DEPARTMENT OF CITY PLANNING
APPEAL REPORT

City Planning Commission

Date: August 8, 2024
Time: After 8:30 A.M.*
Place: Los Angeles City Hall
200 N. Spring Street, Room 340
Los Angeles, CA 90012

And via Teleconference. Information will be provided not later than 72 hours before the meeting on the meeting agenda published at https://planning.lacity.org/about/commissions-boards-hearings and or by contacted cpc@lacity.org

Public Hearing: Required
Appeal Status: Appealable to City Council
Expiration Date: August 8, 2024

Case No.: VTT-84089-SL-HCA-1A
CEQA No.: ENV-2023-6117-CE
Incidental Cases: N/A
Related Cases: CPC-2023-6115-DB-HCA, ADM-2023-6116-SLD
Council No.: 10 – Hutt
Plan Area: West Adams – Baldwin Hills - Leimert
Specific Plan: N/A
General Plan: Low Medium II Residential
Zone: RD1.5-1

Applicant: Marc & Risa Dauer, Preuss Development, LLC

Representative: Kevin Scott, Brian Silveira & Associates

Appellant: Arielle Mandell / Kristina Kropp, Luna & Glushon

Concerned Residents of Shenandoah Street / Kristina Kropp, Luna & Glushon

Howard Witkin

Meyer Shwarzstein & Susan Kahn

Shelly Rothschild

PROJECT LOCATION: 1904 – 1906 South Preuss Road

PROPOSED PROJECT: The proposed project involves the subdivision of two (2) lots into 12 small lots (Lots A – L) for the construction of 12 small lot homes (Units A – L). The project will demolish the existing two (2) single-family houses for the construction of 11 four-story small lot homes and one (1) three-story small lot home with one (1) unit set aside for Very Low Income (VLI) Households. Two rows of six small lot home will be located along the northern and southern portions of the project site (Units A – F and Units G – L, respectively). Seven (7) small lot homes will have a building height of 45 feet. Four (4) small lot homes will have a building height of 44 feet and 11 inches. One (1) small lot home will have a building height of 47 feet, three-stories. Each small lot home will provide two (2) automobile parking spaces for a total of 24 automobile parking spaces. Each small lot home will provide one (1) bicycle parking space.

Vesting Tentative Tract Map No. 84089-SL-HCA-1A

APPEAL ACTION:

1. Pursuant to Section 17.06 of the Los Angeles Municipal Code (LAMC), an appeal of the Advisory Agency's determination to conditionally approve Vesting Tentative Tract Map No. 84089-SL-HCA for the subdivision of two (2) lots into 12 small lots in the West Adams – Baldwin Hills – Leimert Community Plan.

RECOMMENDED ACTIONS:

1. **Determine** that the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;

2. **Deny** the appeal and **sustain** the Advisory Agency's determination approving Vesting Tentative Tract Map No. 84089-SL-HCA for the subdivision of two (2) lots into 12 small lots;

3. **Adopt** the existing Conditions of Approval; and

4. **Adopt** the Advisory Agency's Findings.

VINCENT P. BERTONI, AICP
Director of Planning

Heather Bleemers
Deputy Advisory Agency

Esther Ahn
City Planner

David Woon
Planning Assistant

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

TABLE OF CONTENTS

Project Analysis **A-1**

Appeal Analysis **A-6**

Staff Conclusion and Recommendation **A-17**

Exhibits:

Exhibit A – Appeal Applications

Exhibit B – Applicant's Response to Appeals

Exhibit C – Determination Letter - VTT-84089-SL-HCA

Exhibit D – Vesting Tentative Tract Map No. VTT-84089-SL-HCA

Exhibit E – Small Lot Design Standards Checklist – Administrative Review (April 22, 2024)

Exhibit F – Environmental Documents

Exhibit G – Public Comment

Exhibit H – Department Letters

Exhibit I – Maps

PROJECT ANALYSIS

Project Summary

The proposed project involves the subdivision of two (2) lots into 12 small lots (Lots 1 – 12) and the construction, use, and maintenance of a 12-unit small lot development. One (1) small lot home would be constructed at each of the 12 small lot subdivisions. Two (2) single-family houses on the project site will be demolished, resulting in a net increase of 10 units through the development of the proposed project. Lots 1 – 6 will be located on the northern portion of the project site and Lots 7 – 12 will be located on the southern portion of the site, as shown in *Figure 1* below. Access to the project site will be provided along South Preuss Road to the west and an adjacent alley to the east. Common access to the project and associated parking will be provided through a center driveway. Pedestrian pathways along the northern and southern edges of the project site will provide access to the primary entrances of each small lot home.

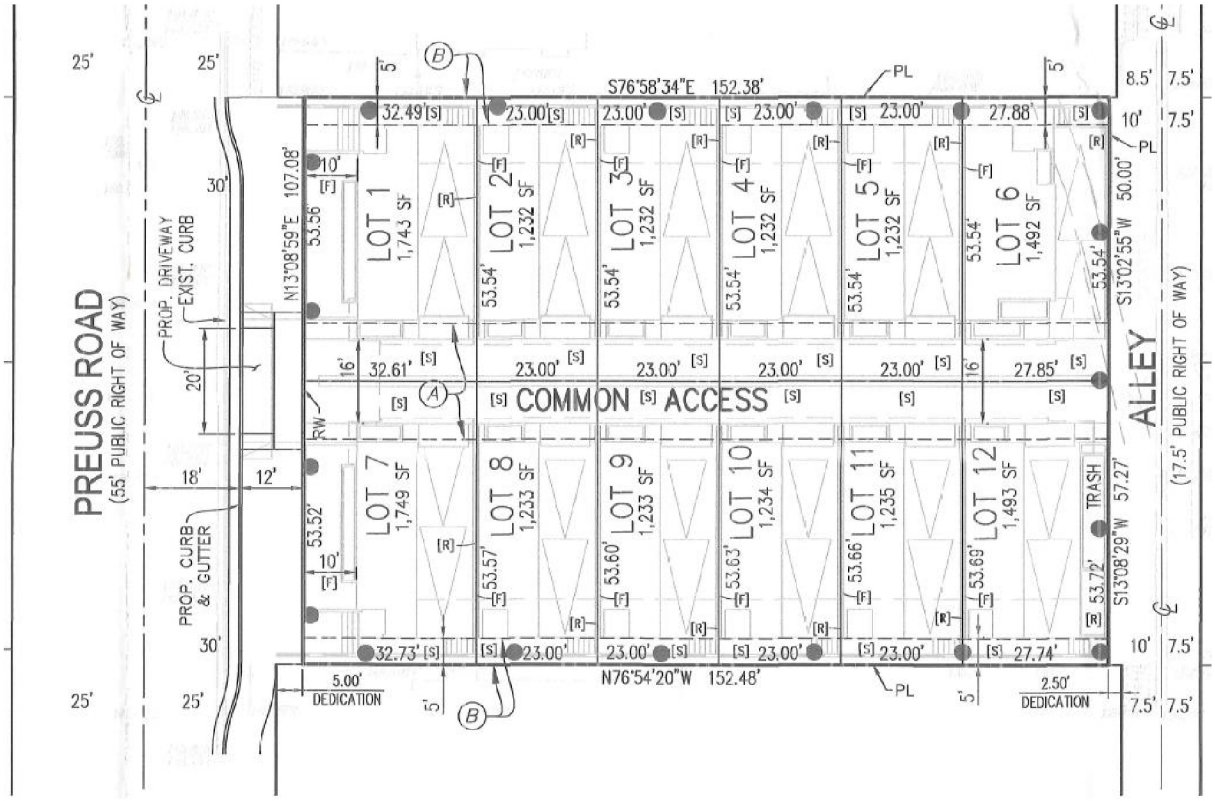


Figure 1. Vesting Tentative Tract Map No. 84089-SL-HCA

The proposed 12-unit small lot development will encompass a total floor area of 27,105 square feet, equating to a FAR (Floor Area Ratio) of 2.46 to 1. A breakdown of the square footage, FAR, building height, and the number of bedrooms provided by each small lot home is shown in *Table 1* below (Unit Numbers correspond sequentially with the subdivision of 12 small lots as indicated in Vesting Tentative Tract Map No. 84089-SL-HCA (Exhibit D), i.e. Lot 1 corresponds to Unit A, Lot 2 corresponds to Unit B, Lot 3 corresponds to Unit C, etc…).

