should be taken to not overflow concrete trucks during deliveries. If spills occur it is the responsibility of the concrete company to immediately provide clean up. LAMC 62.130.	BOSS	(800) 996-2489
4	Construction noise should be kept to a minimum with consideration of the surrounding neighbors and only during hours permitted. Unnecessary noise shall be kept below legal levels. LAMC 112.01, 112.03, 112.04, 112.05 (City of Los Angeles Noise Ordinance No. 144,331 and 161,574)	LAPD, LADBS, BOSS	311 or (323) -344-5701 (non-emergency) (800)-996-2489
5	Streets and sidewalks adjacent to construction sites shall be swept and free of construction debris at all times. LAMC 62.45 through 62.54.	BOSS	(800) 996-2489
6	Care should be taken to not interfere with trash pick-up by the Bureau of Sanitation. Construction and delivery vehicles are subject to trash pick-up parking restrictions. LAMC 80.69.	LADOT	(213) 485-4184
7	If building materials are to be stored in the public right of way, it shall be by permit from the Department of Public Works, Bureau of Street Services, Investigations and Enforcement Division and shall conform to all applicable rules. LAMC 62.45 through 62.54.	BOSS	(800) 996-2489

8	Comply with the following Permitted Construction/Demolition Hours. LAMC 41.40 Monday- Friday 7AM – 9 PM Saturday or National Holiday 8 AM – 6 PM Sunday No Work Permitted.	LAPD BOSS	(323) -344-5701 (800) 996-2489
9	The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.	LADBS	311
10	Compliance with provisions of the Southern California Air Quality Management District Rule 403 for dust and air pollution from construction activities.	SCAQMD	1-800-CUT SMOG
11	The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.	SCAQMD	1-800-CUT SMOG
12	In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.	SCAQMD	1-800-CUT SMOG

NOTE: Report a haul route violation online using this link:
<http://ladbs.org/services/core-services/inspection/inspection-special-assistance/haul-route-monitoring-program/haul-route-monitoring-program-complaint-form>

KEY:

- LADBS---Los Angeles Department of Building and Safety
- BOSS----Bureau of Street Services
- LADOT--- Los Angeles Department of Transportation
- LAPD--- Los Angeles Police Department
- SCAQMD--- Southern California Air Quality Management District

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. **Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment.** On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

CITY PLANNING
CITY OFFICE
CITY HALL, ROOM 272
SAN FRANCISCO, CA 94102

Representative: Jamie T. Hall Channel
Law Group
8383 Wilshire Boulevard Suite 750
Beverly Hills Ca 90211

NEEDPOSTAGE
12/28/2021
FIRST-CLASS MAIL
\$01.56
ZIP 90012
04111247898



Applicant Copy
 Office: Downtown
 Application Invoice No: 77681

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

Receipt Number:110122A44-75BBB8B5-A5E6-40D1-9206-5A71BB9C4AC9, Amount:\$194.34, Paid Date:01/11/2022

Applicant: BOULEVARD SAFETY COALITION, CRANE (323-2163567)
Representative:
Project Address: 466 N CRANE BLVD, 90065

NOTES:

ENV-2020-428-CE-1A			
Item	Fee	%	Charged Fee
Appeal by Person Other Than The Applicant *	\$158.00	100%	\$158.00
Case Total			\$158.00

Item	Charged Fee
*Fees Subject to Surcharges	\$158.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$158.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$4.74
City Planning Systems Development Surcharge (6%)	\$9.48
Operating Surcharge (7%)	\$11.06
General Plan Maintenance Surcharge (7%)	\$11.06
Grand Total	\$194.34
Total Invoice	\$194.34
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$194.34

Council District: 1
 Plan Area: Northeast Los Angeles
 Processed by CHAN, JASON on 01/11/2022

Signature: _____

Building & Safety Copy
 Office: Downtown
 Application Invoice No: 77681

City of Los Angeles
 Department of City Planning



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City Planning Request

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