

Impact?	Explanation	Mitigation Measures	
a.	<p>LESS THAN SIGNIFICANT IMPACT</p>	<p>Greenhouse gases (GHG) are those gaseous constituents of the atmosphere, both natural and anthropogenic (human generated), that absorb and emit radiation at specific wavelengths within the spectrum of terrestrial radiation emitted by the earth's surface, the atmosphere itself, and by clouds. The City has adopted the LA Green Plan to provide a citywide plan for achieving the City's GHG emissions targets, for both existing and future generation of GHG emissions. In order to implement the goal of improving energy conservation and efficiency, the Los Angeles City Council has adopted multiple ordinances and updates to establish the current Los Angeles Green Building Code (LAGBC) (Ordinance No. 179,890). The LAGBC requires projects to achieve a 20 percent reduction in potable water use and wastewater generation. As the LAGBC includes applicable provisions of the State's CALGreen Code, a new development project that can demonstrate it complies with the LAGBC is considered consistent with statewide GHG reduction goals and policies including AB32 (California Global Warming Solutions Act of 2006). Through required implementation of the LAGBC, the project would be consistent with local and statewide goals and polices aimed at reducing the generation of GHGs. Therefore, project impacts would be less than significant.</p>	
b.	<p>LESS THAN SIGNIFICANT IMPACT</p>	<p>The California legislature passed Senate Bill (SB) 375 to connect regional transportation planning to land use decisions made at a local level. SB 375 requires the metropolitan planning organizations to prepare a Sustainable Communities Strategy (SCS) in their regional transportation plans to achieve the per capita GHG reduction targets. For the SCAG region, the SCS is contained in the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The 2012-2035 RTP/SCS focuses the majority of job growth in high-quality transit areas and other opportunity areas on existing main streets, in downtowns, and commercial corridors, resulting in an improved jobs-housing balance and more opportunity for transit-oriented development. In addition, SB 743, adopted September 27, 2013,</p>	

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	<p>encourages land use and transportation planning decisions and investments that reduce vehicle miles traveled that contribute to GHG emissions, as required by AB 32. The proposed project would construct a residential project within close proximity to commercial uses and public transit (along Crenshaw Boulevard) and would not interfere with SCAG's ability to implement the regional strategies outlined in the 2012-2035 RTP/SCS. The proposed project, therefore, would be consistent with statewide, regional and local goals and policies aimed at reducing GHG emissions and would result in a less-than-significant impact related to GHG reduction plans.</p>	
<p>VIII. HAZARDS AND HAZARDOUS MATERIALS</p>		
<p>a.</p>	<p>LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would involve the temporary use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. Operation of the project would involve the limited use and storage of common hazardous substances typical of those used in residential developments, including lubricants, paints, solvents, cleaning supplies, pesticides and other landscaping supplies. No industrial uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal. As a residential development, the proposed project would not involve large quantities of hazardous materials that would require routine transport, use, or disposal. With compliance to applicable standards and regulations and adherence to manufacturer's instructions related to the transport, use, or disposal of hazardous materials, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, project impacts would be less than significant.</p>

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b.	NO IMPACT	<p>A significant impact would occur if the proposed project created a significant hazard to the public or environment due to a reasonably foreseeable release of hazardous materials. The existing structures on the subject property were built in 1940's and 1960's and therefore may contain asbestos-containing materials (ACMs) and lead-based paint (LBP). Demolition of these buildings would have the potential to release asbestos fibers into the atmosphere if such materials exist and they are not properly stabilized or removed prior to demolition activities. The removal of asbestos is regulated by SCAQMD Rule 1403; therefore, any asbestos found on-site would be required to be removed by a certified asbestos containment contractor in accordance with applicable regulations prior to demolition. Similarly, it is likely that lead-based paint is present in buildings constructed prior to 1979. Compliance with existing State laws regarding removal would be required. Therefore, project impacts would be less than significant.</p>	
c.	NO IMPACT	<p>Construction activities have the potential to result in the release, emission, handling, and disposal of hazardous materials within one-quarter mile of an existing school. The project site is not located within one-quarter mile of an existing school and is not anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste as part of the proposed project. Therefore, no impacts would result.</p>	
d.	NO IMPACT	<p>A significant impact would occur if the project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would create a significant hazard to the public or the environment. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. EnviroStor also provides information on investigation, cleanup, permitting, and/or corrective actions that are planned, being conducted, or have been completed</p>	

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	under DTSC's oversight. The project site has not been identified on EnviroStor. No evidence has been provided that toxic substances exist on the site. Therefore, no impacts would result.	
e. NO IMPACT	The project site is located approximately 8 miles northeast of Los Angeles International Airport. The project site is not located within an Airport Hazard site. Therefore, no impact would result.	
f. NO IMPACT	The project site is not located within two miles of a private airstrip. Therefore, no impacts would occur.	
g. LESS THAN SIGNIFICANT IMPACT	The proposed project would not require the closure of any public or private streets and would not impede emergency vehicle access to the project site or surrounding area. The project would be required to receive approval from LAFD, mitigation measures have been incorporated to further reduce the impacts to a less than significant level.	
h. NO IMPACT	A significant impact would occur if the proposed project exposed people and structures to high risk of wildfire. The project site is located in a highly urbanized area of the City. The area surrounding the project site is completely developed. Accordingly, the project site and the surrounding area are not subject to wildland fires. Therefore, the proposed project would not expose people or structures to a risk of loss, injury, or death involving wildland fires, and no impact would occur.	
IX. HYDROLOGY AND WATER QUALITY		
a. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project discharges water that does not meet the quality standards of agencies which regulate surface water quality and water discharge into stormwater drainage systems, or does not comply with all applicable regulations as governed by the Los Angeles Regional Water Quality Control Board (LARWQCB). The proposed project is the construction of 38 small lot homes. The proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) standards and the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the project site are minimized for downstream	

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	receiving waters. Therefore, the proposed project would result in less-than-significant impacts.	
b. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would substantially deplete groundwater or interferes with groundwater recharge. The project will require minimal grading; however, the project would be required to comply with Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2008-0032, National Pollutant Discharge Elimination System No. CAG994004) or subsequent permit. Potable water would be supplied by the Los Angeles Department of Water and Power (LADWP), which draws its water supplies from distant sources for which it conducts its own assessment and mitigation of potential environmental impacts. Therefore, the project would not require direct additions or withdrawals of groundwater. Therefore, project development would not impact groundwater supplies or groundwater recharge, and impacts will be less than significant.	
c. NO IMPACT	A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river so that erosion or siltation would result. There are no streams or rivers located in the project vicinity. Project construction would temporarily expose on-site soils to surface water runoff. However, compliance with construction-related BMPs and/or the Storm Water Pollution Prevention Plan (SWPPP) would control and minimize erosion and siltation. Therefore, the proposed project would result in less than significant impact related to the alteration of drainage patterns and on- or off-site erosion or siltation.	
d. NO IMPACT	A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river such that flooding would result. As discussed above, there are no streams or rivers located in the project vicinity. During project operation, storm water or any runoff irrigation waters would be directed into existing storm drains that are	

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	<p>currently receiving surface water runoff under existing conditions. Since the project site is almost entirely impervious, impermeable surfaces resulting from the development of the project would not substantially change the volume of storm water runoff in a manner that would result in flooding on- or off-site. Accordingly, significant alterations to existing drainage patterns within the site and surrounding area would not occur. Therefore, the proposed project would result in less than significant impacts related to the alteration of drainage patterns and on- or off-site flooding.</p>	
<p>e. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if runoff water would exceed the capacity of existing or planned storm drain systems serving the project site, or if the proposed project would substantially increase the probability that polluted runoff would reach the storm drain system. Accordingly, since the volume of runoff from the site would not measurably increase over existing conditions, water runoff after development would not exceed the capacity of existing or planned drainage systems. Therefore, the proposed project would result in less than significant impacts related to existing storm drain capacities or water quality</p>	
<p>f. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact may occur if a project includes potential sources of water pollutants that would have the potential to substantially degrade water quality. The proposed project does not include potential sources of contaminants, which could potentially degrade water quality and would comply with all federal, state and local regulations governing stormwater discharge. Therefore, no impact would occur.</p>	
<p>g. NO IMPACT</p>	<p>A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan, 100-Year & 500-Year Flood Plains, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. Therefore, no impact related to flood zones would occur.</p>	

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h.	NO IMPACT	A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan, 100-Year & 500-Year Flood Plains, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. Therefore, no impact related to flood zones would occur.	
i.	NO IMPACT	A significant impact would occur if the proposed project would be located within an area susceptible to flooding as a result of the failure of a levee or dam. The project site and the surrounding areas are not located within a flood hazard area. Accordingly, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding. Therefore, no impact related to flooding would occur.	
j.	NO IMPACT	A significant impact would occur if the proposed project would be located within an area susceptible to inundation by seiche, tsunami, or mudflow. The project site and the surrounding areas are not located near a water body or in an area where such potential exists. Therefore, the project would have no impact related to inundation by seiche, tsunami, or mudflow.	
X. LAND USE AND PLANNING			
a.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project would be sufficiently large enough or otherwise configured in such a way as to create a physical barrier within an established community. According to the City of Los Angeles CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors: (a) the extent of the area that would be impacted, the nature and degree of impacts, and the types of land uses within that area; (b) the extent to which existing neighborhoods, communities, or land uses would be disrupted, divided or isolated, and the duration of the disruptions; and (c) the number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project. The proposed project site is located within an urbanized area of the Wilshire Community Plan and is	

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	<p>consistent with the existing physical arrangement of the properties within the vicinity of the site. No separation of uses or disruption of access between land use types would occur as a result of the proposed project. Accordingly, implementation of the proposed project would not disrupt or divide the physical arrangement of the established community, and no impact would occur.</p>	
<p>b. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED</p>	<p>A significant impact may occur if a project is inconsistent with the General Plan or zoning designations currently applicable to the project site, and would cause adverse environmental effects, which the General Plan and zoning ordinance are designed to avoid or mitigate. The site is currently improved with commercial buildings and parking. The project site is located within the Wilshire Community Plan with a land use designation of Neighborhood Office Commercial. The site is zoned C2-1-O. The project does not propose any deviations from the Zoning Code. The proposed residential use is consistent with the zoning of the site. With the approval of the vesting tract map the project will be in compliance with the Zoning Code. Nevertheless, Objective 2.1 of the Housing Element aims to “promote safety and health within neighborhoods,” Objective 4.3 of the Air Quality Element aims to “ensure that land use plans separate major sources of air pollution from sensitive receptors such as schools, hospitals and parks,” and Objective 2 of the Noise Element aims to “reduce or eliminate nonairport related intrusive noise, especially relative to noise sensitive uses.” The project is located along Crenshaw Boulevard, a designed Avenue II which generates large amounts of pollution and noise. Therefore, the project’s location would conflict with the Housing Element’s objective to promote safety and health within neighborhoods; the Air Quality Element’s objective to separate major sources of air pollution from sensitive receptors; and the Noise Element’s objective to reduce nonairport related intrusive noise relative to noise sensitive uses. Incorporation of the mitigation measures would reduce</p>	<p>X-60</p>

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		project impacts to less than significant levels.	
c.	NO IMPACT	A significant impact would occur if the proposed project were located within an area governed by a habitat conservation plan or natural community conservation plan. The project site is not subject to any habitat conservation plan or natural community conservation plan. Therefore, no impact would occur.	
XI. MINERAL RESOURCES			
a.	NO IMPACT	A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value, or a locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits. The project site is currently designated for Neighborhood Commercial and not for mineral extraction. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.	
b.	NO IMPACT	A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value, or a locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits. The project site is currently designated for Neighborhood Office Commercial and not for mineral extraction. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.	
XII. NOISE			
a.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. Construction activity would result in temporary increases in ambient noise levels in the project area on an intermittent basis. Noise levels would	XII-20

Impact?	Explanation	Mitigation Measures
	<p>fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receptor, and presence or absence of noise attenuation barriers. In addition to mitigation measures imposed herein, the project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, which prohibit the emission of creation of noise beyond certain levels at adjacent uses unless technically infeasible.</p>	
<p>b. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED</p>	<p>Construction activities can generate varying degrees of vibration, depending on the construction procedures and the type of construction equipment used. High levels of vibration may cause physical personal injury or damage to buildings. However, vibrations rarely affect human health. The operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Unless heavy construction activities are conducted extremely close (within a few feet) to the neighboring structures, vibrations from construction activities rarely reach the levels that damage structures. However, with mitigation, the proposed project would result in a less-than-significant impact related to construction vibration.</p>	<p>XII-170</p>
<p>c. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the project caused a substantial permanent increase in noise levels above existing ambient levels. New stationary sources of noise, such as rooftop mechanical HVAC equipment, would be installed on the proposed development. The design of the equipment will be required to comply with LAMC Section 112.02, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of any other occupied properties by more than 5 dBA. Therefore, project impacts would be less than significant.</p>	

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d.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. Construction activity would result in temporary increases in ambient noise levels in the project area on an intermittent basis. Noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receptor, and presence or absence of noise attenuation barriers. In addition to mitigation measures imposed herein, the project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, which prohibit the emission of creation of noise beyond certain levels at adjacent uses unless technically infeasible.	XII-170
e.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the project were located within an airport land use plan area, or within two miles of any public or public use airports, or private air strips and its location would have the potential to result in a safety hazard for people residing in the project area. The project is located approximately 8 miles northeast of Los Angeles International Airport. However the project is not located within an airport land use plan or, where such a plan has not been adopted. Additionally the project site is not located within an airport hazard zone. The project proposed a total of 38 small lot homes, all three stories in height. As proposed, the project would have a less than significant impact.	
f.	NO IMPACT	The project site is not located within two miles of a private airstrip. Therefore, no impacts would occur.	
XIII. POPULATION AND HOUSING			
a.	LESS THAN SIGNIFICANT IMPACT	The project proposes to construct 38 small lot homes. The site is currently improved with a commercial buildings and surface parking. The project would induce a substantial population growth. However, the proposed density of the project is consistent with the land use designation and the zone of the property, as designated by the Wilshire Community Plan. The project site is located within an urban area of the City and is served by existing infrastructures. As proposed, the	

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	project would have a less than significant impact.	
b. NO IMPACT	The project site is developed with commercial buildings with no residential units and would not necessitate the construction of replacement housing elsewhere. No impacts will result.	
c. NO IMPACT	The project will not displace any existing residents. No impact will result.	
XIV. PUBLIC SERVICES		
a. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	<p>A significant impact would occur if the project requires the addition of a new fire station or the expansion, consolidation or relocation of an existing facility to maintain service. The LAFD generally considers fire protection services for a project adequate if a project is within the maximum response distance for the land use proposed. The subject property and the surrounding area are currently served by Fire Station 29, located at 4029 Wilshire Boulevard (approximately 1 mile north of the project site). The proposed project would result in an increase of 38 residential units, which could increase the number of emergency calls and demand for LAFD fire and emergency services. To maintain the level of fire protection and emergency services, the LAFD may require additional fire personnel and equipment. However, given the location of existing fire stations, it is not anticipated that there would be a need to build a new or expand an existing fire station to serve the proposed project and maintain acceptable service ratios, response times, or other performance objectives for fire protection. The project would neither create capacity or service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Nevertheless, incorporation of the mitigation measures would further reduce project impacts to less than significant levels.</p>	XIV-10

Impact?	Explanation	Mitigation Measures
b.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	XIV-20, XIV-30
c.	LESS THAN SIGNIFICANT IMPACT	
d.	LESS THAN SIGNIFICANT IMPACT	

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	<p>would result in a net increase of 38 units, which could result in increased demand for parks and recreation facilities. The proposed project would include common open space. This project feature would reduce the demand for park space created by the proposed project to less than significant levels. Nevertheless, payment of required impact fees by the proposed residential development per LAMC Section 17.12 would further offset some of the increased demand by helping fund new facilities, as well as the expansion of existing facilities. Therefore, the project would not create capacity or service level problems, or result in substantial physical impacts associated with the provision of new or altered parks facilities, and project impacts would be less than significant.</p>	
<p>e. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would result in substantial employment or population growth that could generate a demand for other public facilities, including libraries, which exceed the capacity available to serve the project site, necessitating new or physically altered public facilities, the construction of which would cause significant environmental impacts. The proposed project would result in an increase of 38 units, which could result in increased demand for other public facilities. While the increase in population as a result of the proposed project may create a demand for other public facilities, the project would not create substantial capacity or service level problems that would require the provision of new or physically altered public facilities in order to maintain an acceptable level of other government services. Therefore, project impacts would be less than significant.</p>	
<p>XV. RECREATION</p>		
<p>a. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would exceed the capacity or capability of the local park system to serve the proposed project. The project proposes to construct 38 small lot homes. . Additionally, the construction of the residential units will be required to comply with the payment of impact fees by the proposed residential development per LAMC Section 17.12. Therefore, the proposed project would not create capacity or service level problems, or</p>	

Impact?	Explanation	Mitigation Measures
	result in substantial physical impacts associated with the provision or new or altered parks facilities. Accordingly, the proposed project would result in a less than significant impact on park facilities.	
b. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would necessitate construction of new recreational facilities, which would adversely impact the environment, or require the expansion or development of parks or other recreational facilities in order to maintain acceptable service ratios, or other performance objectives for parks. The proposed project would not require the construction or expansion of recreational facilities beyond the limits of the project site. Although the proposed project would place some additional demands on park facilities, the increase in demand would be met through a combination of on-site amenities and existing parks in the project area. The project's increased demands upon recreational facilities would not in and of itself result in the construction of a new park, which might have an adverse physical effect on the environment. Therefore, project impacts would be less than significant.	
XVI. TRANSPORTATION/TRAFFIC		
a. LESS THAN SIGNIFICANT IMPACT	The proposed project involves the removal of commercial buildings and the construction of 38 small lot homes, which is less than the LADOT traffic study of 40 dwelling units. The project is not expected to significantly increase the traffic. Therefore, the project would have less than a significant impact.	
b. LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the adopted California Department of Transportation (Caltrans) and Los Angeles County Metropolitan Transportation Authority (Metro) thresholds for a significant project impact would be exceeded. The project involves the construction of 38 small lot homes, which is less than LADOT's traffic study threshold of 40 dwelling units. Therefore, the project would have a less than significant impact.	

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c.	NO IMPACT	A significant impact would occur if the proposed project changed air traffic patterns. The project is not located in an Airport Hazard area and would not affect air traffic patterns. Therefore, no impact would occur	
d.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if the proposed project design features/physical configurations affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists or the physical conditions of the site and surrounding area, such as curves, slopes, walls, landscaping or other barriers, which could cause vehicle/pedestrian, vehicle/bicycle or vehicle/vehicle conflicts. The project includes entrances to buildings which require cross vehicular paths of travel and would result in vehicle/pedestrian conflicts. Incorporation of the mitigation measures would reduce project impacts to less than significant level.	XVI-40
e.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if the project impaired implementation of or physically interfered with an adopted emergency response plan or emergency evacuation plan. Prior to the issuance of a building permit, the Fire Department would be required to review and approve plans. Additionally, with the implementation of mitigation measures, impacts would be less than significant.	XVI-80
f.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the project would conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of facilities supporting alternative transportation. The proposed project will comply with existing regulation as it relates to providing bicycle facilities. During the grading, demolition, and construction phases of the project there is the potential for pedestrian pathways to be blocked or closed. However, prior to closure of a sidewalk within the public right-of-way, the closure along with pedestrian protection would be required to be approved by the Bureau of Street Services and the Department of Building and Safety, pursuant to LAMC	

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Section 62.45 and 91.3306. Therefore, impacts would be less than significant.