Small Lot No.	Unit No.	Buildable Area (square feet)	Floor Area (square feet)	FAR	Height (feet, stories)	Bedrooms
1	A	913	2,288	2.51	45', 4-stories	4
2	B	933.27	2,365	2.53	45'", 4-stories	4
3	C	933.27	2,365	2.53	45', 4-stories	4
4	D	933.27	2,365	2.53	45', 4-stories	4
5	E	933.27	2,365	2.53	44'-11", 4-stories	4
6	F	826.04	1,341	1.62	37', 3-stories	3
7	G	913	2,288	2.51	44'-11", 4-stories	4
8	H	933.27	2,365	2.53	45', 4-stories	4
9	I	933.27	2,365	2.53	45', 4-stories	4
10	J	933.27	2,365	2.53	45', 4-stories	4
11	K	933.27	2,365	2.53	44'-11", 4-stories	4
12	L	912.99	2,281	2.50	44'-11", 4-stories	4
	Total	11,032 SF	27,118 SF	2.46		

Table 1: Unit Breakdown

Units A – F will be located along the northern portion of the project site with front door entrances accessible through the northern pedestrian pathway. Units G – L will be located along the southern portion of the project site with front door entrances accessible through a southern pedestrian pathway. With the exception of Unit F located at the northeastern corner of the small lot development, each small lot home will be four-stories in height, comprise of four bedrooms, balconies overlooking the center driveway, and a roof deck. Unit F will be three-stories in height, comprise of three bedrooms, and balconies overlooking the center driveway and abutting alley. A rendering of the proposed developed is shown in *Figure 2*.



Figure 2. Proposed 12-Unit Small Lot Development fronting South Preuss Road

The project will provide a total of 24 automobile parking spaces located within the ground floor level of each small lot home. Each small lot home will provide two (2) vehicular parking spaces located within an enclosed garage, with the exception of Unit F in which its vehicular parking spaces will be located outside and adjacent to the three-story unit. Vehicular access to the 24 automobile parking spaces will be achieved through a two-way driveway that runs through the center of the project site with access along South Preuss Road and the eastern adjacent alley.

Under the Small Lot Map Standards, the project is required to provide 0.25 guest parking spaces per unit. With 12 units proposed, the project would need to provide three (3) guest parking spaces. The applicant requests that the guest parking spaces be replaced with bicycle parking pursuant to LAMC Section 12.21 A.4. Under this section, automobile parking may be replaced by bicycle parking at a ratio of one automobile parking space for every four required or non-required bicycle parking spaces provided. Therefore, the Applicant will replace three (3) guest parking spaces with 12 bicycle parking spaces. Each unit will provide a bicycle parking space within their enclosed parking garage, with the exception of Unit F which will provide a bicycle locker adjacent to the unit's primary entrance and outdoor automobile parking spaces.

Background

The subject property consists of two rectangular-shaped lots (Lots FR 24 and 44) encompassing a total lot area of 17,124 square feet (0.39 acres) in the La Cienega Heights neighborhood and the West Adams – Baldwin Hills – Leimert Community Plan area. The property experiences a gradual decline from South Preuss Road to the adjacent eastern alley. The property is located midblock along the east side of South Preuss Road and contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The project site is also adjacent to a 15-foot alley to the east. The site is currently developed with two (2) single-family houses.

The project site is located within the West Adams – Baldwin Hills - Leimert Community Plan, which is one of 35 Community Plans which together form the land use element of the General Plan. The Community Plan designates the site for Low Medium II Residential land uses with the corresponding zones RD1.5 and RD2. The project site is zoned RD1.5-1 and is thus consistent with the existing land use designation. The site is also located within the Alquist-Priolo Earthquake Fault Zone and Newport – Inglewood Fault Zone (Onshore), an Urban Agriculture Incentive Zone, and Methane Buffer Zone.

The existing RD-1.5 Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of 12 dwelling units on the subject property, based on the net lot area of 17,927.4 square feet (17,927 ÷ 1,500 = 12). For the purposes of calculating density, the net lot area includes the lot area (17,124 square feet) and one-half the area of the eastern adjacent alley (803.4 square feet). With 12 small lot homes proposed, the project's density is below the maximum allowable for the RD1.5 Zone.

The project site is located in an urbanized area surrounded predominantly by single- and multi-family developments that are one- to three-stories in height. Similar to the subject property, properties adjacent to the project site are located in the RD1.5-1 Zone. Properties further west are developed with multi-family residential buildings located in the R3-1-CPIO Zone. Properties further north are developed with single-family houses located in the R1V2 and R1R3-RG Zones.

Section 12.22 C.27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. The amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards,

as well as compliance with established Small Lot Design Standards. The Director of City Planning reviewed the proposed plans submitted by the applicant and determined the plans to be in compliance with the Small Lot Design Standards. On April 22, 2024, Planning Staff approved Administrative Clearance Case No. ADM-2023-6116-SLD. On May 22, 2024, a joint Deputy Advisory Agency and Hearing Officer hearing was conducted. The Deputy Advisory Agency was inclined to approve of the proposed Vesting Tentative Tract Map at the hearing and subsequently, on July 10, 2024, a Determination Letter was issued.

Street and Circulation

South Preuss Road, abutting the Project site to the west, is a Local Street – Standard dedicated to a Roadway Width of 36 feet and a Right-of-Way Width of 60 feet, and is improved with asphalt roadway, curb, gutter, and concrete sidewalks.

Alley, abutting the Project site to the east, is an alley with a width of 15 feet.

The project site is located approximately 400 feet from the eastbound and westbound bus stops for Metro Local Line 617 which connects riders between Pico/Robertson and Culver City.

Related Cases

Case No. ADM-2023-6116-SLD – On April 22, 2024, the Los Angeles Department of City Planning issued the Small Lot Design Standards Administrative Clearance for the request herein.

Case No. CPC-2023-6115-DB-HCA – On September 8, 2023, a concurrent project that involves the demolition of two single-family houses and the construction, use, and maintenance of a 12-unit residential development of which one (1) unit will be set aside for Very Low Income Households was filed. The project originally requested one (1) On-Menu Incentive and one (1) Waiver of Development Standards under the Density Bonus Program. On July 12, 2024, the project withdrew its request for one (1) On-Menu Incentive, and therefore the project is only requesting one (1) Waiver of Development Standards. The project is scheduled for a public hearing with the City Planning Commission on August 8, 2024.

Relevant Cases on Surrounding Properties

Case No. VTT-82683-SL – On December 7, 2020, the Advisory Agency approved Vesting Tentative Tract Map No. 82883, located at 1951 – 1953 South Preuss Road to subdivide one (1) lot into six (6) lots, for the construction, use, and maintenance of six (6) small-lot single-family dwellings in the RD1.5-1 Zone in accordance with the Small Lot Subdivision.

Case No. VTT-82365-SL – On July 18, 2019, the Advisory Agency approved Vesting Tentative Tract Map No. 82365, located at 1957 – 1959 South Preuss Road for a maximum of six small lot homes in accordance with the Small Lot Subdivision.

Public Hearing and Issues

A joint Deputy Advisory Agency and Hearing Officer public hearing on this matter was held virtually on May 22, 2024. At the conclusion of the public hearing, the Deputy Advisory Agency announced that they were inclined to approve the subject Vesting Tentative Tract Map.

The public hearing was attended by the applicant's representatives, Kevin Scott and Jesi Harris, the Deputy of Planning and Economic Development of Council District 10, Hakeem Parke-Davis, and nine (9) members of the public. The issues presented by the public are summarized below:

1. Howard Witkin: The Speaker expressed concern regarding the requested increase in maximum building height and a reduction in front building line setback proposed with the project. The Speaker believes that the proposed scale of the project is not compatible with the neighborhood and suggests that few units be proposed and that they be restricted to three-stories in height. The Speaker also expressed traffic concerns with the proposed 12-unit small lot subdivision. The Speaker does not believe that the project complies with the Small Lot Design Standards.

2. Meyer Shwarzstein: In addition to the concerns that were expressed by other public testimonies, the Speaker expressed concern with the project's impact on their solar panels and the solar electrical generation system capacity due to shade coverage and the proposed height of the project.

3. Susan Kahn: The Speaker concurs with Mr. Witkin's testimony and opposes the project.

4. Susan and Bela Gutman: The Speakers concur with Mr. Witkin's testimony and opposes the project.

5. Dan Gerber: The Speaker expressed concern regarding the drainage of the project site, safety, and traffic if the proposed project is constructed. The Speaker does not comprehend the request to increase the maximum building height by 3'-3", does not believe that one unit set aside for Very Low Income households would be beneficial for the community, and requests that a geological survey report be completed.

6. Marni: The Speaker concurs with Mr. Witkin's testimony.

7. Rodney: The Speaker expressed concern regarding the excavation of the site as it is located on a hillside and the permeability of surface water and rain water. The Speaker also questioned how the set aside Very Low Income household would be chosen and how it may impact the other eleven units proposed. The Speaker expressed concerns with the proposed height, scale, and cost of the small lot development.

8. Faye and Ariel Mandell: The Speakers expressed concern regarding the height of the proposed project, the impact it might have on alley access along the eastern portion of the project site, and the impact the project might have on traffic, pedestrian safety, soil, geology, and hazardous materials.

9. Alana: The Speaker concurs with the testimonies that other neighbors have presented in the public hearing. The Speaker is concerned with the project's impact on traffic and safety.

APPEAL ANALYSIS

On July 11, 2024, the Deputy Advisory Agency issued a Determination for the subdivision of two (2) lots into 12 small lots for the construction, use, and maintenance of a 12-unit small lot development in the West Adams – Baldwin Hills – Leimert Community Plan area. At the conclusion of the project's appeal period, on July 22, 2024, four (5) appeals were filed by 1) Meyer Shwarzstein and Susan Khan; 2) Arielle Mandell; 3) Concern Residents of Shenandoah Street; 4) Howard Witkin; and 5) Shelly Rothschild.

After reviewing the justifications for their appeals, Planning Staff have drafted a recommendation report that organizes the appellants' appeal points into four sections. The appeals in their entirety are attached for reference (see "Exhibit A")

(The applicant has also provided their response to the appeals. Their response can be found in "Exhibit B")

1. **The project will infringe on the quality of life of the neighboring residents, the value of their property, and the safety of the neighborhood.**

   Appeal Point:

   Mr. Shwarzstein and Ms. Kahn both reside at the property north of the project site at 1902 South Preuss Road. Ms. Rothstein resides at the property south of the project site at 1908 South Preuss Road. They claim that the project will adversely impact their quality of life, the value of their property, and the safety of their neighborhood. Their appeal points are summarized below:

   a) Due to the design and scale of the project, the project will reduce the solar capacity of Mr. Shwarzstein's and Ms. Kahn's solar panel system, and suggests that the applicant replace their existing solar panel system or reduce the height and setbacks of the proposed project;
   b) The project will result in the demolition of their front gate, the existing walls that separate the project site and Mr. Shwarzstein's and Ms. Kahn's property, and infringe on the access of their accessory dwelling unit;
   c) The project will adversely impact traffic and safety;
   d) The project will exacerbate the lack of parking supply in the neighborhood;
   e) The project will infringe on residents' privacy;
   f) The project will adversely impact internet access;
   g) The project will remove trees;
   h) The project site is not safe as it is subject to methane, earthquake, and utility issues. The technical reports provided by the applicant are outdated and flawed; and
   i) The project fails to provide residents information or notice on construction activity and scheduling, developer and contractor insurance, a traffic control plan, an emergency response plans insurance, contractor and subcontractor contact information, updated plans and report.

   Staff Response:

   Response to a)

   While the proposed 12-unit small lot subdivision may potentially impact the solar capacity of Mr. Shwarzstein's and Ms. Kahn's solar panel system, this does not preclude the

construction of new residential dwelling units within the project site which are consistent with the RD1.5-1 zoning of the property and comply with Small Lot Map Standards ("Map Standards") and Design Guidelines. The project will be consistent with the 45-foot maximum building height permitted in the RD1.5-1 Zone. In addition, the project will be consistent with the yard requirements set forth by the underlying zone and the Map Standards. The Map Standards require that the subject subdivision provide a front yard setback of 15 feet for Lot FR 24 (1904 Preuss Road) and 20 feet for Lot 44 (1906 Preuss Road) in accordance with Ordinance No. 140,034. The Small Lot Map Standards also require a minimum side yard setback of 5 feet and a minimum rear yard setback of 5 feet as the project site does not share a property line with a R1 or more restrictive single-family zone. Contrary to Mr. Shwarzstein's and Ms. Kahn's claim, the project side does not abut a single-family zone as the abutting properties are zoned for multi-family residential uses and therefore the project site is not subject to greater setbacks. As shown in the Vesting Tentative Tract No. 84089-SL-HCA in "Exhibit D", the proposed subdivision will provide a side and rear yard setback of 5 feet, and therefore is consistent with the Map Standards. Regarding the front yard setback, the subject subdivision proposes a 10-foot front yard setback in lieu of the previously stated 15 feet and 20 feet through a Density Bonus Waiver of Development Standards request under LAMC Section 12.22 A.25 through a related case, Case No. CPC-2023-6115-DB-HCA. Approval of the Waiver request is under the discretion of the decision body. Therefore, the potential reduction in solar capacity for Mr. Shwarzstein's and Ms. Kahn's solar panel system does not preclude the proposed small lot subdivision.

Response to b)

As detailed in the applicant's response to the appeals filed for the subject Vesting Tentative Tract Map located in "Exhibit B", the applicant clarifies that Mr. Shwarzstein's and Ms. Kahn's fence encroaches onto the project site and therefore removal of the fence is not a violation of any laws or regulations. The applicant has agreed to replace the fence once construction of the 12-unit small lot development is completed.