XVII. UTILITIES AND SERVICE SYSTEMS

a.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. A significant impact would also occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. The proposed project is the construction of 38 small lot homes, the wastewater generated from the site would be typical of mixed use projects and would enter into and be treated at the Hyperion Treatment Plant (HTP). As the HTP is in compliance with the State's wastewater treatment requirements, the project would not exceed the wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQC). The wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Furthermore, all wastewater from the project would be treated according to requirements of the NPDES permit authorized by the LARWQCB. Therefore, the proposed project would result in a less than significant impact related to wastewater treatment requirements.</p>	
b.	LESS THAN SIGNIFICANT IMPACT	<p>LADWP conducts water planning based on forecast population growth. The construction, use, and maintenance of 38 small lot homes is not anticipated to directly induce population growth in the area. It is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2010 Urban Water Management Plan. Thus, it is anticipated that the proposed project would not create any water system capacity issues, and there would be sufficient reliable water supplies available to meet project demands. Prior to any construction activities, the project applicant would be required to coordinate</p>	

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	<p>with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would have a less than significant impact related to water or wastewater infrastructure.</p>	
<p>c. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would increase surface water runoff, resulting in the need for expanded off-site storm water drainage facilities. Development of the proposed project would maintain existing drainage patterns; site-generated surface water runoff would continue to flow to the City's storm drain system. Since the project site is developed with buildings and a surface parking lot, impermeable surfaces resulting from the development of the project would not significantly change the volume of storm water runoff. Accordingly, since the volume of runoff from the site would not measurably increase over existing conditions, the proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would result in a less-than-significant impact related to existing storm drain capacities.</p>	
<p>d. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. A significant impact would also occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. Wastewater from the subject property would enter into and be treated by the Hyperion Treatment Plant (HTP), which is a part of the Hyperion Treatment System, which includes the Tilman Water Reclamation Plant and the Los Angeles–Glendale Water Reclamation Plant. The wastewater generated by the project would be typical of residential</p>	

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	<p>uses. As the HTP is in compliance with the State's wastewater treatment requirements, the project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Furthermore, as a proportion of total average daily flow experienced by the HTP, the wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Therefore, project impacts would be less than significant.</p>	
<p>e. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. A significant impact would also occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. Wastewater from the subject property would enter into and be treated by the Hyperion Treatment Plant (HTP), which is a part of the Hyperion Treatment System, which includes the Tilman Water Reclamation Plant and the Los Angeles–Glendale Water Reclamation Plant. The wastewater generated by the project would be typical of residential uses. As the HTP is in compliance with the State's wastewater treatment requirements, the project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Furthermore, as a proportion of total average daily flow experienced by the HTP, the wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Therefore, project impacts would be less than significant.</p>	

Impact?	Explanation	Mitigation Measures
f.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste generated during the operation of the proposed project is anticipated to be collected by private waste haulers. Solid waste collected from the proposed project is anticipated to be hauled to Sunshine Canyon Landfill. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the Sunshine Canyon Landfill. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.</p>
g.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste generated during the operation of the proposed project is anticipated to be collected by private waste haulers. Solid waste collected from the proposed project is anticipated to be hauled to Sunshine Canyon Landfill. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the Sunshine Canyon Landfill. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.</p>
 XVIII. MANDATORY FINDINGS OF SIGNIFICANCE		

Impact?	Explanation	Mitigation Measures	
a.	NO IMPACT	Based on the analysis in this Initial Study, the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The proposed project will not disturb the existing physical conditions on the site in this urban environment. Therefore, no impact would result.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but significant when viewed together. Although projects may be constructed in the project vicinity, the cumulative impacts to which the proposed project would contribute would be less than significant. In addition, all potential impacts of the proposed project would be reduced to less than significant levels with implementation of the mitigation measure provided in the previous sections. None of these potential impacts are considered cumulatively considerable, and implementation of the mitigation measures identified will ensure that no cumulative impacts will occur as a result of the proposed project.	
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and mitigation measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of the mitigation measure identified, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly	

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

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

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT 10
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PROJECT TITLE DIR-2018-2029-TOC	LOG REFERENCE ENV-2018-2030-CE
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PROJECT LOCATION
1251 South West Boulevard

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
Construction of a new multi-family residential building with a total of 20 units, with 3 units set aside for very low income families.

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

CONTACT PERSON Aaron Belliston, BMR Enterprises	AREA CODE 323-839-4623	TELEPHONE NUMBER	EXT.
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EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1
Class <u>32</u> Category _____ (City CEQA Guidelines)		
<input type="checkbox"/> OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.	

JUSTIFICATION FOR PROJECT EXEMPTION:

PROJECT DESCRIPTION

The project site is currently improved with three one-story residential structures and a garage. The project involves the construction, use, and maintenance of a five-story over parking level, 56-foot high, 19,076 square-foot multi-family residential building. The project will include 20 residential dwelling units with three units set aside for Very-Low Income Households. The project proposes to provide parking within one at grade parking garage (totaling 16 vehicular parking spaces) The project will also provide 22 bicycle parking spaces.

The subject property is located at 1251 South West Boulevard (1253, 1255 West Boulevard and 4506 West Dockweiler Street) and is composed of one parcel totaling 9,859 square-feet of area. The site has a frontage of approximately 125 feet on the south side of Dockweiler Street and 73 feet on the west side of West Boulevard. The project site is located within the Wilshire Community Plan and has a land use designation of Medium Residential. The project site is zoned R3-1 and is located within a designated Transit Priority Area and Transit Oriented Communities Tier 2.

The project involves a Transit Oriented Communities Approval to permit 13 base units and 7 additional units through the Transit Oriented Communities Program, for a total of 20 Units The applicant has requested three (3) additional incentives for the following: 1) one additional story and up to 11 additional feet in lieu of 45-foot height maximum 2) a reduced front yard setback of 12 feet in lieu of 15 feet required; 3) 20 percent reduction in required open space and any addition actions including but not limited to, tree removal, demolition, grading, excavation, haul route, and building permits. Removal of street trees are subject to the review and approval by the Board of Public Works, Urban Forestry Division.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following five applicable conditions: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

- (a) The proposed project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations. The Wilshire Community Plan Map designates the property for Medium Residential land uses with a corresponding zone of R3. The site is zoned R3-1, which permits 1 dwelling unit per 800 square feet of lot area, which allows up to 13 dwelling units based on the size of the site. The subject Transit Oriented Communities ("TOC") density bonus allows the proposed 20 units with 3 units set aside for Very Low-Income ("VLI") residents.

The Wilshire Community Plan establishes the following Goals, Objectives, and Policies that relate to the proposed project:

- Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.
- Objective 1-2: To reduce vehicular trips and congestion by developing new housing in proximity to regional and community shopping centers, subway stations, and existing bus route stops.
- Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped, and senior citizens. .

The project involves the construction, use, and maintenance of a five-story, 56-foot high, 19,076 square-foot multi-family residential building. The project will include 20 residential dwelling units with three units set aside for Very-Low Income Households. The project includes eight one-bedroom units, and 12 two-bedroom units. The project proposes to provide parking within an at-grade garage (totaling 16 vehicular parking spaces and 22 bicycle parking spaces). The project will result in an overall net gain of 16 units at the site, thus resulting in an overall increase in residential units in the Wilshire Community Plan area. The project site is located within a Tier 2 TOC area, meaning that the project site is located within close proximity to frequent transit service, thereby having the potential to reduce trips and congestion. The project will also provide three units reserved for very low income households along with 17 market rate units. Thus, the project will provide additional housing the plan area at a variety of price points and unit types, which is consistent with the general plan and applicable policies.

- (b) The proposed development occurs within city limits on a project site no more than five acres substantially surrounded by urban uses. The proposed development is wholly within the City of Los Angeles and is on a 0.22 acre site (i.e., less than five acres). The project site is surrounded by urban uses within an urban area; and not located in a farmland or agricultural designated area. The neighborhood is fully built out with a variety of development including single and multi-family uses and this proposed project will be consistent with the developments in the area, in compliance with subsection b.
- (c) The project site has no value as habitat for endangered species, rare, or threatened species. The project is located within an established, fully developed primarily residential and commercial neighborhood in close proximity to Pico Boulevard and Crenshaw Boulevard. Further, no protected trees are proposed for removal from the project site.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

In regards to traffic, a significant impact may occur if the project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The project is the construction of a 20 residential unit multi-family unit structure on an existing site that is presently improved with four residential units. According to the Los Angeles Department of Transportation (LADOT) Traffic Study Exemption Thresholds a project resulting in the development of less than 36 apartment units is not required to prepare a traffic study as any traffic impacts related to the project will be minimal.

In regards to noise, construction activities can generate varying degrees of noise and vibration, depending on the construction procedures and the type of construction equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Unless heavy construction activities are conducted extremely close (within a few feet) to the neighboring structures, vibrations from construction activities rarely reach the levels that damage structures. Additionally, new stationary sources of noise, such mechanical HVAC equipment, would be installed on the proposed development. The design of the equipment will be required to comply with LAMC Section 112.02 and 112.05, which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five dBA. In addition, the project would be required to comply with LAMC Section 41.40, which requires limitations imposed on construction activities. With implementation of the regulations that address construction activities and mechanical equipment, the project would result in a less than significant impact related to construction and operational vibration and noise.

In regards to air quality, a significant air quality impact may occur if a project is not consistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of the AQMP. The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. The proposed project is not expected to conflict with or obstruct the implementation of the AQMP and SCAQMD rules. The proposed project is also subject to the City's Green Building Program Ordinance (Ord. No. 179,890), which was adopted to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional and global ecosystems.

In regards to water quality, a significant impact would occur if the project would: 1) exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB), 2) increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded, or 3) increase surface water runoff, resulting in the need for expanded off site storm water drainage facilities. All wastewater from the project would be treated according to requirements of the NPDES permit authorized by the LARWQCB. Therefore, the proposed project would result in a less than significant impact related to wastewater treatment requirements. Additionally, prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would not result in a significant impact related to water or wastewater infrastructure. Lastly, development of the proposed project would maintain existing drainage patterns; site generated surface water runoff would continue to flow to the City's storm drain system. The proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would not result in a significant impact related to existing storm drain capacities.

- (e) The proposed project has been reviewed by City staff, and can be adequately served by all required utilities and public services. The project site will be adequately served by all required public utilities and services given that the site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the net addition of 16 residential dwelling units. Based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Exemption.

CEQA SECTION 15300.2: EXCEPTIONS TO THE USE OF CATEGORICAL EXEMPTIONS

The City has further considered whether the proposed project is subject to any of the six exceptions set forth in State CEQA Guidelines Section 15300.2, that would prohibit the use of any categorical exemption. None of the exceptions are triggered for the following reasons:

- A. **Location.** *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

Based on a review of the data reported on the Department of City Planning's ZIMAS for the subject property, the site is not located within an Airport Hazard Area, Coastal Zone, Farmland Area, Flood Area, High Wind Velocity Area, Oil Well Area, Landslide Zone, Very High Fire Hazard Severity Zone, Special Grading Area, Tsunami Inundation Zone, or Preliminary Fault Rupture Study Area. According to ZIMAS, the project site is not located within the Alquist-Priolo Fault Zone and is within 3.02 kilometers of the nearest known fault (Puente Hills Blind Thrust). As such, exception (a) does not apply.

- B. **Cumulative Impact.** *The exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.*

The project is the construction of residential units in an area previously developed and surrounded by commercial and residential uses. The project is entirely consistent with the existing General Plan designation and zoning. The succession of multi-family residential projects developed to the permitted density, floor area, and height, and constructed pursuant to applicable building code requirements will not result in cumulative impacts. The project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, habitat, noise, air quality, or water quality and therefore will not make a considerable contribution to any significant cumulative traffic, air quality, or noise impacts. Therefore, impacts under this category will be less than significant.

- C. **Significant Effect Due To Unusual Circumstances.** *This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.*

The project proposes to construct a new, 20-unit, residential affordable housing development in an area zoned and designated for such development. Neighboring properties are developed with multi-family and commercial, and public facilities structures, and the subject site is of a similar size to nearby properties. The height and density are also permitted by the zone through the Affordable Housing Incentive Program. There are no special districts or other known circumstances that indicate a special or sensitive surrounding environment. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- D. **Scenic Highways.** *This exception applies when, although the project may otherwise be exempt, there may be damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

Based on a review of the California Scenic Highway Mapping System (http://www.dot.ca.gov/hq/LandArch/16Livability/scenic_highways/), subject site is not located along a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. Based on this, the proposed project will not result in damage to scenic resources including trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

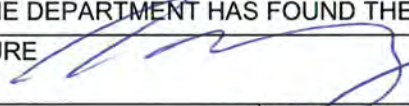
- E. **Hazardous Waste Sites.** *Projects located on a site or facility listed pursuant to California Government Code 65962.5.*

Based on a review of the California Department of Toxic Substances Control "Envirostor Database" (<http://www.envirostor.dtsc.ca.gov/public/>), no known hazardous waste sites are located on the project site. In addition, there is no evidence of historic or current use, or disposal of hazardous or toxic materials at this location. Based on this, the project will not result in a significant effect due hazardous waste and this exception does not apply.

- F. **Historical Resources.** *Projects that may cause a substantial adverse change in the significance of an historical resource.*

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, or the Los Angeles Historic-Cultural Monuments Register. 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.

In conclusion, since the project meets all of the requirements of the categorical exemption set forth at CEQA Guidelines, Section 15303 and none of the applicable exceptions to the use of the exemption apply to the project, it is appropriate to determine this project is categorically exempt from the requirements of CEQA.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.			
SIGNATURE 		TITLE CITY PLANNER	DATE 8/7/18
FEE: \$2,280.00	RECEIPT NO. 0302114761	REC'D. BY	DATE

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

IF FILED BY THE APPLICANT:

NAME (PRINTED) _____

SIGNATURE _____

DATE _____

[Home](#) [Table of Contents](#)**§ 15268. Ministerial Projects.**

14 CA ADC § 15268

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality
Act

Article 18. Statutory Exemptions

14 CCR § 15268

§ 15268. Ministerial Projects.

(a) Ministerial projects are exempt from the requirements of CEQA. The determination of what is “ministerial” can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis.

(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Approval of individual utility service connections and disconnections.

(c) Each public agency should, in its implementing regulations or ordinances, provide an identification or itemization of its projects and actions which are deemed ministerial under the applicable laws and ordinances.

(d) Where a project involves an 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.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section

1141-1145 Crenshaw Follow-up

CPC-2020-516-DB-PSH-SIP
EXHIBIT 9B

From: Hagu Solomon-Cary (hagu.solomon-cary@lacity.org)

To: vcarville@ymail.com

Cc: james.harris@lacity.org

Date: Tuesday, May 19, 2020, 10:58 AM PDT

Hi Virginia,
I hope this email finds you healthy and well.

I'm circling back with you to follow up on the emails we exchanged late last year regarding the property at 1141-1145 Crenshaw.

Upon completing our research on the land use history of the subject property, we determined that the correct zone is R3 based on Ordinance No. 165,331 Subarea 9670 and not CR. ZIMAS was corrected to reflect the R3 zone and as such the applicant is in the process of withdrawing the previous case number (DIR-2019-4049-TOC/ENV-2019-4050-EAF). The applicants have reapplied under case no. CPC-2020-516-DB-PSH-SIP which has a different entitlement path but is effectively the same project with regards to design, layout and unit count.

I presume you received the hearing notice when it went out but in case you didn't, I wanted to provide it for you here (attached).

I've cc'd Jim Harris on this email as he is the Project Planner for the case. In the event you have any questions, please reach out to him.

Sincerely,
Hagu



Hagu Solomon-Cary, AICP
Senior City Planner
Los Angeles City Planning

200 N. Spring St., Room 621
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1361 | Main: (213) 978-1160



CPC-2020-516 Hearing Notice 05.12.2020 FINAL.pdf
140.8kB

2 sides

APPLICANT

CPC-2020-516-DB-PSH-SIP

EXHIBIT 10

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

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

Signature: Monique Hastings
 Print Name: Monique Hastings

Date: 1/25/19

Re: 4200 Crenshaw Blvd./ Domas Development


CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

From: James Harris (james.harris@lacity.org)

To: vcarville@ymail.com

Cc: hagu.solomon-cary@lacity.org

Date: Tuesday, May 26, 2020, 7:51 AM PDT

 This message contains blocked images. [Show images](#) or [Always show images](#)

Good morning Virginia,

I hope you had a nice Memorial Day Weekend.

To answer your question from Friday regarding the zone change:

The zone and land use information correction in ZIMAS was finalized in February 2020.

1145 S Crenshaw, APN 5082026013 Map Book 12-141 Lot FR 40 ARB 2, has a split zone.

The zoning and land use is: R1-1-O Low II Residential for the rear of the property and R3-1-O Medium Residential for the front of the property.

I have included a map of the project site with the correct zoning from ZIMAS below.

To answer your question about what is CPC-2020-516-DB-PSH-SIP:

This is the case number of the project. **Once the zoning discrepancy was discovered the applicant requested that initial project application be withdrawn. The applicant then reapplied for the project in 2020.**

CPC - This indicates that the case is going before the City Planning Commission.

2020 - The year the case was filed.

516 - The order/sequence number that the case was filed in 2020.

DB - This indicates the case is for a Density Bonus.

PSH-SIP - This means the case is a Priority Supportive Housing and a Streamline Infill Project under Assembly Bill 2162.

Regarding your query about the submissions procedures listed in Hearing Notice:

For Initial Submissions, these are not limited as to volume and must be received by the Commission Executive Assistant no later than by 4:00 p.m. on the Monday prior to the week of the Commission meeting. So for the June 11th CPC meeting, that date would be June 1st. Materials must be emailed to cpc@lacity.org. For Secondary Submissions in response to a Staff Recommendation Report or additional comments must be received electronically no later than 48-hours before the Commission meeting. Submissions shall not exceed ten (10) pages, including exhibits, and must be submitted electronically to cpc@lacity.org. Photographs do not count toward the page limitation.

For Day of Hearing Submissions within 48 hours of the meeting, up to and including the day of the meeting are limited to 2 pages plus accompanying photographs and must be submitted electronically to cpc@lacity.org. Submissions that do not comply with these rules will be stamped "File Copy. Non-Complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission, and will not be included in the official administrative record for the item at issue.

In order to view the case file:

Please call the Records Management front counter at (213) 847-3753 and they can schedule an appointment for you to view the case during office hours. You can also email Records Management at planning.recordsmgmt@lacity.org.

Alternatively, you can also request an appointment on the Planning website under the Development Services tab (make sure they choose "**Records Management, 221 N Figueroa**" and "**Reviewing and Retrieving Records/Case Files**")

After setting up the appointment you will need a mask to get into the building, and you will need to let lobby security know you have an appointment with Records Management.

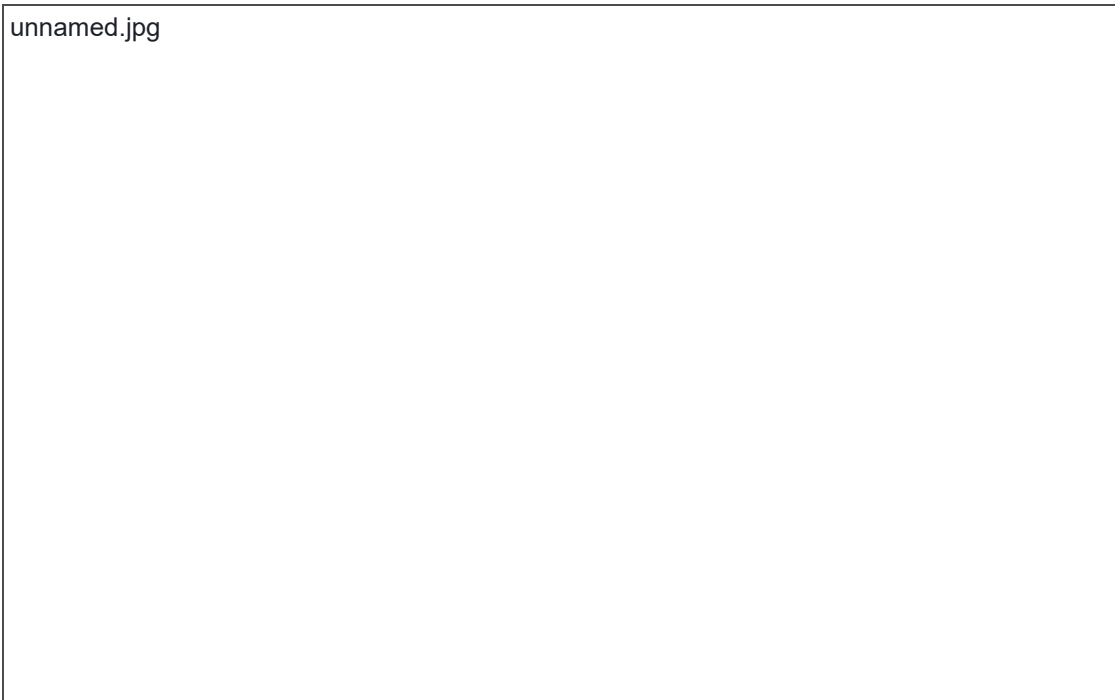
Do have a very nice day.

CPC-2020-516-DB-PSH-SIP

EXHIBIT 11

Jim

unnamed.jpg



Jim Harris
Central Project Planning
Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

<https://planning.lacity.org/>

T: (213) 978-1241



On Mon, May 25, 2020 at 5:22 PM Virginia J. <vcarville@ymail.com> wrote:

Good Evening James,

I was reviewing the Notice of Public hearing, and I'm a bit confused by the submission procedures for the project.

What is the difference between a regular submission and a secondary submission? If I submit a response under 10 pages, what is the latest date it will be accepted by the city?

Thank you,
Virginia Jauregui

On Friday, May 22, 2020, 8:05:17 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Also please explain what CPC-2020-516-DB-PSH-SIP

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

What kind of document is this?

On Friday, May 22, 2020, 4:29:20 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Greetings James,

I previously contacted Hagu in November 2019, although he promised to let me know what was happening in the change of zoning regarding this location, no one notified me until the public hearing notice was sent out.

Nuri said the zone was changed in August 23 2019, but then Hagu in November said it wasn't. What was the final determination regarding the zoning of Lots 39 Arb 2 and FR 20 ARB 2?

Thank you,
Virginia

On Friday, November 15, 2019, 2:39:31 PM PST, Virginia J. <vcarville@ymail.com> wrote:

ok, much thanks...

On Thursday, November 14, 2019, 3:57:09 PM PST, Hagu Solomon-Cary <hagu.solomon-cary@lacity.org> wrote:

Hi Virginia,
My apologies for the delayed response.
We are still researching the matter but I want to clarify for you that the City did not change the zoning to R3 in August.
Once a conclusion has been made on the zoning, I'll be sure to let you know.
At this point the case is still on hold.

Thank you, kindly.
Hagu



Hagu Solomon-Cary, AICP
City Planner
Los Angeles City Planning
200 N. Spring St., Room 621
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1361 | M: (213) 978-1160



On Thu, Nov 14, 2019 at 3:10 PM Virginia J. <vcarville@ymail.com> wrote:

Good Afternoon,

I am following up regarding the issue of zoning for 1141-1145 S. Crenshaw, which is slated for future PSH housing against the concerns of the neighborhood. The city changed the zoning for 1145 S Crenshaw to R3

in August 2019, and used 30 year old ordinance 165331-2015-16-9670 to justify it. Now Nuri is saying that you guys are researching it, and Exhibit 1 haven't made a determination. **Does that mean Domas' project is on hold because you all haven't made a determination yet on the project?**

According to Zimas the tract for 1145 S Crenshaw is credited to the Oxford Square tract not Benton Terrace.

On page 158 of ordinance 165331 Subarea 9670, which Nuri states is the reason for the zoning change:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

I'm just a little perplexed because the language in the ordinance doesn't seem to cover 1145 S Crenshaw.

Will 1145 S Crenshaw be changed to R3 as indicated in the August 23, 2019 letter?

Thank you,
Virginia Jauregui

On Thursday, November 7, 2019, 5:22:00 PM PST, Virginia J. <vcarville@ymail.com> wrote:

Hi Hagu,

Nuri told me you are now assigned to 1141-1145 S Crenshaw, and are the new supervisor over the priority housing unit.

From Nuri's email below she states the following:

"ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research."

I looked at page 158 where Subarea 9670 is located, it states:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

According to Zimas the tract for 1141 S. Crenshaw is credited to the Monclair tract, while 1145 S Crenshaw is credited to the Oxford tract. These are numbered lots 39 and 40. How does 9670 cover this situation?

Would you be able to explain how a a tract credited to Benton Terrace tract is related to this project? I am also unfamiliar with Cadastral maps, would you be able to tell me where I can find these?

Developers are desperate to figure out how to pay off that money they owe to the banks for all their big, crumby and expensive projects. They will NEVER be able to pay back to the banks what they owe, without figuring out some gimmick to bamboozle the people to pay for it. Will the people of this city support HHH projects when they realize they require no traffic or environmental studies, and the people behind these projects who get millions in public funds remain anonymous?

I can't help to see the similarities between the City of LA and San Francisco. When San Francisco was destroyed in 1906, it wasn't the earthquake that did it, but the faulty infrastructure that failed to work cause it was built by the friends of elected officials.

With affordable housing estimated at 550,000 a unit, why not retrofit already existing spaces of empty commercial structures for apartment use?

Is it true that large apartments don't have to report vacancies in LA? How many units of housing have been built in downtown, and how many currently remain empty.

http://clkrep.lacity.org/onlinedocs/1984/84-1750-S6_ORD_165331_01-14-1990.pdf

Sincerely,
Virginia Jauregui

On Tuesday, November 5, 2019, 1:29:55 PM PST, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Apologies for the delay in response. We are currently in the process of researching the zoning and land use history of the subject property to determine the correct zone. ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research.

Case No. VTT-73424 has been approved already on August 4, 2016. If you'd like more information on this case, please contact Jordann Turner at Jordann.Turner@lacity.org.

On Tue, Nov 5, 2019 at 12:02 PM Virginia J. <vcarville@ymail.com> wrote:

Good afternoon,

I am following up with you regarding the email sent to you regarding the case. CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

I am seeking clarification on 1141-1145 S. Crenshaw as requested previously.

I also asked to whom vtt-73434 is currently assigned? Please let me know.

Thank you,
Virginia Jauregui

On Saturday, October 26, 2019, 8:06:25 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Hi Nuri,

Thank you for the response.

Is the Dept. of City Planning taking steps to close the case, since the documents related to Solaris haven't been changed as requested in your 8/23 letter, when you revised the area's zoning?

I am confused by the statement "if the zone changes to R3". Are you speaking generally? Or does this statement apply to 1141-1145 S Crenshaw which according to the City is now R3-1-O as of August 23 2019?

According to Domas' presentation, Jenesse Center is partnering with them and will be providing services at this location. It's unclear what types of services Jenesse plans to provide at 1141-1145, but according to its website it provides Emergency Shelter, Counseling, Legal Services, Education and Health Services. <https://jenesse.org/> Can a non-profit like Jenesse provide services in an R3-1-O zone?

I have included the language of AB 1197 here. The two requirements Domas would be required to have is 1. that their project meet the requirements of permanent supportive housing and 2. be a recipient of "general bond obligations issued pursuant to Proposition HHH". According to the representative, they have already been awarded 15 million dollars in city and county funding.

Why would an anonymous developer like Domas LLC request discretionary action, if as one of the largest developers of PSH housing in the state, is being awarded Prop HHH funds which exempts their homeless shelters and Permanent Supportive Housing from CEQA, and they are working with a Dept. of City Planning that is willing to bend law, as shown by the Mitigated Negative Declaration for the C3 luxury subdivision project which claimed the subdivision was not in a flood zone, when it would be located in a federal AO Flood Zone a few doors

down from where Solaris is planned, which is behind the PSH small single family homes.

OPC-2020-516-DB-PSH-SIP
EXHIBIT 11

Would you please let me know who is assigned VTT-73424 so I can follow up with what happened to C3 Luxury Subdivision?

Thank you,
Virginia Jauregui

On Wednesday, October 23, 2019, 5:18:02 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hello Virginia,

The plans that are in the case file do not show that the applicant is proposing commercial uses on the ground floor.

The applicant has not submitted revised documents as of today. Regarding the AO Flood Zone, the project is subject to regulatory compliance measures, including the City's Specific Plan for the Management of Flood Hazards Ordinance No. 172,081, to avoid or reduce flood impacts.

CEQA applies to all discretionary projects, so if the zone changes to R3, the project would still be subject to CEQA if it requests discretionary actions. The applicant has not requested the use of AB 1197 as of today. Please note that if the applicant wishes to utilize AB 1197 for the Statutory Exemption from CEQA, the applicant will need to demonstrate consistency with the two criteria set forth in AB 1197.

Best,

On Sat, Oct 19, 2019 at 11:43 AM Virginia J. <vcarville@ymail.com> wrote:

Good Day Nuri,

I am coming to you after Domas came to the OPNC meeting on October 9, regarding the Solaris permanent supportive housing project.

On August 23, you stated to Domas they had 30 days to revise their project as their property location was not in C2-1-O, but was in R3-1-O. Does R3 allow for a commercial first floor which Jenesse and KYCC, the non profits tied to the project, will be using?

Did Domas revise their project to reflect the new R3 zoning and the AO Flood Zone as you requested? Or will they need city flood studies for construction in this area?

Also, PSH housing does not need an environmental or traffic study, however Domas at the OPNC meeting stated they were in the process of completing a CEQA. Would the CEQA still be valid if the zoning was changed to R3-1-O, and AB 1197 no longer requires PSH housing in the City of Los Angeles to have a CEQA?

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

Thank You,

Virginia Jauregui

On Tuesday, September 24, 2019, 4:57:20 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

I will be at the CPC meeting on Thursday, September 26th at 10 am, but will leave the case file at the front desk in City Hall Room 621 for you to review.

On Tue, Sep 24, 2019 at 4:33 PM Virginia J. <vcarville@ymail.com> wrote:

Thursday at 10am please...

On Tuesday, September 24, 2019, 03:54:41 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

When would you like to come in?

On Tue, Sep 24, 2019 at 3:40 PM Virginia J. <vcarville@ymail.com> wrote:

Yes, please.

On Tuesday, September 24, 2019, 03:32:29 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Did you want to review the case file for 1141 Crenshaw again? There are no additional documents since you reviewed the case file on September 19th.

On Tue, Sep 24, 2019 at 3:29 PM Virginia J. <vcarville@ymail.com> wrote:

I would also like to look at the Domas File 1141-1145 Crenshaw Blvd in addition to Amani Apartment's Senior housing.

Anyway I can arrange this for Thursday at 10am?

On Tuesday, September 24, 2019, 02:54:56 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

It's the file for Amani Apartments LLC PAR-2019-218-TOC.

On Tuesday, September 24, 2019, 01:26:47 PM PDT, Norali Martinez <norali.martinez@lacity.org> wrote:

Hello Virginia,

I'm not sure what case file you are referring to. Do you have an actual case number?

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

[CitySeal.png](#) **Norali Martinez** | City Planning Associate

Department of City Planning
Housing Services Unit
T: (213) 202-5441 | **F:** (213) 482-7080
201 N. Figueroa St., 5th Floor
Los Angeles, CA. 90012

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On Tue, Sep 24, 2019 at 9:36 AM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Norali,

I would like view the file for 4200 Crenshaw Blvd, I believe the developer is Amani Apartments. I have been told this file is with you.

Please let me know if I can come and examine the file on Thursday at 10am.

best regards,

Virginia Jauregui

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[CitySeal.png](#) **Nuri Cho**
Central Project Planning Division
Department of City Planning
200 N. Spring St., Room 621
Los Angeles, CA. 90012
T: (213) 978-1177

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[CitySeal.png](#) **Nuri Cho**
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CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

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[CitySeal.png](#)

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unnamed.jpg
161.2kB

Re: 1141-1145 Crenshaw Follow-up

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

From: James Harris (james.harris@lacity.org)

To: vcarville@ymail.com

Cc: hagu.solomon-cary@lacity.org

Date: Thursday, May 28, 2020, 3:09 PM PDT

Good afternoon Virginia

Below are the responses to your questions.

I hope you have a nice weekend.

Jim

In regards to the request to look at the file, I'm surprised its not with you, especially when its going to be heard in front of the advisory agency in two weeks

The City of Los Angeles has initiated protocols in response to the COVID-19 crisis. As a result, all requests to view project files are currently handled by the Records Management team. Please call (213) 847-3753 to schedule an appointment.

When did lot 40/lot 39 - 1145 S. Crenshaw Blvd change from CR/R1 to R3?

Who approved the change? Was a document issued to reflect this? Do you have an electronic copy you may provide me?

Does 1145 S. Crenshaw still include a R1 1 O designation or is the R1 1 O designation at 1141 S. Crenshaw?

Does 1145 S. Crenshaw still include a R1 1 O designation or is the R1 1 O designation at 1141 S. Crenshaw?

Isn't the city required to have a public hearing regarding zoning changes?

Ordinance 165,331 was approved by the City Council and became effective in 1990. This Ordinance changed the CR-1-O Zone to R3-1-O for the property located at 1145 S. Crenshaw Blvd. This document can be found at the LACityClerk Connect website under Council File 84-1750-S6 located at: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm>. The portion of the Ordinance that references 1145 S. Crenshaw Blvd is listed under Subarea 9760 on page 158.

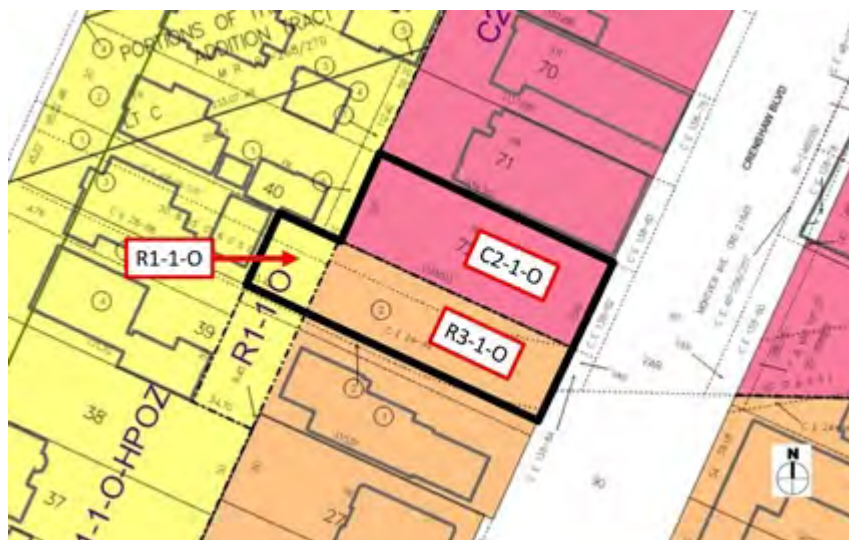
The City's General Plan Land Use Element, the Wilshire Community Plan, does show the correct zoning for the site. When the applicant applied to develop this site it was found that the City's ZIMAS database had not been updated to reflect the R3-1-O zoning. Based on research by City Planning Staff, the subarea location/legal description was found to have been erroneously left off for a portion of the properties located at 1145 South Crenshaw Boulevard (Lot FR 40 Arb 2, Oxford Square Tract-APN 5082026013); however, the Wilshire map attached to Ordinance 165,331, Subarea 9670 does include the subject property. The ZIMAS map showed the zone of a portion of the property as CR-1-O; however, the correct zone should have been R3-1-O, consistent with Subarea 9670 of Ordinance 165,331 and consistent with the Wilshire Community Plan. After the discrepancy was

discovered, City Planning issued a technical correction to ZIMAS to reflect the proper zoning as shown in the Wilshire Community Plan. As a result of this the applicant requested that their case be withdrawn, and then they reapplied for a project under the correct zoning.

There was no change in zoning for this site, only a correction to the ZIMAS database.

The Wilshire Community Plan may be found at the following link: <https://planning.lacity.org/plans-policies/community-plan-area/wilshire>.

The rear portion of 1145 S. Crenshaw Blvd. retains the R1-1-O zoning as shown in the image below:



The proposed project does not use the R1-1-O Zoned portion of the site for development, this portion of 1145 S. Crenshaw Blvd is proposed to be landscaped only.

Is Domas Development still the applicant on this project?

1141 Crenshaw LP, affiliated with Domus Development LLC, is the applicant.

What flood studies have been completed on this property so far?

No flood studies are required for this project. The site is located in an AO Flood Zone which is subject to regulatory compliance measures, including the City of Los Angeles' Specific Plan for the Management of Flood Hazards, Ordinance Number 172,081, to avoid or reduce flood impacts.

Also, why is this property considered a ministerial project if Domas previously paid for the application of TOC and an Initial Study in 7/2019? This shows the city viewed this as a discretionary project.

Wouldn't the acceptance by Building and Safety of payment by Domas in 7/2019 show that the city viewed this as a project subject to discretionary review?

What changed during this time to make it ministerial, could it be the addition of the R3 zone when none existed and the ordinance you use does not pertain to this property to legally allow it to be changed in Zimas.

There was no change in zoning for this site, only a correction to the ZIMAS database to reflect the zoning pursuant to Ordinance 165,331 and as shown in the Wilshire Community Plan.

CPC-2020-516-DB-PSH-SIP

In 2019 the applicant applied for a Transit Oriented Communities project. When the discrepancy between the Wilshire Community Plan and ZIMAS was discovered, the applicant requested the project be withdrawn. The applicant then reapplied for a project under the zoning as shown in the Wilshire Community Plan.

The applicant has applied for a ministerial project review as a Priority Supportive Housing Streamline Infill Project under State Assembly Bill 2162 for case No. CPC-2020-DB-PSH-SIP, which is what makes the project ministerial.



Jim Harris
Central Project Planning
Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

<https://planning.lacity.org/>

T: (213) 978-1241



On Wed, May 27, 2020 at 3:42 PM Virginia J. <vcarville@gmail.com> wrote:

Greetings James,

I am looking forward to your response.

I have some additional questions - **What flood studies have been completed on this property so far?**

Also, **why is this property considered a ministerial project if Domas previously paid for the application of TOC and an Initial Study in 7/2019?** This shows the city viewed this as a discretionary project.

Wouldn't the acceptance by Building and Safety of payment by Domas in 7/2019 show that the city viewed this as a project subject to discretionary review?

What changed during this time to make it ministerial, could it be the addition of the R3 zone when none existed and the ordinance you use does not pertain to this property to legally allow it to be changed in Zimas.

Isn't the city required to have a public hearing regarding zoning changes?