The proposed project will also provide two retaining walls along the northern and southern edges of the project site that will separate the abutting residential properties.

Response to c)

The project will not adversely impact traffic and safety in the neighborhood as concluded in the Justification of the Class 32 Categorical Exemption prepared for the subject small lot subdivision and related Case No. CPC-2023-6115-DB-HCA (see "Exhibit F"). On May 24, 2024, Planning and Los Angeles Department of Transportation (LADOT) staff completed a Transportation Study Assessment form and determined that the proposed project is not required to conduct a Vehicle Mile Traveled (VMT) analysis, an Access, Safety, and Circulation Evaluation, or an Access Assessment. With the demolition of the two existing single-family houses and the construction of 12 small lot homes, LADOT's VMT calculator determined that the project will not exceed a daily trip threshold for a VMT analysis. In addition, LADOT has reviewed the project's circulation plan and did not determine that any unusual circumstances exist with ingress and egress from both Preuss Road and the eastern adjacent alley. With the proposed subdivision, the project will comply with the requirements set forth by the Bureau of Engineering in their recommendation report found in "Exhibit H". The project will provide the required street dedications and improvements including a 5-foot dedication along South Preuss Road and a 2.5-foot dedication along the eastern adjacent alley to widen both corridors. Access to the project will be provided off of South Preuss Road and the adjacent eastern alley. The availability of two access points

reduced traffic congestion at a single corridor. To create a safe and comfortable space for pedestrians, the project will install landscaping along the front and rear portions of the site including eight (8) trees. Three (3) of the eight (8) trees will be planted at the parkway along South Preuss Road which will provide shade coverage. In addition, the project will feature a variety of windows and balconies facing the street to provide transparency. Therefore, the project does not adversely impact traffic and safety in the neighborhood.

Response to d)

The project will not exacerbate the lack of parking supply in the neighborhood as it will provide the total number of parking spaces required by each small lot home. The project will comply with the automobile parking requirements outlined in LAMC Section 12.21 A.4 and will provide two (2) parking spaces per small lot home for a total of 24 parking spaces.

The project will also promote the use of alternative transportation options by providing a total of 12 bicycle parking spaces. In addition, the project is located approximately 400 feet from the eastbound and westbound bus stops for Metro Local Line 617 which connects riders between Pico/Robertson and Culver City.

Response to e)

To address the privacy concerns raised by the surrounding residents, the proposed 12-unit small lot development was carefully designed such that the placement and orientation of a majority of the project's windows, balconies, and roof decks would not look into the adjacent properties. The project will orientate a majority of its windows and balconies towards the interior of the project site or towards the street. Roof decks will be stepped back and screened with architectural materials to protect neighbors' privacy. Mechanical equipment will be situated at the exterior edges of the roof decks, and similar to the project's balconies they will be orientated towards the interior of the site. The project will install front fences, a rear wall, and two retaining walls along the perimeter of the site to serve as a buffer and screen between the proposed project and abutting properties. Therefore, the project's design respects the privacy of the surrounding residents.

Response to f)

The project will not adversely impact internet access for the surrounding community. The applicant had spoken with Spectrum, an internet service provider which services the community, and Spectrum confirmed that the 12-unit small lot development will not impact the speed of internet service.

Response to g)

The project will remove 13 non-protected trees on-site with the proposed small lot subdivision. Upon completion of the 12-unit small lot development, the project will plant five (5) on-site trees and three (3) street trees along the parkway of South Preuss Road.

Response to h)

The proposed project will not result in significant impacts related to methane, subsidence, and earthquakes based on the Geology and Soils Reports prepared for the project site in 2021 and 2023, respectively, and a Site Methane Investigation Report prepared in 2022. On May 5, 2024, the Los Angeles Department of Building and Safety (LADBS) issued a

Geology and Soils Report Approval Letter and found that the referenced reports are acceptable provided that a set of conditions be complied with during site development. These conditions were included in the Determination Letter for the subject Vesting Tentative Tract Map under Condition Nos. 11 – 57. The project is required to comply with these conditions to obtain permits and proceed with development. Regarding methane at the project site, the Site Methane Investigation Report found that the project requires no methane mitigation system. The appellant's claim that the provided technical reports assessing methane, subsidence, and earthquakes is false as these reports were prepared within the last three years, and they have concluded that the project will not have a significant impact.

As discussed in the Justification of the Class 32 Categorical Exemption (see "Exhibit F"), the project site can be adequately served by all required utilities and public services.

Therefore, project will not result in significant impacts related to methane, subsidence, and earthquakes and the project site is adequately served by all required utilities and public services.

Response to i)

As detailed in the applicant's response to the appeals in "Exhibit B", the project developer is committed to respecting the concerns of the project's neighbors throughout the construction phase. The developer will share the requested information when and where appropriate. The project is subject to regulatory compliance measures which require compliance with the City's Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations, and Best Management Practices for stormwater runoff. The project is also subject to construction noise and activity regulations outlined in the Los Angeles Municipal Code. In addition, the project will be required to meet all the conditions outlined in the Determination Letter for the subject Vesting Tentative Tract Map by the City before any permits are issued.

2. The project design is not compatible with the surrounding neighborhood and is inconsistent with the Small Lot Design Standards.

Appeal Point:

The appellants contend the design of the proposed small lot homes in conjunction with the small lot subdivision citing that they are out of scale with the surrounding neighborhood. The appellants have stated that the proposed height, bulk, setbacks, parking, and access of the 12 small lot homes are not compatible with the single-family houses and multi-family structures located near the project site. In addition, Mr. Shwarzstein and Ms. Kahn contend that the Small Lot Subdivision Code Amendment requires greater setbacks when abutting single-family zones. Therefore, the appellants recommend a smaller scale project.

Mr. Witkin argues that the proposed small lot subdivision is inconsistent with the 2014 Small Lot Design Guidelines, specifying that the project violates the design standards addressing height, massing, building façade, and rooflines.

Staff Response:

The proposed small lot subdivision and the construction of 12 small lot homes will be consistent with the RD1.5-1 zoning of the project site, the Small Lot Map Standards ("Map

Standards") outlined in LAMC Sections 17.03 and 12.22 C.27, and the Small Lot Design Standards which were updated following the update and amendment of the City's Small Lot Subdivision Ordinance. The project site is located within the RD1.5-1 Zone and it contains a General Plan land use designation of Low II Medium Residential in the West Adams – Baldwin Hills – Leimert Community Plan. The RD1.5-1 permits the development of single-family and multi-family dwellings with a maximum building heigh to 45 feet and a Floor Area Ratio (FAR) of 3:1. As shown in *Table 1* above, the project is consistent with these standards.

With regards to the setbacks, the Map Standards require that the subject subdivision provide a front yard setback of 15 feet for Lot FR 24 (1904 Preuss Road) and 20 feet for Lot 44 (1906 Preuss Road) in accordance with Ordinance No. 140,034. The Small Lot Map Standards also require a minimum side yard setback of 5 feet and a minimum rear yard setback of 5 feet as the project site does not share a property line with a R1 or more restrictive single-family zone. Contrary to Mr. Shwarzstein's and Ms. Kahn's claim, the project site does not abut a single-family zone as the abutting properties are zoned for multi-family residential uses and therefore the project site is not subject to greater setbacks. As shown in the Vesting Tentative Tract No. 84089-SL-HCA in "Exhibit D", the proposed subdivision will provide a side and rear yard setback of 5 feet, and therefore is consistent with the Map Standards. Regarding the front yard setback, the subject subdivision proposes a 10-foot front yard setback in lieu of the previously stated 15 feet and 20 feet through a Density Bonus Waiver of Development Standards request under LAMC Section 12.22 A.25 through a related case, Case No. CPC-2023-6115-DB-HCA. Approval of the Waiver request is under the discretion of the decision body.