Thank you,
Virginia

On Tuesday, May 26, 2020, 2:10:00 PM PDT, Virginia J. <vcarville@ymail.com> wrote:
CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

James,

I'm shocked that you as the planner don't know this. The previous project was on average 570,000 a unit, paid for by an increase in other peoples' property taxes.

In regards to the request to look at the file, I'm surprised its not with you, especially when its going to be heard in front of the advisory agency in two weeks

I'm not clear on your responses to my questions, for ease I will restate my question, and include two others.

WHEN DID LOT 40/Lot 39 - 1145 S. CRENSHAW BLVD CHANGE FROM CR/R1 TO R3?

Who approved the change? Was a document issued to reflect this? Do you have an electronic copy you may provide me?

Is Domas Development still the applicant on this project?

Does 1145 S. Crenshaw still include a R1 1 O designation or is the R1 1 O designation at 1141 S. Crenshaw?

**Thank you,
virginia**

On Tuesday, May 26, 2020, 7:52:02 AM PDT, James Harris <james.harris@lacity.org> wrote:

Good morning Virginia,

The cost per unit is information that is not collected in order to process an applicant's project application.

Jim



Jim Harris
Central Project Planning
Los Angeles City Planning

200 N. Spring St., Room 621
Los Angeles, CA 90012
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On Fri, May 22, 2020 at 2:19 PM Virginia J. <vcarville@ymail.com> wrote:

Good Afternoon James,

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

What is the average cost per unit?

On Wednesday, May 20, 2020, 5:42:11 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

60 bedrooms and no parking.

thank you for the info.

Have a good evening....

On Wednesday, May 20, 2020, 3:49:07 PM PDT, James Harris <james.harris@lacity.org> wrote:

Good afternoon Virginia,

The project consists of 43 dwelling units. Of this total, 26 are one-bedroom units and 17 are two bedroom units.

Jim



Jim Harris
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On Wed, May 20, 2020 at 1:52 PM Virginia J. <vcarville@ymail.com> wrote:

Would you be able to tell me how many bedrooms this project has?

thank you,
virginia

On Wednesday, May 20, 2020, 1:41:54 PM PDT, James Harris <james.harris@lacity.org> wrote:

Hello,

I wanted to introduce myself to you. I am the project planner assigned to this case.

If you have questions about the project itself, I will be happy to address them.

A quick Google search on Domus yielded their public webpage linked here: <http://www.newportpartners.com/development/domus-development/>

Hope you have a very nice day,

Jim

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

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On Tue, May 19, 2020 at 2:24 PM Virginia J. <vcarville@ymail.com> wrote:

yes Mr. Hagu. How did you guess?

I believe I had already written separately about the research mentioned below, but I'll make sure I include it in my future email to Mr. Harris.

I'm curious why the notice doesn't reference AB 1197, which is the law la pushed by politicians pushed by the the developers who fund their elections, to get favors like CEQA exemptions and no parking.

Who are the members of Domas? Collectively, how much debt are they in currently in related to other buildings they have already built? I'll be writing more soon.

God Bless You.
Virginia Jauregui

On Tuesday, May 19, 2020, 10:58:28 AM PDT, Hagu Solomon-Cary <hagu.solomon-cary@lacity.org> wrote:

Hi Virginia,
I hope this email finds you healthy and well.

I'm circling back with you to follow up on the emails we exchanged late last year regarding the property at 1141-1145 Crenshaw.

Upon completing our research on the land use history of the subject property, we determined that the correct zone is R3 based on Ordinance No. 165,331 Subarea 9670 and not CR. ZIMAS was corrected to reflect the R3 zone and as such the applicant is in the process of withdrawing the previous case number (DIR-2019-4049-TOC/ENV-2019-4050-EAF). The applicants have reapplied under case no. CPC-2020-516-DB-PSH-SIP which has a different entitlement path but is effectively the same project with regards to design, layout and unit count.

I presume you received the hearing notice when it went out but in case you didn't, I wanted to provide it for you here (attached).

I've cc'd Jim Harris on this email as he is the Project Planner for the case. In the event you have any questions, please reach out to him.

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

Sincerely,
Hagu



Hagu Solomon-Cary, AICP
Senior City Planner
Los Angeles City Planning

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STAFF REPORT
As of: September 13, 2018

1141-1145 Crenshaw Boulevard
1141 Crenshaw Boulevard, Los Angeles, CA 90019

New Construction
Council District 10

Soloists Apts.

PROJECT DESCRIPTION

The 1141-1145 Crenshaw Boulevard project will consist of 43 residential units (42 PSH units, 1 Managers unit) in the Koreatown area of Los Angeles. The project entails the acquisition of a 15,500 square foot surface parking lot for the new construction of a multifamily structure totaling approximately 41,000 square feet, with one level of underground parking. Since the existing site is a surface parking lot there will be no demolition or relocation costs. The preliminary design of the project includes an interior common area on the ground floor and a mix of offices, classrooms, and community activity spaces. In addition, there will be ample outdoor recreational space with a central courtyard at the center of the property as well as a rear yard. The rear yard was designed with consideration to the single-family homes that are adjacent to the western edge of the site, allowing for a buffer zone and increased privacy to the homeowners. The project sponsors are Domus, LLC and Koreatown Youth and Community Center.

BORROWER AND PROPOSED OWNERSHIP STRUCTURE

The proposed ownership structure will be a Limited Partnership, with Koreatown Youth & Community Center acting as the Managing General Partner (0.051%), Domus Development, LLC acting as the Administrative General Partner (0.049%), and a to-be-determined tax credit investor acting as the Limited Partner (99.99%).

1. Domus Development, LLC as the Administrative General Partner (0.049%)
2. Koreatown Youth & Community Center as the Managing General Partner (0.051%)
3. Limited Partner, who has yet to be determined (99.99%)

POPULATION SERVED

The population served will be homeless and chronically homeless survivors of domestic violence & sex trafficking, individuals and families.

AFFORDABILITY STRUCTURE

Unit Type	PSH Total	Non-PSH (Affordable)	Mgrs.	Total	HHH	
					PSH Funded	Non-PSH Funded
Studio						
1 Bedroom	22		1	23	22	
2 Bedroom	16			16	16	
3 Bedroom	4			4	4	
Total	42		1	43	42	

PERMANENT FUNDING SOURCES

Source	Amount
HCIDLA - HHH PSH	9,240,000
HCIDLA - HHH Non PSH	-
4% TCAC Equity	7,460,269
Conventional Loan	4,588,899
GP Equity	27,936
Deferred Dev. Fee	356,248
LACDC	2,000,000
AHP	730,000
Total	\$ 24,403,352

JOBS SUPPORTED

Number of jobs supported through the construction financing of these projects. These jobs may be new or existing jobs.

Total Jobs Supported, by category		<u>Construction Costs</u>	
TDC	\$ 24,403,352	<u>Direct Effect on Jobs Multiplier</u>	0.000006
Land Acquisition	\$ 3,540,000	<u># of Jobs Directly Supported</u>	<u>125</u>
		<u>Indirect Effect on Jobs Multiplier</u>	0.0000024
		<u># of Jobs Indirectly Supported</u>	<u>50</u>
Net Development Costs	\$ <u>20,863,352</u>	<u>Induced Effect on Jobs Multiplier</u>	0.0000022
		<u># of Jobs Induced</u>	<u>46</u>
		Total Jobs Supported by Project	<u>221</u>
		(excluding Cost of Land Acquisition only)	

FUNDING RECOMMENDATION

A HCIDLA funding commitment of up to \$9,240,000 is recommended. HHH funds will represent \$220,000 per unit and 37.9% of the total development cost. The HHH funding is leveraged with an AHP loan, Conventional Bank loan, LACDC loan and tax credit equity.

CONSTRUCTION TIMELINE

Construction is currently estimated to start on September 2019, and be completed by January 2021.

Prepared: Los Angeles Housing and Community Investment Department

STAFF REPORT
As of: February 7, 2019

CPC-2020-516-DB-PSH-SIP
EXHIBIT 13

Amani Apartments
4200 W. Pico Blvd., Los Angeles, CA 90019

New Construction
Council District 10

PROJECT DESCRIPTION

The Amani Apartments (Amani) project is located at 4200 Pico Blvd in the Mid-City neighborhood of Los Angeles, and is planned as an affordable housing development for homeless seniors with 54 studio units, and 1, one-bedroom manager unit. Of the 54 studio units, 27 will be reserved for chronically homeless individuals.

The Amani project will consist of a modern five story building designed by Abode Communities Architecture, with approximately 33,000 square feet (sq. ft.) of permanent supportive housing for formerly homeless individuals, and will include approximately 2,000 sq. ft. of commercial office space. As planned, the studio units will be approximately 400 sq. ft., and the one-bedroom manager's unit will be approximately 700 sq. ft. All units will include kitchenettes, bathrooms, a sleeping area, small living and dining spaces and will be fully furnished prior to lease up. Project plans include a resident community room, laundry room and offices for the Amani Manager and supportive services staff. The project's common areas will total approximately 2,000 square feet.

Wakeland Housing and Development Corporation (Wakeland), or an entity wholly owned and controlled by Wakeland, will purchase the land prior to construction. Currently, there are no structures on the site.

BORROWER AND PROPOSED OWNERSHIP STRUCTURE

Wakeland Housing and Development Corporation will form a Limited Partnership (LP) with an affiliated Limited Liability Corporation (LLC) entity, as the Managing General Partner. The Limited Partner investor has not yet been determined. Wakeland certifies that it has the special needs/homeless experience required by HCIDLA for feasible and viable development and operation of the Amani project. Ownership structure will consist of the following:

1. Wakeland Housing, Managing General Partner (0.01%)
2. Limited Partner, yet to be determined (99.99%)

POPULATION SERVED

The population to be served by the Amani project will be homeless seniors.

AFFORDABILITY STRUCTURE

Unit Type	PSH Total	Non-PSH (Affordable)	Mgrs.	Total	HHH PSH Funded	HHH Non-PSH Funded
Studio	54			54	54	
1 Bedroom				-		
2 Bedroom			1	1		
3 Bedroom				-		
Total	54	-	1	55	54	-

OK

PERMANENT FUNDING SOURCES

Source	Amount
HCIDLA - HHH PSH	11,880,000
HCIDLA - HHH Non PSH	
4% TCAC Equity	13,728,248
Conventional Loan	3,810,000
Deferred Dev. Fee	811,000
HHH Accrued/Deferred Interest	356,400
Total	\$ 30,585,648

JOBS SUPPORTED

The following table indicates the number of jobs supported through the construction financing of the projects. These jobs may be new or existing jobs.

Total Jobs Supported, by category		Construction Costs	
TDC	\$ 30,585,648	Direct Effect on Jobs Multiplier	0.000006
Land Acquisition	\$ 3,500,000	# of Jobs Directly Supported	<u>163</u>
		Indirect Effect on Jobs Multiplier	0.0000024
		# of Jobs Indirectly Supported	<u>65</u>
Net Development Costs	\$ 27,085,648	Induced Effect on Jobs Multiplier	0.0000022
		# of Jobs Induced	<u>60</u>
		Total Jobs Supported by Project	<u>287</u>
		(excluding Cost of Land Acquisition only)	

FUNDING RECOMMENDATION

HCIDLA recommends a funding commitment of up to \$11,880,000 for the Amani project. HHH funds represent \$220,000 per unit, 38.91% of the total development cost (TDC). The TDC development cost per unit is \$555,102. HHH funding is leveraged with 4% tax credit equity, and a conventional bank loan.

CONSTRUCTION TIMELINE

Construction on the Amani project is estimated to start in December 2019, and anticipated to be completed by November 2020.

CPC-2020-516-DB-PSH-SIP
EXHIBIT 13

Sec. 9. WAIVERS.

A. Responsibilities.

1. The City Engineer for the Department of Public Works and the General Manager of the Department of Building and Safety or their designees, and a Zoning Administrator for the Department of City Planning may grant waivers from the requirements of this Plan.

2. The authority to grant waivers shall be delegated as follows:

(a) The City Engineer - design and construction of Public Works,

(b) General Manager, Department of Building and Safety - construction of private structures and grading on private property, and

(c) Director of Planning - all other projects.

The Flood Hazard Mitigation Coordinator shall be notified of all requests for waivers.

B. Findings. Before granting a waiver, the following findings must be made:

1. For a waiver in a floodway, that no increase in flood levels during the base flood discharge will result.

2. For areas in excess of one-half acre, that the waiver is consistent with the objectives of sound floodplain management.

3. That no residential structures shall be permitted to be floodproofed in lieu of the elevation requirements of this ordinance.

4. For all areas, that exceptional hardship will result if the waiver is not granted.

5. That the waiver will not result in increased flood height; additional threats to public safety; create extraordinary public or private expense; create nuisances; cause fraud or victimization of the public; or conflict with *the* Los Angeles Municipal Code.

6. That the waiver is the minimum necessary to afford relief.

OPNC Brown Act violations, corruption, and fraud

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

From: Virginia J. (vcarville@ymail.com)

To: elise.ruden@lacity.org; mike.n.feuer@lacity.org

Cc: xavier.becerra@doj.ca.gov; jlacey@da.lacounty.gov; ayochelson@da.lacounty.gov

Bcc: info@whycantimove.com

Date: Tuesday, December 31, 2019, 11:09 PM PST

Dear Elise,

Please excuse the late response, I had a hard time trying to come up with a reply to what you, as the Managing Attorney of the Neighborhood Council System and a representative of the City Attorney's Office, provided to me as a response/non-response/refusal to Brown Act violations and allegations of corruption taking place in the Neighborhood Council System and Dept. of City Planning. Even when provided with proof, the City Attorney fails to perform their required job duties to investigate Brown Act violations, and protect the public from corruption.

The complaints brought to you and the Dept. of City Planning since November 2018 involve a trio of developments in Council District 10 – Olympic Park, between Country Club Dr. and Pico Blvd. on Crenshaw Blvd. Two of the buildings are *heavily* funded by the public (Prop HHH funds) and like the proposed luxury c3 subdivision (**Attachment K, Attachment M**), have no environmental or traffic accountability to the surrounding community.

The situations uncovered may point to possibly greater problems outside of Olympic Park, and demonstrate the enormous power developers have to work with city employees to override environmental accountability meant to protect the health and safety of local neighborhoods, so much so that since September 2019, have been relieved of all environmental accountability for HHH housing over the next seven years.

*It's surprising that the City of Los Angeles would need to have environmental law changed at the State Level (AB 1197 – **Attachment D**) when exemptions to CEQA in the City of Los Angeles are willingly granted by the Advisory Agency – as they did for Amani Apts. (Crenshaw/Pico PSH Housing).*

Planning city functionality according to the needs and wants of anonymous developers looking to find a way to get themselves paid compromises functionality, traffic flow, and public safety.

Your response/lack of response as the managing Deputy City Attorney over the Neighborhood Council System, surmounts to a refusal of the City Attorney to investigate Brown Act violations, fraud, and corruption involving City of Los Angeles public servants and the private developers they serve. The City Attorney's action (or lack of action) of ignoring Brown Act violations, fraud, corruption, and collusion demonstrates that fraud is tolerated and compromised employees are protected, rather than held accountable.

By failing to provide proper checks/balances, the City Attorney fails to maintain the integrity of the city public employee system, and allows crimes committed against the public trust to go unchecked. If the City Attorney fails or refuses to recognize Brown Act violations, corruption and fraud – do they then not exist? Should the violations of the Brown Act happen to be recognized, it may be found that the OPNC, like other neighborhood councils, may be too compromised to continue to represent the people without putting the people at risk.

How is it possible for the City Attorney to address issues of corruption if it is possible to see that there's a problem?

EXHIBIT 14B

I had originally forwarded to you the email I sent to City Attorney Mike Feuer on October 9, 2019, requesting that the City Attorney investigate and determine the applicability of the Brown Act to past/current actions/violations involving the OPNC (Olympic Park Neighborhood Council) and local developers. (**Attachment N, Attachment N2, Attachment Q**) I also had cc'd Mr. Feuer a complaint about the OPNC's previous involvement in the attempted construction of a private Luxury Commercial Subdivision known as C3, which included proof of a forged "mitigated negative declaration" (**Attachment H**) by the Dept. of City Planning in order to override federal flood code and environmental and traffic studies to get it constructed without the neighborhood knowing about it.

On November 22, 2019 your response to determining the merits of my Brown Act complaint, and allegations of corruption, fraud and collusion involving the Dept. of City Planning, private/anonymous developers, and the local neighborhood council consisted of the following:

"I believe that the President of the OPNC Board Mitch Edelson responded to you on October 24, 2019 regarding your Brown Act complaint. If you did not receive this correspondence, please contact Mr. Edelson for another copy of the response."
(Attachment R)

IS IT USUAL PRACTICE FOR THE CITY ATTORNEY TO DEFER TO THE NEIGHBORHOOD COUNCIL PRESIDENT TO ADJUDICATE THE LEGALITY OF THEIR OWN ACTIONS, WHEN ISSUES INVOLVING BROWN ACT VIOLATIONS, CORRUPTION, AND FRAUD ARE BROUGHT TO THE CITY ATTORNEY'S ATTENTION TO MAKE A DETERMINATION?

Why does the City Attorney refuse to perform their required job duties to protect the people of Los Angeles and investigate Brown Act violations and internal corruption? By ignoring complaints of fraud, the City Attorney condones fraud, and by doing nothing contributes to making it worse.

Just to clarify, you are a public employee; there is nothing confidential in our interchange. Your response, instead of deciding the merits of my claims, attempts to make our interchange (and attachments) confidential.

HOW IS YOUR RESPONSE THANKING AND DIRECTING ME BACK TO THE PERSON TO WHOM I WENT TO YOU TO COMPLAIN ABOUT PROTECTED BY CONFIDENTIALITY?

ALL DOCUMENTS I USE ARE/WERE PUBLIC AND WERE PUBLICLY SOURCED. Your interactions as a public employee with members of the public are of public record, and thus not applicable to confidentiality.

Does the City Attorney not want others to know that it ignores and tolerates graft and corruption, EVEN WITH PROOF?

Government code 822.2 states:

A public employee acting in the scope of his employment is not liable for an injury caused by his misrepresentation, whether or not misrepresentation be negligent or intentional, unless he is guilty of actual fraud, corruption, or actual malice.

How can an employee be found guilty of actual fraud or malice if the City Attorney looks the other way when presented with evidence?

As the managing attorney of the Neighborhood Council System CP#2020596-DBP#4-SIM simply told me to refer back to Mr. Edelson's response, without checking whether Mr. Edelson's response holds water. EXHIBIT 14B

Mr. Edelson's response to my complaint states the following:

"The OPNC cancelled the September 9, 2019 meeting due to a lack of quorum, as required by the OPNC Bylaws. The land use matter you referenced in your email was not agendized for that meeting. However, the OPNC board did hear the matter at its October 7, 2019 board meeting. That meeting was properly noticed as required by the Brown Act. You also attended the October 7 meeting and participated in the public comment. Based on the above, we have determined that no Brown Act violation occurred and no further action will be taken.
(Attachment O)

BREAKDOWN OF MR. EDELSON'S CLAIMS

Mr. Edelson claims that the Olympic Park Neighborhood Council (OPNC) cancelled the meeting due to a lack of quorum. This is incorrect.

Wouldn't a meeting of the OPNC first have to be called to order to determine quorum?

The OPNC meeting of September 9, 2019 was cancelled at approximately 3:12pm, but was noticed and scheduled to meet later that day at 7pm. Mr. Edelson notified me at 2:21pm on 9/9 that the meeting would be cancelled due to the lack of quorum.

WOULD YOU OR SOMEONE AT THE CITY ATTORNEY'S OFFICE PLEASE FIND WHERE LANGUAGE TO JUSTIFY CANCELLATION OF A PUBLIC MEETING SET TO START LATER THAT DAY IS JUSTIFIED BY DETERMINING QUORUM OUTSIDE OF PERMITTED MEETING HOURS?

How can the OPNC call a meeting to order approximately four hours outside of its permitted operating hours and take action to cancel its meeting scheduled to meet later that day? This would mean Mr. Edelson and other members of the OPNC: gathered early at their regular meeting location - the Catch One Nightclub - not to PAR-TAY, but to take action to per-emptively cancel its 9/9/19 meeting.

Who among the OLYMPIC PARK NEIGHBORHOOD COUNCIL WAS PRESENT at the at the Catch One Nightclub – owned by the President of the OPNC, FOR ROLL CALL outside of scheduled meeting hours to determine quorum for a meeting scheduled to meet later that day? Could deliberations to determine quorum four plus hours before the scheduled meeting time be conducted openly as required by the brown act, or were committee members exchanging private emails back and forth through opncla1999@gmail.com to say they couldn't make it? Since that is the email listed as the contact for the OPNC, is it subject to the public records act?

Outside of its regular meeting hours, the council determined there were not enough members present to reach quorum and used this as the reason to justify the cancellation of a public meeting scheduled to take place later that day. When I asked Mr. Edelson where in the bylaws I could find language to justify cancellation on the grounds of quorum, I was ignored
(Attachment P)

According to 54952.2b1 of the Government code, a body should not take action outside of meeting hours:

A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

Cancelling a meeting outside of the authorized council meeting hours is taking action. Doing so 4+ hours before the meeting was scheduled to start would mean the OPNC is conducting business outside of scheduled meeting hours when it isn't permitted to do so or more likely, the president took it upon his own initiative (or was directed by others in higher positions) to cancel the meeting. This was done to pre-emptively suppress the voice of homeowners from airing their grievances and valid concerns including, but not limited to, two permanent Prop HHH high density PSH Housing complexes that would be placed in their neighborhood. These complexes would come with no residential parking, creating a burden to be absorbed by Victoria Ave and Windsor Blvd. to park possibly hundreds of additional cars.

Allowing a cancellation of a public meeting approximately four hours before its set to commence, sets a precedence that all legally recognized legislative bodies operating in the City of Los Angeles are justified by the City Attorney to pre-emptively cancel public meetings, determine a lack of quorum, and use this as an excuse to make that determination outside of designated meeting hours.

Mr. Edelson goes on to say that the OPNC observed the Brown Act when noticing their meeting of October 7. *What difference does that make?* How does meeting the requirements of the Brown Act 30 days later negate the illegal cancellation of the meeting one month prior?

The president states that because I attended the meeting in October and participated in public comment, no Brown Act violation occurred on September 9, 2019.

There were approximately 30-40 homeowners/residents who were gathered to attend the 9/9/19 meeting. The number dropped significantly in October, and may be due to the president of Oxford Square HPOZ, a former lawyer for Sony Studios, who at an unofficial meeting held on Victoria Ave. in September 2019, refused to let the topic of Solaris Apts. be discussed, even though that was the reason neighbors, who were asked at the meeting to provide their contact information, had gathered.

In October, I attended and spoke both during public comment and on the item involving Solaris Apts. I wanted to speak about the OPNC appointing themselves as qualified to submit community impact statements, but the President had threatened to have me thrown out/expelled.

The members of the OPNC at the October meeting parroted Mr. Edelson's excuse, stating that the September meeting was cancelled due to the lack of quorum.

Government code 54959 states:

Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the chapter, is guilty of a misdemeanor.

What happens to the people of Los Angeles when the City Attorney's Office knows of corruption by public employees and chooses to do nothing? Is the City Attorney then themselves an accessory to corruption – allowing crimes against the public trust to be committed and standing idly by and looking the other way? Can the City Attorney be held negligent/liable for failing to enforce public ethics and hold public employees accountable for

fraud and corruption?

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EXHIBIT 14B

By tolerating corruption, the City Attorney enables corruption.

By failing to hold politicians and employees accountable, the City Attorney fosters an environment where employees in high places know there are no checks/balances so they can operate above the law because the City Attorney when provided proof, looks the other way.

By failing to meet the requirements from the State of California to determine the applicability of the Brown Act to complaints related to the actions of the OPNC, the City Attorney allows the people of Olympic Park to be placed at the mercy of compromised public employees who believe that it is more important to accommodate the wants and desires of anonymous wealthy private developers, above the protection of the quality of life and health and safety of its current residents.

The situation in Olympic Park demonstrate succinctly the grave situation at LA City system of government – there is no one to hold anyone accountable to telling the truth or following law.

The City Attorney's lack of action regarding the disenfranchisement of homeowners in Olympic Park is deeply troubling, and may point to one of the reasons why the neighborhood council system and city government are prone to abuse, corruption, and fraud.

One may come to the determination that the City does not hold corrupt employees accountable, and has become too compromised and indebted to place the health and safety of the people ahead of the needs and wants of anonymous wealthy developers, who stack the system in their interest.

The OPNC suppresses the peoples' right to public comment/free expression, and to air their grievances regarding publicly financed large scale apartment buildings by anonymous developers, who use the destitute to justify outrageous financial costs of construction created and passed on to the taxpayer.

With little or no accountability or city oversight, anonymous developers construct HHH funded public housing for which they have no liability for, and with the enactment of AB 1197 in Sept. 2019, no environmental oversight or study needed. Most likely, the extreme costs of construction hide the real reason for never ending construction, the need to pay off outstanding accumulated debt from their previous projects.

It makes no sense to build new apartment buildings when vast amounts of empty property in Los Angeles can be retrofitted at a much more economical cost to qualified persons of need. If the City Attorney does nothing to check corruption, what are the people of the city left to do but wait for the coming of Blade Runner? Tolerating corruption, or being forced to tolerate corruption to keep one's job and not rock the boat is not worth losing one's soul or that of the city's.

The people of Los Angeles are suffering. Please help them.

Sincerely,

Virginia Jauregui

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

----- Forwarded Message -----

From: Elise Ruden <elise.ruden@lacity.org>
To: Virginia J. <vcarville@ymail.com>
Sent: Friday, November 22, 2019, 11:21:21 AM PST
Subject: Re: OPNC Brown Act violations, etc. - No response received

Hello Virginia,

Thank you for your email. I believe that the President of the OPNC Board, Mitch Edelson, responded to you on October 24, 2019 regarding your Brown Act complaint. If you did not receive this correspondence, please contact Mr. Edelson for another copy of the response. Thank you again for your inquiry.

Best,

Elise

On Thu, Nov 21, 2019 at 11:51 AM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Elise,

This is a follow up to an email forwarded to you on October 19, which was originally sent to Mike Feuer on October 9, regarding the violation by the OPNC in regards to its bylaws and the Brown Act.

You stated in your October 21 response that a response to my complaint would be received in 30 days.

I am yet to receive any response.

Sincerely,
Virginia Jauregui

On Monday, October 21, 2019, 11:36:21 AM PDT, Elise Ruden <elise.ruden@lacity.org> wrote:

Dear Ms. Jauregui,

Thank you for your email. My office is in receipt of your Brown Act complaint. You can expect a response to your complaint within 30 days.

Best,

Elise Ruden

On Sat, Oct 19, 2019 at 11:14 AM Virginia J. <vcarville@ymail.com> wrote:

Good day,

I was advised by Alan Yochelson of County District Attorney's office to forward the below correspondence to you, as I am yet to receive a response to the issues addressed below.

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

Thank you,
Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: mike.n.feuer@lacity.org <mike.n.feuer@lacity.org>

Cc: jlacey@da.lacounty.gov <jlacey@da.lacounty.gov>

Sent: Wednesday, October 9, 2019, 5:22:53 PM PDT

Subject: Request action to cure and correct cancelled meeting sept 9, community impact statement

Good Afternoon,

I am writing you to request action by the District Attorney regarding the Operation of the Olympic Park Neighborhood Council. I have already sent an email to the OPNC earlier today, and hope I am completing the steps correctly. I am including a more in depth letter (attached), as to the problems which need your attention.

On September 9, 2019, the OPNC violated the Brown Act by cancelling its regularly scheduled meeting four hours before it was supposed to start. The cancellation was an attempt to prevent homeowners from airing their grievances regarding Solaris Apts. Members of the OPNC have been found to communicate city business through personal email accounts, and colluded together to deny the rights of Victoria Ave. homeowners to have their grievances addressed on September 9, 2019 as guaranteed in the Constitution of the United States.

54954.3c of CA Gov Code states: **The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body.**

Due to egregious violations of the Brown Act, the OPNC is not qualified to be **authorized filers or submit community impact statements. According to the City of Los Angeles document, *How to Create and Submit a Community Impact Statement*, "The City Clerk will accept statements only from Neighborhood Councils...in accordance with the Brown Act". (Attachment A)**

Why is the Olympic Park neighborhood council able to submit community impact statements when they communicate city business via non-city email and non-city phones? BROWN ACT 54950 states "It is the intent of the law that their actions [of the OPNC] be taken openly and that their deliberations be conducted openly.

Isn't this considered a serious conflict of interest and a violation of public ethics when members of the council, considered city employees, communicate city business through private channels? How much city business has been communicated via private email and phone regarding tens of millions of dollars' worth of potential real estate projects in the Olympic Park area that only need support from the Neighborhood Council to get constructed?

I request the CITY ATTORNEY, in accordance with 54960 of the Brown Act, to commence an action to cure or correct by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of the Brown Act by members of the OPNC, who on September 9, 2019 illegally cancelled the meeting of the OPNC in order to avoid hearing and attending to the concerns voiced by homeowners of Victoria Ave. in relation to Domas LLC's Solaris Apts. Further, the OPNC utilizes private communication to conduct City Business in violation of Gov. Code 54950 and OPNC bylaws. (Attachment F.2)

I am requesting that the district attorney determine the applicability of the Brown Act to past actions of the legislative body, subject to Section 54960.2., and determine whether any rule of action the legislative body is punishable and described below:

I request that the City Attorney demand a cure or correct to the following actions of the OPNC:

1. The Cancellation of the regularly scheduled meeting of the OPNC on September 9 at 7pm in violation of Gov Code 54954.3c. The cure requested would be recognition by the City of the impromptu meeting held in the residents gathered in the Catch One nightclub parking lot, in lieu of the regularly scheduled meeting of the OPNC, and accept the adoption of paperwork passed out to residents at the meeting to be placed on the public record.
2. Withdraw/cancel the appointment of the five OPNC members as filers of Community Impact Statements which took place on October 7, 2019 at approximately 7:45pm. The OPNC is not qualified to provide community impact statements due to colluding to cancel a regularly scheduled meeting on Sept. 9, and utilizing private communication to conduct city business in violation of the Brown Act including Gov. Code 54954.3c and 54950 (Including Policy F of OPNC Bylaws). The City Clerk **only** accepts statements from Neighborhood Councils, "in accordance with the Brown Act".
3. Withdraw/cancel October 7, 2019 letter of Support for Domas LLC's Solaris Apts. The Board is not qualified to provide community impact statements, and thus the support letter for Solaris is invalid.

The OPNC is in violation of the Brown Act including Gov. Code 54954.3c and 54950 (Including Policy F of OPNC Bylaws).

The city would accept the following documents that were passed out to residents (10 copies) for public record:

- 1) 2015 Proposed Negative Declaration for C3 Subdivision (I only brought one copy). (Attachment H)
- 2) 2016 Letter of Support from Laura Rudison, obtained from the VTT-73424 Physical File for the C3 luxury subdivision. (Attachment I)

2) Mitch Edelson's response to my inquiry related to the C3 luxury subdivision dated 12/5/18. (Attachment J) OPNC 2020-516-DB-PSH-SIP
EXHIBIT 14B

3) 13-page email chain between myself and Mitch Edelson, President of the City of Los Angeles' Olympic Park Neighborhood Council (front page dated 12/31/2018). (Attachment K)

4) Six-page email chain between myself and Jordann Turner, City Planner for C3 luxury Subdivision, of City of Los Angeles. (front page dated 1/12/2019). (Attachment L)

PLEASE LET ME KNOW WHAT STEPS I NEED TO TAKE TO HAVE THE IMPROMPTU MEETING RECOGNIZED AND THE LETTER OF SUPPORT FOR SOLARIS WITHDRAWN.

According to the OPNC President Mitch Edelson, the meeting of the OPNC was cancelled due to a "lack of quorum". Lacking quorum is not a valid excuse to preemptively cancel a federally and state protected, regularly scheduled public meeting of the people four hours before it was supposed to start. The meeting was cancelled because the OPNC didn't want to hear the complaints of 30 - 40 angry property owners gathered, who had no idea that the OPNC planned to donate the land in front of their houses as a spacious garden-side parking lot for Domas LLC's Solaris Apts and Amani Apts. LP at 4200 Pico Blvd.

cancelling a meeting of the people in order to prevent complaints is a violation of the brown act.

The OPNC is not in accordance with the Brown Act and thus not qualified to submit community impact statements, or allow members to be authorized filers on behalf of the Council.

The owner of the Catch One Nightclub, President Mitch Edelson communicates city business listing OPNCLA1999@gmail.com as the contact for the OPNC, and utilizing mitchedelson@gmail.com for email. Using private phones and email addresses to communicate city business is against Council bylaws, is highly questionable, particularly with the issues involving the C3 luxury subdivision and the OPNC's 2016 letter of support, minus City record of any related discussion or action. (Attachment G)

According to the bylaws of the OPNC, the policy of the council is: "To have fair, open, and transparent procedures of the conduct of all Council business". The OPNC is currently in violation of this policy; additionally, the OPNC record of minute taking, particularly for their standing committees and previous sessions is lacking, and possibly missing.

The OPNC continues to remain in operation, even when Herb Wesson, the President of the City Council, was CC'd of meeting's illegal cancellation and did nothing (Attachment E)? Why do members of the OPNC continue to conduct city business via private email, when both the DA of the City and County of Los Angeles were contacted on 9/27 regarding this issue? (Attachment F).

Attached is the complete letter to the DA, including **CPA-2020-516-DB-PS-ASIP**

EXHIBIT 14B

Thank you,

Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: board@opnc.org <board@opnc.org>; hwilliams@opnc.org <hwilliams@opnc.org>

Sent: Wednesday, October 9, 2019, 4:59:10 PM PDT

Subject: cure and correct requested, meeting sept 9, community impact statement

Good Afternoon,

I am writing you to request cure and correct for actions taken by the OPNC in violation of the Brown Act. I am including a copy of my October public comment which I presented partially to the Board, to which I only read up to "Members of the OPNC have been found to communicate city business through personal email accounts."

54954.3c of CA Gov Code states: **The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body.**

cancelling a meeting of the people in order to prevent complaints is a violation of the brown act.

According to the bylaws of the OPNC, the policy of the council is: "To have fair, open, and transparent procedures of the conduct of all Council business". The OPNC is currently in violation of this policy.

On September 9, 2019, the OPNC violated the Brown Act by cancelling its regularly scheduled meeting four hours before it was supposed to start. The meeting cancellation was an attempt to prevent homeowners from airing their grievances regarding Solaris Apts., which less than a month later, the Council voted to support. Members of the OPNC denied the rights of Victoria Ave. homeowners on September 9, 2019 at 7pm to have their grievances addressed and heard, as guaranteed in the Constitution of the United States. **According to the OPNC President and its members, the meeting was cancelled due to a "lack of quorum"**. Lacking quorum is not a valid excuse to preemptively cancel a federally and state protected, regularly scheduled public meeting of the people four hours before it was supposed to start. The meeting was cancelled because the OPNC didn't want to hear the complaints of 30 – 40 angry property owners gathered, who had no idea that the OPNC planned to donate the land in front of their houses as a spacious garden-side parking lot for Domas LLC's Solaris Apts and Amani Apts. LP at 4200 Pico Blvd.

Due to violations of the Brown Act, the OPNC is not qualified to be authorized filers or submit community impact statements. **According to the City of Los Angeles document, *How to Create and Submit a Community Impact***

Statement, "The City Clerk will accept statements only from Neighborhood Councils...in accordance with the Brown Act" (Attachment A)

Why is the Olympic Park neighborhood council able to submit community impact statements when they communicate city business via non-city email and non-city phones? BROWN ACT 54950 states "It is the intent of the law that their actions [of the OPNC] be taken openly and that their deliberations be conducted openly.

I request the OPNC, in accordance with 54960 of the Brown Act, to commence an action to cure or correct by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of the Brown Act by members of the OPNC, who on September 9, 2019 at 7pm illegally cancelled the meeting of the OPNC in order to avoid hearing and attending to the concerns voiced by homeowners of Victoria Ave. in relation to Domas LLC's Solaris Apts. Additionally, the OPNC utilizes private communication to conduct City Business in violation of Gov. Code 54950 and OPNC bylaws. (Attachment F.2)

I request that the OPNC cure or correct its following actions:

1. The Cancellation of the regularly scheduled meeting of the OPNC on September 9 in violation of Gov Code 54954.3c. The cure requested would be recognition by the OPNC of the impromptu meeting held by residents gathered in the Catch One nightclub parking lot, in lieu of the regularly scheduled meeting of the OPNC. The OPNC would accept the adoption of paperwork passed out to residents, to be placed on the public record.
2. Withdraw the appointment of the five OPNC members which took place on October 7, 2019 at approximately 7:45pm. The OPNC is not qualified to adopt community impact statements due to cancelling a regularly scheduled meeting on Sept. 9, 2019 and utilizing private communication to conduct city business in violation of the Brown Act including Gov. Code 54954.3c and 54950 (As well as Policy F of OPNC Bylaws). The City Clerk only accepts statements from Neighborhood Councils, "in accordance with the Brown Act".
3. Withdraw of October 7, 2019 letter of Support for Domas LLC's Solaris Apts. The Board is not qualified to provide community impact statements, and thus the support letter for Solaris is invalid.

The OPNC is not in accordance with the Brown Act and thus not qualified to submit community impact statements, or allow members of the OPNC to be authorized filers on behalf of the Council.

The city would accept the following documents that were passed out to residents (10 copies) for public record:

- 1) 2015 Proposed Negative Declaration for C3 Subdivision (I only brought

one copy). (Attachment H)

CPC-2020-516-DB-PSH-SIP

2) 2016 Letter of Support from Laura Rudison, obtained from the VTT-73424 Physical File for the C3 luxury subdivision. (Attachment I)

EXHIBIT 14B

2) Mitch Edelson's response to my inquiry related to the C3 luxury subdivision dated 12/5/18. (Attachment J)

3) 13-page email chain between myself and Mitch Edelson, President of the City of Los Angeles' Olympic Park Neighborhood Council (front page dated 12/31/2018). (Attachment K)

4) Six-page email chain between myself and Jordann Turner, City Planner for C3 luxury Subdivision, of City of Los Angeles. (front page dated 1/12/2019). (Attachment L)

On outgoing correspondences, the OPNC lists a private email and phone number. (Attachment G) Using private phones and email addresses to communicate city business is against Council bylaws, and is highly questionable, particularly with the issues involving the C3 luxury subdivision and the OPNC's 2016 letter of support, minus City record of any related discussion, action, or vote.

Please let me know if the OPNC can cure or correct the issues addressed above.