The project will comply with the automobile parking requirements outlined in LAMC Section 12.21 A.4 and therefore will provide two (2) parking spaces per small lot home for a total of 24 parking spaces. Access to the parking spaces will be provided through a two-way center driveway off South Preuss Road and the eastern adjacent alley. The driveway will be 20 feet in width, which is consistent with the minimum requirement required by the Map Standards.

The guidelines and standards that Mr. Witkin refers to are outdated and do not reflect the most recent Small Lot Design Standards that were adopted in 2018 following the City's amendment of the Small Lot Subdivision Ordinance. The amendment updated LAMC Sections 17.03 and 12.22 C.27, as well as the Small Lot Design Standards and Checklist[1], and therefore supersedes the 2014 Small Lot Design Guidelines referred to by Mr. Witkin.

Nevertheless, the proposed small lot subdivision is consistent with the current Map Standards and Small Lot Design Standards. On April 22, 2024, the project received Administrative Clearance for the proposed small lot subdivision under Case No. ADM-2023-6116-SLD. Applications for the Administrative Clearance are filed concurrently with any small lot application request. The review of the Administrative Clearance is completed by planning staff prior to the scheduling of a public hearing.

The project complies with applicable sections of the Small Lot Design Standards Checklist including Building Design, Pedestrian Connectivity and Access, and Landscaping as seen in "Exhibit E" of this report. Primary entryways to each small lot home will be provided through two pedestrian walkways along the northern and southern edges of the site. Each

[1] Small Lot Design Standards. https://planning.lacity.gov/odocument/01d4a580-f174-4a97-b144-9b3c98616ddf/SmallLotDesignStandards.pdf

small lot home will feature façade articulation which include the use of high-quality building exterior building materials, window treatments, breaks in the façade, and variations to the building plane. The project will feature balconies oriented towards the center driveway and the street which will enhance building articulation and address potential privacy and noise impacts. The placement and articulation of the windows will also break up the façade and add transparency. The small lot homes will feature varied rooflines with the incorporation of step backs, outdoor stairwells, and corner balconies that are carried up to the roofline. In addition, the proposed small lot homes will provide the gaps and breaks in façade between one another to address building mass variation. Following the Deputy Advisory Agency hearing held on May 22, 2024 and after listening to community feedback, the applicant provided revised plans that provided additional articulation to the street-facing façade, increased step back of the proposed roof decks, and a decreased the height of the proposed small lot homes. Planning staff has reviewed the revisions to the project's design in conjunction with the Small Lot Design Standards Checklist and found that the subdivision remains consistent with the Small Lot Design Standards.

Therefore, the proposed small lot subdivision is compatible with the surrounding neighborhood and is consistent with the Small Lot Design Standards.

3. <u>The project is with the West Adams – Baldwin Hills – Leimert Community Plan and other city ordinances inconsistent</u>

Appeal Point:

The appellants, Shelly Rothschild, Arielle Mandell, and the Concerned Residents of Shenandoah Street, argue that the proposed small lot subdivision resulting in the construction of a 12-unit small lot development is inconsistent with the West Adams – Baldwin Hills – Leimert Community Plan as it violates the goals, policies, and design guidelines for Single-Family Residential land uses and Multi-Family Residential land uses. Ms. Mandell and the Concerned Residents of Shenandoah Street cite a policy and goal in reference to the Baldwin Village neighborhood. In addition, Ms. Rothschild also claims that the proposed project violates the Los Angeles Character Residential CPIO Development Regulations, the City's Baseline Mansionization Ordinance, Hillside Ordinance, and the Complete Streets Guide.

Staff Response:

The project site involves the subdivision of two (2) lots into 12 small lots for the construction of a 12-unil small lot development in the RD1.5-1 Zone. One (1) small lot home will be constructed at each of the small lot subdivisions. One (1) dwelling unit will be reserved for Very Low Income (VLI) households.

According to LAMC Section 12.09.1, the RD zoning of the project site is defined as a "Restricted Density Multiple Dwelling Zone" and therefore it is not located within a single-family zone as contested by the appellants. The project site is located within the RD1.5-1 Zone and is consistent with the General Plan land use designation of Low II Medium Residential in the West Adams – Baldwin Hills – Leimert Community Plan. Therefore, the goals, policies, and design guidelines for Single Family Residential land uses do not apply to the project site and the proposed project. In addition, the project site is not located in the Baldwin Village neighborhood and therefore the goal and policy referred to by Ms. Mandell and the Concerned Residents of Shenandoah Street does not apply to the project site.

The proposed small lot subdivision is consistent with the goals, policies, and design guidelines of Multi-Family Residential land uses as it will "encourage development parameters that ensure multi-family designated lands provide for adequate housing that is contextually sensitive to desirable prevailing neighborhood character" (Policy LU7-2) and "strive to eliminate residential segregation and concentrations of poverty by promoting affordable housing that is integrated into mixed-income neighborhoods" (Policy LU9-2). The proposed small lot homes will be consistent with the RD1.5-1 Zone development standards and the Multi-Family Residential Design Guidelines found in the Community Plan which dictate Site Planning, Building Design, Storage and Trash Areas, and Freestanding Walls and Retaining Walls. Additionally, the small lot subdivision will be consistent with the City's Small Lot Design Standards. On April 22, 2024, the project received Administrative Clearance for the proposed small lot subdivision under Case No. ADM-2023-6116-SLD. The project complies with applicable sections of the Small Lot Design Standards Checklist including Building Design, Pedestrian Connectivity and Access, and Landscaping as seen in "Exhibit E" of this report. The project will also provide affordable housing by reserving one (1) dwelling unit for VLI households. Therefore, the project is consistent with the Community Plan.

The appellant's argument that the project site is in violation of the Los Angeles Character Residential CPIO Development Regulations, the City's Baseline Mansionization Ordinance, and Hillside Ordinance is incorrect as they do not apply to the project site. The project site is not located within any Community Plan Implementation Overlay (CPIO) nor is it located in within a designated Hillside Area. In addition, the City's Baseline Mansionization Ordinance does not apply to this project as the proposed small lot subdivision is not located within a single-family zone. As discussed above, the project site is located within a "Restricted Density Multiple Dwelling Zone". Therefore, the project is not in violation of the Los Angeles Character Residential CPIO Development Regulations, the City's Baseline Mansionization Ordinance, and Hillside Ordinance.

Regarding compliance with the Complete Streets Guide, the proposed small lot subdivision will be consistent with the requirements set forth by the Bureau of Engineering in their recommendation report found in "Exhibit H". The project will provide the required street dedications in conformance with Local Street standards under the Mobility Plan 2035, as well the conditions outlined in Conditions 1 – 10 and S-3.i of the Determination Letter found in "Exhibit B". Therefore, the small lot subdivision is consistent with the Complete Streets Guide.