Sincerely,

Virginia Jauregui

--

Elise A. Ruden
Elise.Ruden@lacity.org
Managing Deputy City Attorney
Neighborhood Council Advice Division
General Counsel Division
Office of the City Attorney
200 N. Main Street
700 City Hall East
Los Angeles, CA 90012
PH: 213 978-8132

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

***** Confidentiality Notice *****

This electronic message transmission contains information from the Office of the Los Angeles City Attorney, which may be confidential or protected by the attorney-client privilege and/or the work product doctrine. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the original message and any attachments without reading or saving in any manner.

--

Elise A. Ruden
Elise.Ruden@lacity.org
Managing Deputy City Attorney
Neighborhood Council Advice Division
General Counsel Division
Office of the City Attorney
200 N. Main Street
700 City Hall East
Los Angeles, CA 90012
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Attachment P - no response.pdf
830.6kB



Attachment N 2 - email to elise.pdf
780.4kB



Attachment N - Email to Elise.pdf
875.1kB









Attachment D- AB 1197.pdf
1.2MB



Attachment H - ENV-2015-1229.pdf
2.6MB

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

-  Attachment K - email chain.pdf
5.1MB
-  Attachment M - C3.pdf
866.9kB
-  Attachment O - opnc brown act.pdf
1.5MB
-  Attachment Q - Letter to DA.docx
38.8kB
-  Attachment R - Response of DA to Brown Act, Corruption.pdf
528.3kB
-  12 31 email to DA.docx
30.4kB

TITLE 44--EMERGENCY MANAGEMENT AND ASSISTANCE
CHAPTER I--FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND
SECURITY

PART 60 CRITERIA FOR LAND MANAGEMENT AND USE--Table of Contents

Subpart A Requirements for Flood Plain Management Regulations

Sec. 60.3 Flood plain management criteria for flood-prone areas.

The Administrator will provide the data upon which flood plain management regulations shall be based. If the Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Administrator, they shall apply. The symbols defining such special flood hazard designations are set forth in Sec. 64.3 of this subchapter. In all cases the minimum requirements governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on the amount of technical data formally provided to the community by the Administrator.

Minimum standards for communities are as follows:

(a) When the Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

(1) Require permits for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements

shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM or FIRM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(3) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including

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

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

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KAREN MACK
MARC MITCHELL

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DANA M. PERLMAN

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
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DIRECTOR

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EXECUTIVE OFFICER

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TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

August 23, 2019

Transmitted via email and U.S. Postal Service

Applicant

Monique Hastings
Domus Development, LLC
3424 Wilshire Blvd., Suite 1020
Los Angeles, CA 90010

Case Number: DIR-2019-4049-TOC
CEQA Number: ENV-2019-4050-EAF
Application Type: Transit Oriented
Communities Affordable Housing Incentive
Program and Environmental Clearance

Representative

Eric Lieberman
QES, Inc.
14549 Archwood St., Suite 308
Van Nuys, CA 91405

Location: 1141, 1145 S. Crenshaw Blvd.
Plan Area: Wilshire
Specific Plan: None
Council District: 10

Status of Project Review: Application Incomplete and Case Processing on Hold

The above referenced case, filed on July 10, 2019, was accepted by the Department of City Planning Development Services Center, and forwarded to the Central Project Planning Division for review.

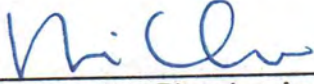
I am your assigned Project Planner, and I determined that the case file materials are NOT complete. Therefore, as provided for in Section 19.00 of the Los Angeles Municipal Code, your application has been placed on hold until the following items are corrected or submitted:

Per the Wilshire map of Ordinance 165,331 for Subarea 9670, the correct zone of a portion of the property at 1145 S. Crenshaw Blvd. (Lots 39 Arb 2 and FR 40 Arb 2, Oxford Square Tract – APN 5082026013) that is designated for Medium Residential land uses is R3-1-O, not CR-1-O. Please update all application documents and plans to reflect the R3-1-O zone, and submit an electronic copy and hard copies (two application documents, one full sized plans folded to 8 ½ by 11, and four 11 by 17 sized plans).

It is the intent of the Department to carry out the entitlement request in a timely manner and therefore request that you provide the corrections within 30 days of the date of this letter, that is by September 23, 2019. These materials must be provided in one submittal. In the event that all of the requested materials are not provided at that point, the Department may initiate termination of the case file after subsequent outreach to you.

Department Forms and Instructions and additional information on planning processes, announcements, and upcoming policies are available on line on the Department's Web page at www.planning.lacity.org.

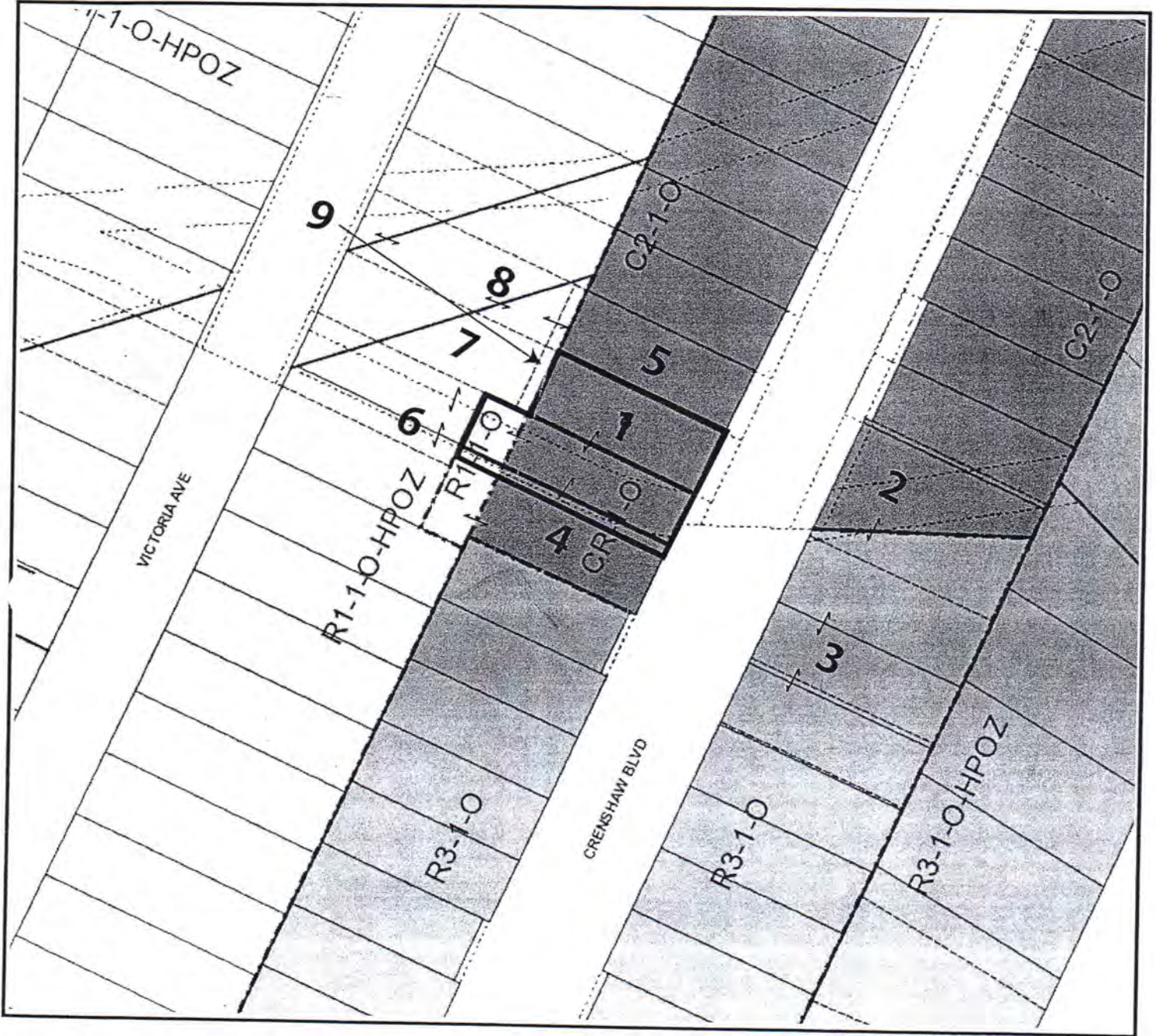
The case file is located at my office location indicated below, and arrangements to review the case file can be made.



Nuri Cho, City Planning Associate
Central Project Planning
Department of City Planning
200 N. Spring Street, Rm. 621
Los Angeles CA 90012

Phone: 213-978-1177
E-mail: Nuri.Cho@lacity.org

ADJACENT NOTIFICATION MAP



1141-1145 CRENSHAW BLVD.

DIR 201. -4049



DATE: 01-14-19

QMS: 19-015

Re: 1141-1145 Crenshaw Solaris Apts - EIR/ Mitigated Negative Declaration EXHIBIT 16B

From: Nuri Cho (nuri.cho@lacity.org)

To: vcarville@ymail.com

Date: Wednesday, September 11, 2019, 9:22 AM PDT

Hi Virginia,

Thank you for your email. I have not determined the environmental clearance pursuant to CEQA yet, as the case is currently on hold as the applicant will be updating application documents and plans to reflect the correct zoning requirements.

Please let me know if you have any other questions.

On Sun, Sep 8, 2019 at 9:13 PM Virginia J. <vcarville@ymail.com> wrote:

Hi Nuri,

I was curious as to whether the City will be completing an EIR or mitigated negative declaration for Domus Development's Solaris "Permanent Supportive Housing" Complex requested to be developed at 1141-1145 Crenshaw Blvd. The development will have significant impacts to the surrounding community, including the homeowners on Victoria Ave.

As you know, the location of 1141-1145 Crenshaw is in an AO flood zone, and development would pose enormous traffic and parking problems to current residents who must compete for parking space with dozens, if not hundreds, of extra cars - the burden created by the City which small homeowners are expected to absorb.

The Victoria Ave. block will be given away by the City to cover the cost of parking for the Domas development, who will also be taking "loans" from the people's coffers for the majority of their project, without any guarantee they will be able to pay back their debt.

The city will eagerly sacrifice the homeowners of our community in order to feed the gluttony of LA Developers.

California Law #54950 States that "The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people...The people insist on remaining informed so that they may retain control over the instruments they have created".

Thank you,
Virginia Jauregui

CPC-2020-516-DB-PSH-SIP
EXHIBIT 16B

On Monday, August 26, 2019, 08:23:08 AM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hello Virginia,

The project site is located within Tier 3; however, the project is eligible for one increase in Tier from Tier 3 to Tier 4 for consisting of 100 percent On-Site Restricted Affordable units, excluding a manager's unit pursuant to Section IV.9 of the TOC Guidelines. I am attaching the Guidelines for your reference.

On Sun, Aug 25, 2019 at 8:24 PM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Nuri,

I am contacting you regarding 1141-1145 Crenshaw Blvd - ENV-2019-4050-EAF/DIR-2019-4049-TOC.

Domus Development is stating that the location of the building makes it eligible for Tier 4 incentives, however Zimas classifies the location as transit oriented community Tier 3. I am concerned that the project is trying to classify itself as being Tier 4, when there is no longer a metro subway stop being built on Crenshaw.

This project will exert a significant parking burden to the surrounding neighborhood of single family homes. Further, the development of the project of this scale may result in a potential hazard by being erected in an AO flood zone.

Thank you,
Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: Mitch Edelson <mitchedelson@gmail.com>; board@opnc.org <board@opnc.org>

Cc: councilmember.wesson@lacity.org <councilmember.wesson@lacity.org>; Nuri.Cho@lacity.org <Nuri.Cho@lacity.org>

Sent: Thursday, August 8, 2019, 10:13:41 AM PDT

Subject: Request for Copy of Position Letter Solaris Apts

Good Morning Mitch,

I am requesting a copy of any position letter from the Olympic Park neighborhood council related to 1141-1145 Crenshaw Blvd.

The apartment building is slated for 43 apartments to be five stories tall, with only 8 parking spaces allocated to staff, and 0 for residents (due to being built as "Permanent Support Housing", allowing the developer to circumvent local requirements while being able to burden taxpayers with majority of the cost of construction.)

Placing such a huge development next to single family housing on Victoria

Ave. would add to major parking problems, obstructing the sidewalk for property owners, and place a HUGE BURDEN on the taxpayer and the neighborhood who would be asked to shoulder the cost of construction and the parking burden of dozens if not hundreds of extra cars that have no where to park except in Oxford Square, diminishing the quality of life of residents on Victoria Ave. and Windsor Blvd. your Board is supposed to protect.

Sincerely,
Virginia Jauregui



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CPC-2020-516-DB-PSH-SIP
EXHIBIT 16C

Re: 1141-1145 Crenshaw Solaris Apts - EIR/ Mitigated Negative Declaration?

From: Nuri Cho (nuri.cho@lacity.org)
To: vcarville@ymail.com
Cc: maria.reyes@lacity.org
Date: Wednesday, September 18, 2019, 8:42 AM PDT

Hi Virginia,

They need to redesign the project to conform to the R3-1 Zone requirements. There is no MND prepared for the project. I will have the case file ready for you on Thursday at 11 am. Our staff will need to take lunch break, so please allow enough time to review the case file and make copies before Noon.

On Tue, Sep 17, 2019 at 6:46 PM Virginia J. <vcarville@ymail.com> wrote:

Nuri,

You mentioned in a previous email that Domas withdrew plans in order to modify their plans to correctly reflect the code. I'm wondering what code did they not correctly reflect? Is there a proposed mitigated negative declaration that was prepared for the project?

I'd like to come in this Thursday, Sept 19 at 11am to look at the file for 1141-1145 Crenshaw Blvd. (Domas Development)

thank you,
Virginia

On Tuesday, September 17, 2019, 04:10:28 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Please see the attached hold letter that was issued for the project. As I've mentioned in my previous email, we have not determined the environmental clearance under CEQA as the case is on hold.

There is no hearing with the Advisory Agency, as the applicant is not requesting any subdivision entitlements.

The Planning case is with me in City Hall. Please let me know what day/time you would like to come in and I will have the case file ready for you.

On Tue, Sep 17, 2019 at 2:56 PM Virginia J. <vcarville@ymail.com> wrote:

Hi nuri, I wanted to follow up with you regarding the request below.

Thank you,
Virginia

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>
To: Nuri Cho <nuri.cho@lacity.org>

Sent: Sunday, September 15, 2019, 01:43:59 PM PDT
Subject: Re: 1141-1145 Crenshaw Solaris Apts - EIR/ Mitigated Negative Declaration?

Hi Nuri,

Would you tell me which zoning requirements were incorrect in Domas' original application for 1141-1145 S Crenshaw?

Just for clarification, would you let me know if a mitigated negative declaration has been prepared by LA City and submitted to the state for Solaris? Would you know if there was a hearing with the advisory agency about this project?

Also, would the file regarding Solaris be located at building and safety or with you in City Hall? Is it available for public viewing?

Thank you,
Virginia

On Wednesday, September 11, 2019, 03:01:42 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

That depends on the extent of changes the applicant's team is making.

On Wed, Sep 11, 2019 at 2:57 PM Virginia J. <vcarville@ymail.com> wrote:

Thank you for this information, how long does it usually take to update application documents and plans?

On Wednesday, September 11, 2019, 02:52:35 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

I am aware that they are located in a flood zone. The case was placed on hold on August 23rd.

On Wed, Sep 11, 2019 at 2:45 PM Virginia J. <vcarville@ymail.com> wrote:

Could you tell me when it was put on hold? Sometime in the last few days?

On Wednesday, September 11, 2019, 09:22:54 AM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Thank you for your email. I have not determined the environmental clearance pursuant to CEQA yet, as the case is currently on hold as the applicant will be updating application documents and plans to reflect the correct zoning requirements.

Please let me know if you have any other questions.

On Sun, Sep 8, 2019 at 9:13 PM Virginia J. <vcarville@ymail.com> wrote:

Hi Nuri,

CPC-2020-516-DB-PSH-SIP

I was curious as to whether the City will be completing an ~~EIR~~ EXHIBIT 16C mitigated negative declaration for Domus Development's Solaris "Permanent Supportive Housing" Complex requested to be developed at 1141-1145 Crenshaw Blvd. The development will have significant impacts to the surrounding community, including the homeowners on Victoria Ave.

As you know, the location of 1141-1145 Crenshaw is in an AO flood zone, and development would pose enormous traffic and parking problems to current residents who must compete for parking space with dozens, if not hundreds, of extra cars - the burden created by the City which small homeowners are expected to absorb.

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Virginia Jauregui

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CPC-2020-516-DB-PSH-SIP
EXHIBIT 16C

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- ENV-2019-4050-EAF/DIR-2019-4049-TOC.

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Thank you,
Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>
To: Mitch Edelson <mitchedelson@gmail.com>; board@opnc.org <board@opnc.org>
Cc: councilmember.wesson@lacity.org <councilmember.wesson@lacity.org>;
Nuri.Cho@lacity.org <Nuri.Cho@lacity.org>
Sent: Thursday, August 8, 2019, 10:13:41 AM PDT
Subject: Request for Copy of Position Letter Solaris Apts

Good Morning Mitch,

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The apartment building is slated for 43 apartments to be five stories tall, with only 8 parking spaces allocated to staff, and 0 for residents (due to being built as "Permanent Support Housing", allowing the developer to circumvent local requirements while being able to burden taxpayers with majority of the cost of construction.)

Placing such a huge development next to single family housing on Victoria Ave. would add to major parking problems, obstruct sunlight to small property owners, and place a HUGE BURDEN on the taxpayer and the neighborhood who would be asked to shoulder the cost of construction and the parking burden of dozens if not hundreds of extra cars that have no where to park accept in Oxford Square, diminishing the quality of life of residents on Victoria Ave. and Windsor Blvd. your Board is supposed to protect.

Sincerely,
Virginia Jauregui



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CPC-2020-516-DB-PSH-SIP
EXHIBIT 16C

--



Nuri Cho
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Department of City Planning
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Los Angeles, CA. 90012
T: (213) 978-1177

Re: 4200 Crenshaw Blvd./ Domas Development

CPC-2020-516-DB-PSH-SIP
EXHIBIT 16D

From: Hagu Solomon-Cary (hagu.solomon-cary@lacity.org)

To: vcarville@ymail.com

Cc: vince.bertoni@lacity.org; ceqa.guidelines@resources.ca.gov; nuri.cho@lacity.org

Date: Thursday, November 14, 2019, 3:57 PM PST

Hi Virginia,

My apologies for the delayed response.

We are still researching the matter but I want to clarify for you that the City did not change the zoning to R3 in August.

Once a conclusion has been made on the zoning, I'll be sure to let you know.

At this point the case is still on hold.

Thank you, kindly.

Hagu



Hagu Solomon-Cary, AICP

City Planner

Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1361 | M: (213) 978-1160



On Thu, Nov 14, 2019 at 3:10 PM Virginia J. <vcarville@ymail.com> wrote:

Good Afternoon,

I am following up regarding the issue of zoning for 1141-1145 S. Crenshaw, which is slated for future PSH housing against the concerns of the neighborhood. The city changed the zoning for 1145 S Crenshaw to R3 in August 2019, and used 30 year old ordinance 165331, Subarea 9670 to justify it. Now Nuri is saying that you guys are researching it, and thereby haven't made a determination. **Does that mean Domas' project is on hold because you all haven't made a determination yet on the project?**

According to Zimas the tract for 1145 S Crenshaw is credited to the Oxford Square tract not Benton Terrace.

On page 158 of ordinance 165331 Subarea 9670, which Nuri states is the reason for the zoning change:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

I'm just a little perplexed because the language in the CPO-2020-546 DBS PS-1-141 to cover 1145 S Crenshaw. EXHIBIT 16D

Will 1145 S Crenshaw be changed to R3 as indicated in the August 23, 2019 letter?

Thank you,
Virginia Jauregui

On Thursday, November 7, 2019, 5:22:00 PM PST, Virginia J. <vcarville@ymail.com> wrote:

Hi Hagu,

Nuri told me you are now assigned to 1141-1145 S Crenshaw, and are the new supervisor over the priority housing unit.

From Nuri's email below she states the following:

"ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research."

I looked at page 158 where Subarea 9670 is located, it states:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

According to Zimas the tract for 1141 S. Crenshaw is credited to the is C.W. Monclair tract, while 1145 S Crenshaw is credited to the Oxford Square tract. These are numbered lots 39 and 40. How does 9670 cover this situation?

Would you be able to explain how a a tract credited to Benton Terrace tract is related to this project? I am also unfamiliar with Cadastral maps, would you be able to tell me where I can find these?

Developers are desperate to figure out how to pay off that money they owe to the banks for all their big, crummy and expensive projects. They will NEVER be able to pay back to the banks what they owe, without figuring out some gimmick to bamboozle the people to pay for it. Will the people of this city support HHH projects when they realize they require no traffic or environmental studies, and the people behind these projects who get millions in public funds remain anonymous?

I can't help to see the similarities between the City of CPD-2020-516-DB-PSP-SIP
When San Francisco was destroyed in 1906, it wasn't the earthquake EXHIBIT 100
it, but the faulty infrastructure that failed to work cause it was built by the
friends of elected officials.

With affordable housing estimated at 550,000 a unit, why not retrofit already
existing spaces of empty commercial structures for apartment use?

Is it true that large apartments don't have to report vacancies in LA? How
many units of housing have been built in downtown, and how many currently
remain empty.

http://clkrep.lacity.org/onlinedocs/1984/84-1750-S6_ORD_165331_01-14-1990.pdf

Sincerely,
Virginia Jauregui

On Tuesday, November 5, 2019, 1:29:55 PM PST, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Apologies for the delay in response. We are currently in the process of researching the zoning and land use history of the subject property to determine the correct zone. ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research.

Case No. VTT-73424 has been approved already on August 4, 2016. If you'd like more information on this case, please contact Jordann Turner at Jordann.Turner@lacity.org.

On Tue, Nov 5, 2019 at 12:02 PM Virginia J. <vcarville@ymail.com> wrote:

Good afternoon,

I am following up with you regarding the email sent on October 26.

I am seeking clarification on 1141-1145 S. Crenshaw as requested previously.

I also asked to whom vtt-73434 is currently assigned? Please let me know.

Thank you,
Virginia Jauregui

On Saturday, October 26, 2019, 8:06:25 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Hi Nuri,

Thank you for the response.

Is the Dept. of City Planning taking steps to close to PC 2020-516-DB-PSH-SIP documents related to Solaris haven't been changed as requested EXHIBIT 16D 8/23 letter, when you revised the area's zoning?

I am confused by the statement "if the zone changes to R3". Are you speaking generally? Or does this statement apply to 1141-1145 S Crenshaw which according to the City is now R3-1-O as of August 23 2019?

According to Domas' presentation, Jenesse Center is partnering with them and will be providing services at this location. It's unclear what types of services Jenesse plans to provide at 1141-1145, but according to its website it provides Emergency Shelter, Counseling, Legal Services, Education and Health Services. <https://jenesse.org/> Can a non-profit like Jenesse provide services in an R3-1-O zone?

I have included the language of AB 1197 here. The two requirements Domas would be required to have is 1. that their project meet the requirements of permanent supportive housing and 2. be a recipient of "general bond obligations issued pursuant to Proposition HHH". According to the representative, they have already been awarded 15 million dollars in city and county funding.

Why would an anonymous developer like Domas LLC request discretionary action, if as one of the largest developers of PSH housing in the state, is being awarded Prop HHH funds which exempts their homeless shelters and Permanent Supportive Housing from CEQA, and they are working with a Dept. of City Planning that is willing to bend law, as shown by the Mitigated Negative Declaration for the C3 luxury subdivision project which claimed the subdivision was not in a flood zone, when it would be located in a federal AO Flood Zone a few doors down from where Solaris is planned, which is behind a neighborhood of small single family homes.

Would you please let me know who is assigned VTT-73424 so I can follow up with what happened to C3 Luxury Subdivision?

Thank you,
Virginia Jauregui

On Wednesday, October 23, 2019, 5:18:02 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hello Virginia,

The plans that are in the case file do not show that the applicant is proposing commercial uses on the ground floor.

The applicant has not submitted revised documents as of today. Regarding the AO Flood Zone, the project

is subject to regulatory compliance measures, including the City's Specific Plan for the Membership of Flood Hazards Ordinance No. 172,081, to avoid or reduce flood impacts.

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CEQA applies to all discretionary projects, so if the zone changes to R3, the project would still be subject to CEQA if it requests discretionary actions. The applicant has not requested the use of AB 1197 as of today. Please note that if the applicant wishes to utilize AB 1197 for the Statutory Exemption from CEQA, the applicant will need to demonstrate consistency with the two criteria set forth in AB 1197.

Best,

On Sat, Oct 19, 2019 at 11:43 AM Virginia J. <vcarville@ymail.com> wrote:

Good Day Nuri,

I am coming to you after Domas came to the OPNC meeting on October 9, regarding the Solaris permanent supportive housing project.

On August 23, you stated to Domas they had 30 days to revise their project as their property location was not in C2-1-O, but was in R3-1-O. Does R3 allow for a commercial first floor which Jenesse and KYCC, the non profits tied to the project, will be using?

Did Domas revise their project to reflect the new R3 zoning and the AO Flood Zone as you requested? Or will they need city flood studies for construction in this area?

Also, PSH housing does not need an environmental or traffic study, however Domas at the OPNC meeting stated they were in the process of completing a CEQA. Would the CEQA still be valid if the zoning was changed to R3-1-O, and AB 1197 no longer requires PSH housing in the City of Los Angeles to have a CEQA?

Thank You,

Virginia Jauregui

On Tuesday, September 24, 2019, 4:57:20 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

I will be at the CPC meeting on Thursday, September 26th at 10 am, but will leave the case file at the front desk in City Hall Room 621 for you to review.

On Tue, Sep 24, 2019 at 4:33 PM Virginia J. <vcarville@ymail.com> wrote:

Thursday at 10am please...

On Tuesday, September 24, 2019, 03:54:41 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

When would you like to come in?

On Tue, Sep 24, 2019 at 3:40 PM Virginia J. <vcarville@ymail.com> wrote:

Yes, please.

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On Tuesday, September 24, 2019, 03:32:29 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Did you want to review the case file for 1141 Crenshaw again? There are no additional documents since you reviewed the case file on September 19th.

On Tue, Sep 24, 2019 at 3:29 PM Virginia J. <vcarville@ymail.com> wrote:

I would also like to look at the Domas File 1141-1145 Crenshaw Blvd in addition to Amani Apartment's Senior housing.

Anyway I can arrange this for Thursday at 10am?

On Tuesday, September 24, 2019, 02:54:56 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

It's the file for Amani Apartments LLC PAR-2019-218-TOC.

On Tuesday, September 24, 2019, 01:26:47 PM PDT, Norali Martinez <norali.martinez@lacity.org> wrote:

Hello Virginia,

I'm not sure what case file you are referring to. Do you have an actual case number?



Norali Martinez | City Planning Associate

Department of City Planning

Housing Services Unit

T: (213) 202-5441 | **F:** (213) 482-7080

201 N. Figueroa St., 5th Floor

Los Angeles, CA. 90012

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On Tue, Sep 24, 2019 at 9:36 AM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Norali,

I would like view the file for 4200 Crenshaw Blvd, I believe the developer is Amani Apartments. I have been told this file is

with you.

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Please let me know if I can come and examine the file on
Thursday at 10am.

best regards,

Virginia Jauregui



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TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 4.2. Housing Development Approvals [65913 - 65914] (*Chapter 4.2 added by Stats. 1980, Ch. 1152.*)

65913.4. (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and is not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(1) The development is a multifamily housing development that contains two or more residential units.

(2) The development is located on a site that satisfies all of the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use. Additional density, floor area, and units, and any other concession, incentive, or waiver of development standards granted pursuant to the Density Bonus Law in Section 65915 shall be included in the square footage calculation. The square footage of the development shall not include underground space, such as basements or underground parking garages.

(3) (A) The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower or moderate income housing units required pursuant to subparagraph (B) of paragraph (4) shall remain available at affordable housing costs or rent to persons and families of lower or moderate income for no less than the following periods of time:

(i) Fifty-five years for units that are rented.

(ii) Forty-five years for units that are owned.

(B) The city or county shall require the recording of covenants or restrictions implementing this paragraph for each parcel or unit of real property included in the development.

(4) The development satisfies subparagraphs (A) and (B) below:

(A) Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits, as shown on the most recent production report received by the department, is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(i) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing issued building permits than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project does either of the following:

(I) The project dedicates a minimum of 10 percent of the total number of units to housing affordable to households making at or below 80 percent of the area median income. However, if the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that local ordinance applies.

(II) (ia) If the project is located within the San Francisco Bay area, the project, in lieu of complying with subclause (I), dedicates 20 percent of the total number of units to housing affordable to households making below 120 percent of the area median income with the average income of the units at or below 100 percent of the area median income. However, a local ordinance adopted by the locality applies if it requires greater than 20 percent of the units be dedicated to housing affordable to households making at or below 120 percent of the area median income, or requires that any of the units be dedicated at a level deeper than 120 percent. In order to comply with this subclause, the rent or sale price charged for units that are dedicated to housing affordable to households between 80 percent and 120 percent of the area median income shall not exceed 30 percent of the gross income of the household.

(ib) For purposes of this subclause, "San Francisco Bay area" means the entire area within the territorial boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and the City and County of San Francisco.

(ii) The locality's latest production report reflects that there were fewer units of housing issued building permits affordable to either very low income or low-income households by income category than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making at or below 80 percent of the area median income. However, if the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the area median income, that local ordinance applies.

(iii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to both income levels described in clauses (i) and (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

(C) (i) A development proponent that uses a unit of affordable housing to satisfy the requirements of subparagraph (B) may also satisfy any other local or state requirement for affordable housing, including local ordinances or the Density Bonus Law in Section 65915, provided that the development proponent complies with the applicable requirements in the state or local law.

(ii) A development proponent that uses a unit of affordable housing to satisfy any other state or local affordability requirement may also satisfy the requirements of subparagraph (B), provided that the development proponent complies with applicable requirements of subparagraph (B).

(iii) A development proponent may satisfy the affordability requirements of subparagraph (B) with a unit that is restricted to households with incomes lower than the applicable income limits required in subparagraph (B).

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

(C) The amendments to this subdivision made by the act adding this subparagraph do not constitute a change in, but are declaratory of, existing law.

(6) The development is not located on a site that is any of the following:

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(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(G) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(H) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(K) Lands under conservation easement.

(7) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

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(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(8) The development proponent has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(B) (i) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction

located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(ii) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(iii) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(C) Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(i) The project includes 10 or fewer units.

(ii) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(9) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

(10) The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of

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Division 13 of the Health and Safety Code).

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(b) (1) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(3) For purposes of this section, a development is consistent with the objective planning standards specified in subdivision (a) if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(c) (1) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(A) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the development is consistent with the requirements of subparagraph (A) or (B) of paragraph (9) of subdivision (a) and is consistent with all objective subdivision standards in the local subdivision ordinance, an application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and shall be subject to the public oversight timelines set forth in paragraph (1).

(d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing automobile parking requirements in multifamily developments, shall not impose automobile parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(e) (1) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the area median income.

(2) (A) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making at or below 80 percent of the area median income, that approval shall remain valid for three years from the date of the final action establishing that approval, or if litigation is filed challenging that approval, from the date of the final judgment upholding that approval. Approval shall remain valid for a project provided that vertical construction of the development has begun and is in progress. For purposes of this subdivision, "in progress" means one of the following:

(i) The construction has begun and has not ceased for more than 180 days.

(ii) If the development requires multiple building permits, an initial phase has been completed, and the project

proponent has applied for and is diligently pursuing a building permit for a subsequent phase, provided that once it has been issued, the building permit for the subsequent phase does not lapse.

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(B) Notwithstanding subparagraph (A), a local government may grant a project a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(3) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and processes set forth in this section.

(f) (1) A local government shall not adopt or impose any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(2) A local government shall issue a subsequent permit required for a development approved under this section if the application substantially complies with the development as it was approved pursuant to subdivision (b). Upon receipt of an application for a subsequent permit, the local government shall process the permit without unreasonable delay and shall not impose any procedure or requirement that is not imposed on projects that are not approved pursuant to this section. Issuance of subsequent permits shall implement the approved development, and review of the permit application shall not inhibit, chill, or preclude the development. For purposes of this paragraph, a "subsequent permit" means a permit required subsequent to receiving approval under subdivision (b), and includes, but is not limited to, demolition, grading, and building permits and final maps, if necessary.

(g) (1) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of subdivision (i) of Section 65583.2.

(2) This section shall not prevent a development from also qualifying as a housing development project entitled to the protections of Section 65589.5. This paragraph does not constitute a change in, but is declaratory of, existing law.

(h) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to actions taken by a state agency, local government, or the San Francisco Bay Area Rapid Transit District to:

(1) Lease, convey, or encumber land owned by the local government or the San Francisco Bay Area Rapid Transit District or to facilitate the lease, conveyance, or encumbrance of land owned by the local government, or for the lease of land owned by the San Francisco Bay Area Rapid Transit District in association with an eligible TOD project, as defined pursuant to Section 29010.1 of the Public Utilities Code, nor to any decisions associated with that lease, or to provide financial assistance to a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code.

(2) Approve improvements located on land owned by the local government or the San Francisco Bay Area Rapid Transit District that are necessary to implement a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code.

(i) For purposes of this section, the following terms have the following meanings:

(1) "Affordable housing cost" has the same meaning as set forth in Section 50052.5 of the Health and Safety Code.

(2) "Affordable rent" has the same meaning as set forth in Section 50053 of the Health and Safety Code.

(3) "Department" means the Department of Housing and Community Development.

(4) "Development proponent" means the developer who submits an application for streamlined approval pursuant to this section.

(5) "Completed entitlements" means a housing development that has received all the required land use approvals or entitlements necessary for the issuance of a building permit.

(6) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(7) "Moderate income housing units" means housing units with an affordable housing cost or affordable rent for persons and families of moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(8) "Production report" means the information reported pursuant to subparagraph (H) of paragraph (2) of

subdivision (a) of Section 65400.

(9) "State agency" includes every state office, officer, department, division, bureau, board, and commission, but does not include the California State University or the University of California.

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(10) "Subsidized" means units that are price or rent restricted such that the units are affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(11) "Reporting period" means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(12) "Urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

(j) The department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(k) The determination of whether an application for a development is subject to the streamlined ministerial approval process provided by subdivision (b) is not a "project" as defined in Section 21065 of the Public Resources Code.

(l) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply.

(m) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended (as amended by Stats. 2019, Ch. 159, Sec. 8) by Stats. 2019, Ch. 844, Sec. 5.3. (SB 235) Effective January 1, 2020. Repealed as of January 1, 2026, by its own provisions.)



State of California

GOVERNMENT CODE

Section 65651

65651. (a) Supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development satisfies all of the following requirements:

(1) Units within the development are subject to a recorded affordability restriction for 55 years.

(2) One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

(3) At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

(4) The developer provides the planning agency with the information required by Section 65652.

(5) Nonresidential floor area shall be used for onsite supportive services in the following amounts:

(A) For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.

(B) For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

(6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.

(7) Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

(b) (1) The local government may require a supportive housing development subject to this article to comply with written, objective development standards and policies. However, the local government shall only require the development to comply with the objective development standards and policies that apply to other multifamily development within the same zone.

(2) The local government's review of a supportive housing development to determine whether the development complies with objective development standards, including objective design review standards, pursuant to this subdivision shall be conducted consistent with the requirements of subdivision (f) of Section 65589.5, and shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(3) Any discretion exercised by a local government in determining whether a project qualifies as a use by right pursuant to this article or discretion otherwise exercised pursuant to this section does not affect that local government's determination that a supportive housing development qualifies as a use by right pursuant to this article.

(c) Notwithstanding any other provision of this section to the contrary, the local government shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:

(1) The owner demonstrates that it has made good faith efforts to find other sources of financial support.

(2) Any change in the number of supportive housing units is restricted to the minimum necessary to maintain the project's financial feasibility.

(3) Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

(d) If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time-count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units. A policy by a city or county to approve as a use by right proposed housing developments with a limit higher than 50 units does not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(e) This article does not prohibit a local government from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to housing developments. However, a local government shall not adopt any requirement, including, but not limited to, increased fees or other exactions, that applies to a project solely or partially on the basis that the project constitutes a permanent supportive housing development or based on the development's eligibility to receive ministerial approval pursuant to this article.

(Amended by Stats. 2019, Ch. 346, Sec. 2. (SB 744) Effective January 1, 2020.)



State of California

PUBLIC RESOURCES CODE

Section 21159.21

21159.21. A housing project qualifies for an exemption from this division pursuant to Section 21159.22, 21159.23, or 21159.24 if it meets the criteria in the applicable section and all of the following criteria:

(a) The project is consistent with any applicable general plan, specific plan, and local coastal program, including any mitigation measures required by a plan or program, as that plan or program existed on the date that the application was deemed complete and with any applicable zoning ordinance, as that zoning ordinance existed on the date that the application was deemed complete, except that a project shall not be deemed to be inconsistent with the zoning designation for the site if that zoning designation is inconsistent with the general plan only because the project site has not been rezoned to conform with a more recently adopted general plan.

(b) Community-level environmental review has been adopted or certified.

(c) The project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.

(d) The site of the project does not contain wetlands, does not have any value as a wildlife habitat, and the project does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or by the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and the project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete. For the purposes of this subdivision, "wetlands" has the same meaning as in Section 328.3 of Title 33 of the Code of Federal Regulations and "wildlife habitat" means the ecological communities upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection.

(e) The site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.

(f) The site of the project is subject to a preliminary endangerment assessment prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(1) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(2) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(g) The project does not have a significant effect on historical resources pursuant to Section 21084.1.

(h) The project site is not subject to any of the following:

(1) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.

(2) An unusually high risk of fire or explosion from materials stored or used on nearby properties.

(3) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.

(4) Within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.

(5) Landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

(i) (1) The project site is not located on developed open space.

(2) For the purposes of this subdivision, "developed open space" means land that meets all of the following criteria:

(A) Is publicly owned, or financed in whole or in part by public funds.

(B) Is generally open to, and available for use by, the public.

(C) Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities.

(3) For the purposes of this subdivision, "developed open space" includes land that has been designated for acquisition by a public agency for developed open space, but does not include lands acquired by public funds dedicated to the acquisition of land for housing purposes.

(j) The project site is not located within the boundaries of a state conservancy.

(Amended by Stats. 2012, Ch. 39, Sec. 96. (SB 1018) Effective June 27, 2012.)

SECONDARY SUBMISSIONS

Case #CPC-2020-516-DB-PSH-SIP
1141-1145 S. Crenshaw Blvd.
Los Angeles, CA

June 1, 2020

Mr. Jim Harris
City Planning Associate
200 N. Spring Street, Room 621
Los Angeles, CA 90012

Dear James,

My name is BK, and I'm a property owner of 1146 South Victoria Avenue, which is located directly adjacent to the development site at 1141-1145 S. Crenshaw Blvd (Case #CPC-2020-516-DB-PSH-SIP).