4. <u>The project does not qualify for a Class 32 Categorical Exemption.</u>

<u>Appeal Point:</u>

The appellants, Arielle Mandell and Concerned Residents of Shenandoah Street, contends that the Class 32 Categorical Exemption was issued in error as the project is a) not consistent with the West Adams – Baldwin Hills – Leimert Community Plan; b) the project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley and therefore will have a significant effect on the environment due to unusual circumstances; c) the VMT calculations do not include construction VMT analysis or a haul route; and d) the cumulative impact analysis prepared for the Class 32 Categorical Exemption narrowly focuses on three projects within 500 feet. Therefore, the project does not qualify for a Class 32 Categorical Exemption.

Staff Response:

On April 25, 2024, Planning Staff drafted a Justification determining that the proposed project is exempt from CEQA pursuant to a Class 32 Categorical Exemption (see "Exhibit F") and that there is no substantial evidence demonstrating that an exception to a categorical exemption applies. Supporting the Class 32 Categorical Exemption are technical reports and documents that had been prepared in 2023 and 2024, and address air quality, noise impacts, water quality, traffic, methane, geology and soils, and trees. Based on these reports, the proposed project will not result in a significant impact to the environment.

Response to a)

The proposed small lot subdivision is consistent with the West Adam – Baldwin Hills – Leimert Community Plan. In addition, the project is consistent with the RD1.5-1 Zone development standards and with the Small Lot Map Standards and Design Standards. Please see the Staff Response for Appeal Points 2 and 3 for further discussion on this topic.

Response to b)

The proposed small lot division and the construction of a 12-unit small lot development will not increase hazards due to a geometric design feature or incompatible uses due to ingress/egress at the alley. The Los Angeles Department of Transportation (LADOT) utilizes a Vehicle Miles Traveled (VMT) Calculator as a project-screening criteria to determine if a proposed project will require a VMT Analysis. With the demolition of the two existing single-family houses and the construction of 12 small lot homes, the project will not exceed a daily trip threshold of 250 trips with 38 net daily trips and therefore the project is not required to perform a VMT Analysis. In addition, Planning and LADOT staff completed a Transportation Study Assessment form on May 24, 2024 and found that the proposed project is not required to conduct a Access, Safety, and Circulation Evaluation or an Access Assessment. LADOT has reviewed the circulation plan and did not determine that any unusual circumstances exist with ingress and egress from both Preuss Road and the eastern adjacent alley. With the proposed subdivision, the project will comply with the requirements set forth by the Bureau of Engineering in their recommendation report found in "Exhibit H". The project will provide the required street dedications and improvements, as well as 2.5-foot dedication along the alley to complete a 10-foot-wide half alley as conditioned in Condition No. 2 of the Determination Letter. In order to complete the 20-foot-wide full alley, the property located at 1905 Shenandoah Street would need to provide a 2.5-foot at the rear portion of their lot that abuts the alley. Therefore, the project will not increase hazards due to a geometric design feature or incompatible uses due to ingress/egress at the eastern adjacent alley.

Response to c)

The project's potential VMT impacts related to project construction, operation, and the project's haul route were evaluated in the Air Quality Report and the California Emissions Estimator Model, or CalEEMOD, (see "Exhibit F"). Based on the findings of the report and model, the project is not expected to result in potentially significant air quality impacts due to the movement of earth materials, such as soil and dirt, to and from the project site. The number of trips generated during project construction will not exceed the City's threshold for determining a potentially significant traffic impact. Therefore, project-related construction activities will not result in a significant traffic impact.

Response to d)

The Cumulative Impact categorical 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 cumulative impact analysis conducted for this project identified three (3) multi-unit residential projects within a 500-foot radius that have been approved by the Planning Department. These residential projects are consistent with the zoning of the properties surrounding the project site which are zoned RD1.5-1 and RD2-1 and the current development pattern in the surrounding neighborhood. The appellant's assertion that a 500-foot radius is too narrow is arbitrary and they do not provide any additional projects that are of the same type, in the same place, over time. Therefore, the cumulative impact analysis for this project was conducted appropriately.

CONCLUSION AND RECOMMENDATION

The appeal report provided herein is specific to those points raised as part of the appeal for Case No. VTT-84089-SL-HCA. For the reasons stated herein, the Advisory Agency did not err or abuse its discretion in approving Vesting Tentative Tract Map No. 84089-SL-HCA. The proposed project is categorically exemption from CEQA pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and the proposed map is consistent with the State's Subdivision Map Act, the City of Los Angeles General Plan, the West Adams – Baldwin Park – Leimert Community Plan and the Los Angeles Municipal Code. Therefore, staff recommends that the appeal be denied, and that decision of the Advisory Agency be sustained.

EXHIBIT A

APPEAL APPLICATIONS

APPLICATIONS

APPEAL APPLICATION
Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals and Housing Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC)
- ☒ City Planning Commission (CPC)
- ☐ City Council
- ☐ Zoning Administrator (ZA)
- ☐ Director of Planning (DIR)

CASE INFORMATION

Case Number: VTT-84089-SL-HCA

APN: 4302-020-003; 4302-020-006

Project Address: 1904 – 1906 South Preuss Road

Final Date to Appeal: July 22, 2024

APPELLANT

For main entitlement cases, <u>except</u> for Building and Safety Appeals and Housing Appeals:
Check all that apply.

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

For Building and Safety Appeals only:

Check all that apply.

☐ Person claiming to be aggrieved by the determination made by **Building and Safety**[1]

☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

For Housing Appeals only:

Check all that apply.

☐ Person claiming to be aggrieved by the determination made by **Housing**

☐ Representative ☐ Property Owner ☐ Applicant ☐ Interested Party ☐ Tenant

APPELLANT INFORMATION

Appellant Name: Arielle Mandell

Company/Organization:

Mailing Address: 1901 S. Shenandoah Street

City: Los Angeles **State:** CA **Zip Code:** 90034

Telephone: 310-704-3178 **E-mail:** ariellemandell@gmail.com

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

☒ Self ☐ Other:

Is the appeal being filed to support the original applicant's position? ☐ **YES** ☒ **NO**

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable): Kristina Kropp

Company: Luna & Glushon

Mailing Address: 16255 Ventura Blvd., Suite 950

City: Encino **State:** CA **Zip Code:** 91436

Telephone: 818-907-8755 **E-mail:** kkropp@lunaglushon.com

[1] Pursuant to LAMC Section 13B.2.10.B.1. of Chapter 1A, Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 13B.10.3 of Chapter 1A, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2 of Chapter 1.

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? ☒ **Entire** ☐ **Part**

Are specific Conditions of Approval being appealed? ☐ **YES** ☒ **NO**

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Kristina Kropp Digitally signed by Kristina Kropp Date: 2024.07.19 08:54:40 -07'00' **Date:** 7.19.24

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

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

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: $172

Reviewed & Accepted by (DSC Planner): Ruben Vasquez

Receipt No.: 200127174736 **Date :** 07/22/2024

☐ Determination authority notified ☐ Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our Online Application System (OAS).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal
- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/ Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

  See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.
- ☐ Not applicable for Housing Appeals.

SPECIFIC CASE TYPES
ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g) of Chapter 1.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
  - ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

BUILDING AND SAFETY APPEALS AND HOUSING APPEALS

First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) and Housing (LAHD) are pursuant LAMC Section 13B.10.2. of Chapter 1A.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

1. Appeal Fee

   ☐ Appeal fee shall be in accordance with LAMC Section 19.01 B.2 of Chapter 1 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C. of Chapter 1A. Appellants for BSAs are considered Original Applicants. (Not applicable for Housing appeals).

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal and LAHD appeals are pursuant to LAMC Section 13B.10.2.G. of Chapter 1A. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

1. Appeal Fee

   ☐ *Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C of Chapter 1A. Appellants for BSAs are considered Original Original Applicants.

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

1. Appeal Fee

   ☐ *Applicant (Owner/Operator).* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

   For appeals filed by the property owner and/or business owner/operator, or any individuals/ agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

   ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.

JUSTIFICATION TO APPEAL

VTT-84089-SL-HCA
ADM-2023-6116-SLD
ENV-2023-6117-CE

Project Address: 1904-1906 South Preuss Road (the "Property").

Appellant: Arielle Mandell, a resident of 1901 S. Shenandoah Street, adjacent to the Property and therefore most impacted by the determination to approve the Project.

Project: The subdivision of two lots into 12 small lots in the West Adams – Baldwin Hills – Leimert Community Plan.

Justification for Appeal:

1. **The Findings of Fact Cannot be Made in the Affirmative with Substantial Supporting Evidence**

    a. **The Proposed Map and the Design and Improvement of the Subdivision will not be Consistent with the West Adams-Baldwin Hills-Leimert Community Plan, including the Design Guidelines.**

The West Adams-Baldwin Hills-Leimert Community Plan ("Community Plan") sets forth the following goals and policies:

- **Ensure that new construction maintains the consistent two-story character of the existing neighborhood**.
- Maintain single-family neighborhoods that address the diverse socio-economic and physical needs of current and future residents.
- Seek a high degree of architectural compatibility and landscaping for new infill development as well as additions to existing structures in order to protect the character and scale of existing single-family and multi-family residential neighborhoods.
- Recommend that any proposed development be designed to enhance and be compatible with adjacent development and topography.
- Encourage development parameters that ensure multi-family designated lands provide for adequate housing that is contextually sensitive to desirable prevailing neighborhood character.

The Project maxes out the development envelope and includes an introduction of an inappropriate number of new vehicles, many of which are proposed to access the development through a hazardous alley to the detriment of adjacent property owners.

As proposed, the Project fails to provide a high degree of architectural compatibility, instead proposing a cookie cutter, least affordable option as if it were

proposed in any other part of the City, not contextually sensitive to the prevailing neighborhood character or designed to enhance and be compatible with adjacent development. Accordingly, the project fails to maintain and address the socio-economic and physical needs of area's current residents.

The Project is largely surrounded by single family homes and modest two-story multi-family residential housing, as specifically described to be the two-story character of the area. Yet, the Project, at its height and bulk, completely fails to maintain this inherent identity of the area. Furthermore, the design of the Project, striving for cookie cutter - "box shape", least affordable option, completely fails to comply with the residential design guidelines of the Community Plan.

b. The Site is Not Physically Suitable for the Development

The Project includes an introduction of an inappropriate number of new vehicles, many of which are proposed to access the development through a hazardous alley to the detriment of adjacent property owners. This design is not physically suitable for the development or the surrounding area.

c. The Subdivision is Likely to Cause Substantial Environmental Damage

For the reasons stated below, the Categorical Exemption was issued in error. Therefore, the Project is likely to cause substantial environmental damage.

2. The Categorical Exemption was Issued in Error

a. Project Does Not Fit Within a Class 32 Exemption

Under the California Environmental Quality Act ("CEQA"), Class 32 exemptions apply only if the following criteria is met:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

As set forth above, the Project is not consistent with the Community Plan.

Furthermore, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley. The City's analysis does not include review of hazards due to a geometric design feature or incompatible uses. Furthermore, the provided VMT calculations do not include a construction VMT analysis, or the VMT calculations for haul route. Under CEQA, the whole of the Project must be assessed.

b. Exceptions to a Categorical Exemption Apply

All exemptions are inapplicable when the cumulative impact of successive Projects, over time is significant. Cal.Code Regs. Tit. 14 §15300.2(b).

Here, the cumulative impact analysis narrowly focuses on three projects within 500 feet, missing many large multi-family residential projects and their impacts on the area immediately outside such narrow radius.

Furthermore, a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Cal.Code Regs. Tit. 14 §15300.2(c).

Here, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley. Furthermore, the Project is largely surrounded by single family homes and modest two-story multi-family residential housing, as specifically described to be the two-story character of the area. It is an identified, uniquely situated community. The aesthetic impacts of such a drastic change will have a significant impact on environment.

APPLICATIONS

APPEAL APPLICATION
Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals and Housing Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC)
- ☒ City Planning Commission (CPC)
- ☐ City Council
- ☐ Zoning Administrator (ZA)
- ☐ Director of Planning (DIR)

CASE INFORMATION

Case Number: VTT-84089-SL-HCA

APN: 4302-020-003; 4302-020-006

Project Address: 1904 – 1906 South Preuss Road

Final Date to Appeal: July 22, 2024

APPELLANT

For main entitlement cases, <u>except</u> for Building and Safety Appeals and Housing Appeals:
Check all that apply.

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

For Building and Safety Appeals only:

Check all that apply.

☐ Person claiming to be aggrieved by the determination made by **Building and Safety**[1]

☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

For Housing Appeals only:

Check all that apply.

☐ Person claiming to be aggrieved by the determination made by **Housing**

☐ Representative ☐ Property Owner ☐ Applicant ☐ Interested Party ☐ Tenant

APPELLANT INFORMATION

Appellant Name: Concerned Residents of Shenandoah Street

Company/Organization:

Mailing Address: 16255 Ventura Blvd., Ste. 950

City: Encino **State:** CA **Zip Code:** 91436

Telephone: 818-907-8755 **E-mail:** kkropp@lunaglushon.com

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

☒ Self ☐ Other:

Is the appeal being filed to support the original applicant's position? ☐ **YES** ☒ **NO**

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable): Kristina Kropp

Company: Luna & Glushon

Mailing Address: 16255 Ventura Blvd., Suite 950

City: Encino **State:** CA **Zip Code:** 91436

Telephone: 818-907-8755 **E-mail:** kkropp@lunaglushon.com

[1] Pursuant to LAMC Section 13B.2.10.B.1. of Chapter 1A, Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 13B.10.3 of Chapter 1A, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2 of Chapter 1.

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? ☒ **Entire** ☐ **Part**

Are specific Conditions of Approval being appealed? ☐ **YES** ☒ **NO**

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Kristina Kropp Digitally signed by Kristina Kropp Date: 2024.07.19 08:53:52 -07'00' **Date:** 7.19.24

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

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

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: $172

Reviewed & Accepted by (DSC Planner): Ruben Vasquez

Receipt No.: 200127175379 **Date :** 07/22/2024

☐ Determination authority notified ☐ Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our Online Application System (OAS).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal
- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/ Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

  See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.
- ☐ Not applicable for Housing Appeals.

SPECIFIC CASE TYPES
ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g) of Chapter 1.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
  - ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

BUILDING AND SAFETY APPEALS AND HOUSING APPEALS

First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) and Housing (LAHD) are pursuant LAMC Section 13B.10.2. of Chapter 1A.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

1. Appeal Fee

   ☐ Appeal fee shall be in accordance with LAMC Section 19.01 B.2 of Chapter 1 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C. of Chapter 1A. Appellants for BSAs are considered Original Applicants. (Not applicable for Housing appeals).

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal and LAHD appeals are pursuant to LAMC Section 13B.10.2.G. of Chapter 1A. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

1. Appeal Fee

   ☐ *Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C of Chapter 1A. Appellants for BSAs are considered Original Original Applicants.