I have reviewed the entitlement package, dated March 9, 2020, prepared by FSY Architects, and have the following comments:

1. **The westerly portion of the proposed 5-story building in the R3-1-0 zone is located approximately 17' -25.5' from the R1 zoning boundary. The overall height to the top of parapet is shown as 57'-3 1/2".** Per LAMC 12.22 A.25 (f) (5) (ii) and (iii), I request that no additional height beyond 45' to be permitted within 50' from the R1 zone.

LAMC 12.22 A.25(f)(5):

(ii) No additional height shall be permitted for that portion of a building in a Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.

(iii) No additional height shall be permitted for any portion of a building in a Housing Development Project located on a lot sharing a common lot line with or across an alley from a lot classified in an R1 or more restrictive zone. This prohibition shall not apply if the lot on which the Housing Development Project is located is within 1,500 feet of a Transit Stop but no additional height shall be permitted for that portion of a building in the Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.

2. **The existing retaining wall along the easterly property line should be reconstructed per the latest building code as part of this development.** The height of existing retaining wall is approximately 10', and starting to show signs of caving in. The existing retaining wall should be reconstructed per the latest building code and seismic requirements for the safety of neighbors and future residents.
3. **Parameter fences shall be installed along the easterly property line as part of this development.** The development site is approximately 10' higher than the adjacent R1 zone, and almost leveled with the roof of adjacent residential buildings. Parameter fence, that is aesthetically acceptable to the adjacent property owners, should be provided for the safety of neighbors and future residents.
4. **The proposed building finish floor elevation should be revised per the FEMA guideline.** The development site is located in Flood zone AO with flood depth of 2', as designated by FEMA. Per the FEMA guideline, the lowest level finish floor elevation shall be set minimum 1' above the base flood elevation.

Sincerely,

Byung Kang

5-30-2020

Re: 1141-1145 S Crenshaw Blvd

Case # CPC-2020-516-DB-PSH-SIP

To Whom it may concern,

My name is Sam Benjamin. My Brother and I own the property directly North of this proposed built site. Our address is 1133-1135 S Crenshaw. We bought this property back in 1999. We have been through good and bad times in our neighborhood. We have been blessed with having 2 great tenants on our commercial site, one of which is a wonderful Church which brings a lot of hope and peace to the community.

Back in the year 2000 we invested over 150K and build a legal and permitted advertising billboard. This billboard is now being leased by outfront media corporation for 3,000 dollars a month. They 10 years remaining on their current lease.

My brother and I are both new fathers, have families to care for and rely on this income to take care of our loved ones.

We have received word of this next door project and our feelings are mixed. As far as it being a low income housing, I'm not sure what kind of an effect it will have on the neighborhood, community and property values at large. I leave this decision to people who know much more than I do about these things, you, the planning Committee. I trust that you keep all the residents and property owners best interests in mind, and heart. What I do know is that as a result of the variances being granted to the new construction project, mainly in size, width, depth and most importantly height is that our billboard will be mostly and not fully obstructed and our income from this will cease. Our billboard lessee has the right to cancel at any time should visibility be obstructed, rightfully so.

I have been in touch with James Harris and Victor Polanco at your department, both outstanding, supportive and very knowledgeable men whom have been very comforting and helpful during this trying time.

I humbly and respectfully ask, that when and if this project moves forward and we have a better idea of just how detrimental this will be to our billboard and its income that the planning committee will grant us our own variance to move and/or adjust the billboard as needed so we will be made whole again. I know that the committee wants this proposed project to benefit everyone in the community, especially the next door property owners. I respectfully ask that when the time comes, you help us return to our pre-project whole status. Help us with keeping our advertising tenant and thus protect our families incomes and well being.

I thank you so much for your time and consideration and may God bless us all.

Respectfully,

Sam Benjamin.

310-594-9221

Sammyb6685@yahoo.com

Fwd: E. K. Art Gallery and Learning Center (1125 Crenshaw Blvd)

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Exhibit 19

Begin forwarded message:

From: Daniel Kim <dmkim@dgbamerica.com>
Subject: E. K. Art Gallery and Learning Center (1125 Crenshaw Blvd)
Date: January 5, 2017 5:45:12 PM PST
To: Chris Elwell <Chris_Elwell@spe.sony.com>, Elizabeth Carlin <elizabeth.carlin@lacity.org>, EUNICE KIM <eunice.kim@saymeekinc.com>, Fernando Tovar <fernando.tovar@lacity.org>, George Kelly <george@kelly-architects.com>, James Hwang <jamie.hwang@lacity.org>, Jordan Beroukhim <jordan.beroukhim@lacity.org>, Judy Jeanson <hotomato1@aol.com>, Laura-Diane Rudison <Lauradiane.Rudison@sce.com>, Lynn Kuwahara <lynnkuwahara@yahoo.com>, Oliver Netburn <oliver.netburn@lacity.org>, Robert Cresswell <zoot@malachiarts.com>, Robert Tanaka <tanaka.51@gmail.com>, Sylvia Lacy <sylvia.lacy@lacity.org>, Tony Kim <TONY.KIM@saymeekinc.com>, "Maugasa T. Smith" <maugasa2@gmail.com>, joon cheon <jcheon@dgbamerica.com>

Hello all,

My name is Daniel Kim, architect for the E.K. Art Gallery and Learning Center project located at 1125 Crenshaw Blvd. Our office has received comments from neighbors regarding our proposed project through council office and public hearing.

We have carefully reviewed every comment and prepared responses to each comments. Please find out attached PDF file for your review. I hope our responses could help you to understand intent of our design more clearly.

We are also going to have a brief presentation of the project at the Planning and Land Use Management Committee (PLUM) meeting, scheduled on January 17th, 2017. If you have further questions on the project, please come to the meeting and discuss together.

PLUM Meeting date, time and location are;

-Date & Time: January 17, 2017 @7:00pm~9:00pm

-Location: 4067 W. Pico Blvd, Los Angeles, CA 90019

(You may also check OPNC website for any updated information)

<http://opnc.org/>

If you have any questions, please feel free to contact us at any time.

Thank you

CPC-2020-516-DB-PSH-SIP
EXHIBIT 19

--
Daniel D. Kim
NCARB, LEED AP
Principal
DGB+Line
t)213-388-6642
f)213-388-6643
www.dgbamerica.com



1125-Crenshaw-Architect's_Response.pdf
606.8kB

Council District #10
1819 S. Western Ave.
Los Angeles, CA 90006
Att: Elizabeth Carlin / Jordan Beroukhim

Re: Architect's Responses to the Comments from the Neighbors

Project: E.K. Art Gallery & Learning Center
Address: 1125 Crenshaw Blvd., Los Angeles, CA
ZA-2016-2604-ZAD

Dear Ms. Carlin,

We have reviewed public comments which were received by Council Office regarding our proposed project, E.K. Art Gallery & Learning Center, located at 1125 Crenshaw Blvd. We appreciate neighbors' comments and prepared our responses as below. We hope it should help our neighbors to understand our design intent clearer and relieve their concerns on the proposed development.

1. Comment #1:

Proposed building is too large and tall compared to nearby structure and will have negative impact on neighboring residential along the Victoria Park.

Response:

Zoning classification of the project property is C2-1, which allows construction of commercial building with maximum FAR of 1.5:1. Total area of proposed building is approximately 48,000 sq.ft. which is less than 52,500 sq.ft., maximum allowable floor area per zoning code.

In regards to the building height, although project property is in transitional height zone, building can be constructed up to 61'-0", which is normally 4 or 5 stories, by right.

In case building is developed by right, there should be no big difference in size and height of the structure.

2. Comment #2:

Consider underground parking to eliminating upper level parking.

Response:

We considered underground parking from the early stage of the project but found out it is not a feasible option due to the storm drain easement running diagonally across the property.

Top elevation of the storm drain easement is approximated 6 feet from the ground elevation and it is impossible to have underground structure over the easement.

3. Comment #3:

Building is too close to the property.

Response:

Zoning code does not require setback for the commercial development. We voluntarily setback the structure 3'-0" to have landscape buffer. There will be 15'-0" setback from the 2nd floor. Wall line of 3rd and 4th floor will be located 49'-

0" from the property line. Each setback area is designed to have ample landscape blocking visual interruption and noise from the proposed building.

If project is developed by right, it would be harder to create landscape buffer due to the height limits.

4. Comment #4

Upper level parking would cast negative impact on abutting R-1 residential.

Response:

2nd level parking is inevitable since we cannot develop underground parking. Zoning code also does not prohibit 2nd level parking next to the residential zone. We implemented following design to minimize negative impact on the neighbors.

- Enclosed parking structure: approximately 2/3 of parking structure will be enclosed and provide complete visual isolation from the parking structure.
- 6'-0" height parapet wall along the open parking area: 6'-0" parapet wall should be high enough to prevent any visual interference with residential area.
- Landscape buffer: Proposed tall trees along the west property line should provide additional buffering between parking structure and residential.

5. Comment #5

Proposed project might need an EIR and full CEQA review.

Response:

Initial environmental impact assessment does not found any significant and project was issued a Categorical Exemption, Class 32. A full traffic study also submitted and reviewed by Department of Transportation. No significant impact was identified and report was approved.

6. Comment #6

There will be privacy infringement due to 4th floor residential and outdoor patio.

Response:

Stepped building profile will efficiently blocking sight line from the 4th floor even not considering landscape. (See attached sightline diagram) Residents from the 4th floor should see only roof of the residential structure and could not see the backyard.

7. Comment #7

There might not be enough parking / Concerns about overflow parking.

Response:

The Number of required parking is calculated per zoning ordinance and no variance has been requested in terms of parking requirements. Substitution of required parking spaces by bike parking is allowed by code and encourage by planning department. We expect efficient use of bike parking due to the nature of the proposed facility. Also peak hours for the major usages, such as restaurant and classes, are not overlapped each other.

In regards to the overflow parking, since access to the facility is limited to the entrance from the Crenshaw Blvd, there should be no possibility of overflow parking along Victoria ave.

8. Comment #8

There should be noise and privacy interruption due to the use and layout of the building.

Response

Commercial development at the site is rightful activity of the property owner and all our proposed uses are allowed by zoning code. We do not file any variance or conditional use permit in regards to the use of the building.

We believe noise and privacy interruption could be properly mitigated by various design solutions as suggested. The types of activities and use time within outdoor patio space would be strictly controlled.

Conclusion

Project property is classified as C2-1, which allows commercial development of 61'-0" in height and 52,000 sq.ft. in area. Our proposed design is little higher than allowable height to comply flood zone requirement. Portion of 3rd & 4th floor are also encroaching height limitation in order to avoid long linear shape blocking entire property. We strongly believe our design creates much more attractive environment with ample landscape, minimizing negative impact on the abutting neighborhood when compared to possible building design strictly followed by height limitation by zoning code.

Also, please remember problems caused by existing building. We can proudly say that our project will dramatically enhance its surrounding neighbors by sophisticated building design as well as providing community oriented usages.

If you have further questions regarding our project, please feel free to contact us.

Thank you



Daniel D. Kim
NCARB, LEED AP
Principal
DGB+Line

Attachment:

- Bird's Eye Rendering for the Back of the proposed Building
- Building Cross Section with Sight Line Diagram
- Building Cross Section with Sight Line Diagram (By Right Option)

This is the secondary submission submitted to the City of Los Angeles, regarding CPC-2020-516-DB-PSH-SIP – related to the construction of PSH housing at 1141-1145 S. Crenshaw Blvd., that in 2018 was estimated to cost roughly \$570,000 a unit to construct. Previously Domas Development, the largest developer of public housing in the state, was tied to this project. It is unclear if Domas is still tied to the project, or why the project was awarded over 9 million in Prop HHH funds, when the property at 1141-1145 S. Crenshaw Blvd. is not suitable for PSH construction, due to the location in the AO Flood Zone and its sensitivity of being situated on Crenshaw Blvd., an integral artery leading to and from the 10 freeway.

I am deeply concerned that the Dept. of City Planning is engaging in malicious and willful disenfranchisement of residents and homeowners by using their positions as trusted public employees to commit fraud against the people of the city, and thus jeopardize their health, safety, and well-being.

Residents are forced to accommodate privately owned/publicly funded pre-covid apartment complexes that force neighborhoods of single-family homes to double as garden side parking lots. Why don't the needs of the City's current residents or the protection of the environment matter?

Why is the only time developers care about battered women is if they can use them to justify bilking the public of their paychecks to go toward funding a single unit of housing that was estimated to cost in 2018 approximately \$570,000 a unit to build. How much can the landlord raise rent, and will the people be forced to subsidize increases in rent as well? 50675.14 (f) states: The department may provide higher per-unit loan limits as reasonably necessary to provide and maintain rents that are affordable to the target population. What on earth does this mean in English, does this law apply to PSH housing built in the City of Los Angeles? How high can landlords make rents fly? So high that there are a lot of people on the street wondering why the city did nothing while they got thrown or bamboozled out of their little apartments like Rosa a local senior, whom I wrote to the city about in 2018, did. The new managers used lawyers to scare her to leave, when she didn't want to go.

According to Gov Code 15463 (b) The authority may issue...bonds in the amount not to exceed two billion dollars...(d) The authority may also utilize bond proceeds to fund necessary reserves for principal and interest, capitalized interest, credit enhancement or liquidity costs....and to **reimburse loans** under Section 5849.14 of the welfare and institutions code. (emphasis added)

In October 2019, the OPNC voted to send a letter of support for the Solaris 1141-1145 S. Crenshaw construction project, one month after they locked the neighborhood out of the meeting. I don't recall finding a letter of support from the OPNC in the SIP file.

Allowing a building to be constructed with no studies or CEQA in an AO Flood zone on a sensitive and integral street like Crenshaw is DANGEROUS, greedy, and foolish. Where else in the city have these building practices been employed? The Westside who are suffering from the City's bad planning which is realized when they attempt to drive home from work.

We live in a city that is earthquake prone, lacks water, and is dependent on cars to transport ourselves safely. Making streets immobile by improper/fraudulent planning is asking for serious problems and biblical suffering of epic proportions. LA does not have the water supply to support indefinite growth and development. Why does it plan like its Manhattan? New York could never have been the hellhole it is today without Niagara Falls to provide its fresh water supply.

Since my first submittal, there has been a correction. Since 2018, I have not found three but FOUR properties that claimed/or attempted to claim a fake CEQA exemption, all in the Olympic Park area, and include:

- C3 Luxury Subdivision (1102-1128 S. Crenshaw)
- Domas Development PSH Solaris Apts. (1141-1145 S. Crenshaw)
- Murray Mansions Condo Subdivision (1251 S. West Blvd)
- E.K. Art Gallery and Learning Center (1113-1127 S. Crenshaw) – In Construction

The Dept. of City Planning granted fake CEQA exemptions claiming that these locations were NOT in a flood zone. All locations are in an AO Flood Zone, and thus not applicable to exemption. They cannot be trusted to tell the truth.

For example, EK Art Gallery and Learning Center was provided with a CEQA exemption in 2016 or 2017. According to Zimas, the environmental clearance (Notice of exemption) was rescanned into the system five days after Planner Nuri Cho issued a letter to Domas Development on 8/23/19 "correcting" the zoning to 1145 S. Crenshaw Blvd from CR to R3. According to the SIP file, the applicant states that the ordinance "clearly shows" that the R3 zone applies to the property. Unless the City of Los Angeles and their developers still employ gaslighting, #165331/9670 cannot be clearly ascribed to the property in question.

In January 2017, the architect for EK Art Gallery, the property at 1113-1127 S. Crenshaw sent an email to several people, including Chris Elwell, the president of Oxford Square HPOZ, and former Executive Vice President for US Distribution Business Operations and Strategy for Sony Pictures. *Mr. Elwell was present during a neighborhood meeting when I attempted to address the neighbors gathered in a private home on Victoria Ave. who came to hear about Solaris, (after the OPNC had illegally*

cancelled its September 2019 meeting to prevent complaints). Mr. Elwell would not allow me to speak nor would allow the topic of Solaris to be discussed.

Included on the To line with Mr. Elwell, is the former OPNC president Laura Rudison (who penned a fake letter of support for C3 Luxury Subdivision in 2016), and several City Staff including Fernando Tovar; James Hwang; Jordan Beroukhim; Oliver Netburn; and Sylvia Lacy, etc. (Exhibit 19)

The PDF attached entitled *Re: Architect's Responses to the Comments from Neighbors* states the following: (Exhibit 20)

- underground parking was not a “feasible option due to the storm drain easement running diagonally across the property.”
- “initial environmental impact assessment does not found any significant and project was issued a Categorical Exemption, Class 32. A full traffic study also submitted and reviewed...No significant impact was identified and report was approved.”[sic]
- Conclusion – “our proposed design is little higher than allowable height to comply flood zone requirement.”

How can a development be granted a CEQA exemption when it is located in an AO Flood Zone? *See they mention flood zone in the document that was sent to City Planning staff and the HPOZ and OPNC Presidents, the findings must be legit....*

Was EK Art Gallery and Learning Center determined by the City Commission to be a by right/ministerial project when it, like 1141-1145 S. Crenshaw, is in an AO flood zone and thus subject to the City's Flood Plan and Title 44 of the Federal Flood Code and thus not ministerial in nature? If it was a by-right project, did City Staff inform the City Commission that it was in a flood zone as it had an obligation to do, did it include language to affirm that it conformed to the City's Flood Plan as required?

The City of Los Angeles is repeating the grave historical error of the City of San Francisco, whose destruction in 1906 had less to do with its earthquake, and more to do with corrupt politicians granting lucrative contracts to build city water mains and other infrastructure which failed because it was built by their buddies.

I hope the Commission makes the right decision for the people of this city when it comes to this project and others like it.

Sincerely,

Virginia Jauregui



Venice Neighborhood Council

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BY EMAIL

January 6, 2020

Councilmember Mike Bonin Councilmember.Bonin@lacity.org
Vince Bertoni vince.bertoni@lacity.org

Re: WRAC LUPC Resolution to Reform Public Access to Consideration of Planning Cases

Dear Commissioner Bertoni and Council Member Bonin:

Please be advised that at a regular public meeting of the Venice Neighborhood Council (VNC) Board of Officers held on December 17, 2019 the following Land Use Planning Committee (LUPC) Motion was approved.

MOTION:

WRAC LUPC Resolution to Reform Public Access to Consideration of Planning Cases As requested by the Land Use and Planning Committee of the Westside Regional Alliance of Regional Councils (WRAC), the Venice Neighborhood Council recommends *denial* of the following Resolution:

WRAC requests that the City of Los Angeles reform the planning comment process as follows:

1. The City Planning Commission and City Council's Planning and Land Use Management (PLUM) Committee shall hold a public hearing for all projects for the first time they consider them, and public comment minimum shall be two (2) minutes.
2. No city bodies, including the City Council, shall put projects on the consent calendar because a project has already had a hearing before the Zoning Administrator, a Hearing Officer, or the PLUM Committee.
3. No city bodies shall limit comment to one minute because an earlier hearing or hearings have been held. Two (2) minutes should be the minimum.
4. Staff reports shall include copies of all public comments and not only list a summary. I further move that the above Motion be presented to the City Council as a Community Impact Statement.



Venice Neighborhood Council

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ACTION:

The Motion to deny the WRAC motion was approved 16-3-1.

Respectfully submitted,

Ira Koslow
President
Venice Neighborhood Council

Cc:

Council District 11:

Len Nguyen, Len.nguyen@lacity.org
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Venice Neighborhood Council

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DAY OF HEARING SUBMISSIONS