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

1. Appeal Fee

   ☐ *Applicant (Owner/Operator).* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

   For appeals filed by the property owner and/or business owner/operator, or any individuals/ agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

   ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.

JUSTIFICATION TO APPEAL

VTT-84089-SL-HCA
ADM-2023-6116-SLD
ENV-2023-6117-CE

Project Address: 1904-1906 South Preuss Road (the "Property").

Appellant: Concerned Residents of Shenandoah Street, owners and residents of properties in the immediate vicinity of the proposed Project and therefore most impacted by the determination to approve the Project.

Project: The subdivision of two lots into 12 small lots in the West Adams – Baldwin Hills – Leimert Community Plan.

Justification for Appeal:

1. **The Findings of Fact Cannot be Made in the Affirmative with Substantial Supporting Evidence**

    a. **The Proposed Map and the Design and Improvement of the Subdivision will not be Consistent with the West Adams-Baldwin Hills-Leimert Community Plan, including the Design Guidelines.**

The West Adams-Baldwin Hills-Leimert Community Plan ("Community Plan") sets forth the following goals and policies:

- **Ensure that new construction maintains the consistent two-story character of the existing neighborhood**.
- Preserve, conserve and enhance the positive characteristics of existing neighborhoods that are the foundation for community identity.
- Strive to protect existing single-family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses.
- Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential, including multi-family residential densities, are proposed.
- Strive to maintain neighborhood continuity by targeting new proposed affordable housing to serve existing residents and be designed to complement established neighborhood character.

The Project is largely surrounded by single family homes and modest two-story multi-family residential housing which is in line with the described two story character of the area. As proposed, the Project, at its height and bulk completely fails to maintain this very important identity of the area.

Maxing out the envelope and proposing access through a hazardous alley to the detriment of adjacent property owners, the Project fails to protect the existing residential neighborhood from encroachment by higher density residential and other incompatible uses; fails to adequately consider neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels; and fails to maintain neighborhood continuity.

The design of the Project, striving for cookie cutter, least affordable option, completely fails to comply with the residential design guidelines of the Community Plan.

b. The Site is Not Physically Suitable for the Development

For all the reasons stated above, the site is not physically suited for the development or the Project. Most egregiously, it proposes access through a hazardous alley to the detriment of adjacent property owners.

c. The Subdivision is Likely to Cause Substantial Environmental Damage

For the reasons stated below, the Categorical Exemption was issued in error. Therefore, the Project is likely to cause substantial environmental damage.

2. The Categorical Exemption was Issued in Error

Under the California Environmental Quality Act ("CEQA"), a lead agency has the initial burden to show that substantial evidence supports its determination that the categorical exemption applies. The City has failed to do so.

A Class 32 only available where "approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality."

Here, the proposed Class 32 is not supported by substantial evidence because an increase in hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses is assessed. Notably, the provided VMT calculations do not include construction VMT, including the haul route. Under CEQA, the whole of the Project must be assessed.

Furthermore, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley.

The Categorical Exemption is also not appropriate due to cumulative impacts. One of the basic and vital informational functions required by CEQA is a thorough analysis of whether the impacts of the Project, in connection with other related projects, are cumulatively considerable. *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal App.4th 1209. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *CEQA Guidelines*

APPLICATIONS

APPEAL APPLICATION
Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals and Housing Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC)
- ☒ City Planning Commission (CPC)
- ☐ City Council
- ☐ Zoning Administrator (ZA)
- ☐ Director of Planning (DIR)

CASE INFORMATION

Case Number: VTT-84089-SL-HCA

APN: 4302020003/4302020006

Project Address: _____

Final Date to Appeal: Appeal Period Ends: July 22, 2024

APPELLANT

For main entitlement cases, <u>except</u> for Building and Safety Appeals and Housing Appeals:
Check all that apply.

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

For Building and Safety Appeals only:

Check all that apply.

☒ Person claiming to be aggrieved by the determination made by **Building and Safety**[1]

☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

For Housing Appeals only:

Check all that apply.

☐ Person claiming to be aggrieved by the determination made by **Housing**

☐ Representative ☐ Property Owner ☐ Applicant ☐ Interested Party ☐ Tenant

APPELLANT INFORMATION

Appellant Name: Howard Witkin

Company/Organization:

Mailing Address: 1856 Preuss Road

City: Los Angeles **State:** CA **Zip Code:** 90035

Telephone: 3102544676 **E-mail:** howardwitkin@gmail.com

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

☐ Self ☐ Other:

Is the appeal being filed to support the original applicant's position? ☐ **YES** ☒ **NO**

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable):

Company:

Mailing Address:

City: **State:** **Zip Code:**

Telephone: **E-mail:**

[1] Pursuant to LAMC Section 13B.2.10.B.1. of Chapter 1A, Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 13B.10.3 of Chapter 1A, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2 of Chapter 1.

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? ☒ **Entire** ☐ **Part**

Are specific Conditions of Approval being appealed? ☒ **YES** ☐ **NO**

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: _____ **Date:** 7/17/24

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

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

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: _____

Reviewed & Accepted by (DSC Planner): _____

Receipt No.: _____ **Date :** _____

☐ Determination authority notified ☐ Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our Online Application System (OAS).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☒ Appeal Application
- ☒ Justification/Reason for Appeal
- ☒ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/ Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

  See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.
- ☐ Not applicable for Housing Appeals.

SPECIFIC CASE TYPES
ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g) of Chapter 1.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.

  ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

BUILDING AND SAFETY APPEALS AND HOUSING APPEALS

First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) and Housing (LAHD) are pursuant LAMC Section 13B.10.2. of Chapter 1A.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

1. Appeal Fee

   ☐ Appeal fee shall be in accordance with LAMC Section 19.01 B.2 of Chapter 1 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C. of Chapter 1A. Appellants for BSAs are considered Original Applicants. (Not applicable for Housing appeals).

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal and LAHD appeals are pursuant to LAMC Section 13B.10.2.G. of Chapter 1A. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

1. Appeal Fee

   ☐ *Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C of Chapter 1A. Appellants for BSAs are considered Original Original Applicants.

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

1. Appeal Fee

   ☐ *Applicant (Owner/Operator).* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

   For appeals filed by the property owner and/or business owner/operator, or any individuals/ agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

   ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.

Reason for the Appeal -Witkin, Howard 1856 Preuss Road
RE:

Vesting Tentative Tract Map No.: 84089-SL-HCA
Related Cases: ADM-2023-6116-SLD
Address: 1904 – 1906 South Preuss Road
Community Plan: West Adams – Baldwin Hills – Leimert

July 12, 2024

The Project is using the small lot subdivision process to create 12 residences on a pair of lots currently supporting two single family homes.

The property design as submitted is in violation of the Design Standards for small lot subdivisions. It specifically contradicts both the letter and spirit of the design standards in Chapter 4.

The Guidelines for Height and Massing state:

> *Well-designed buildings do not "max out" the allowable building massing permitted by the code --height limits, yard, setbacks--but employ variations in height, massing, rhythm, and texture to reduce the perceivable massing of the building. These variations serve dual functions: they help small developments mesh with their surroundings, while also enhancing the overall quality of the street by providing visual interest and a pedestrian scale.*

The buildings as proposed not only "max out" the allowable building massing permitted by code, but the developers have proposed exceptions to that code to go beyond even that limit in the massing of the building. They have requested both removing setbacks, and adding height (since removed) to inappropriately add additional mass to the project.

Furthermore, the developers have specifically ignored each of the 4 design guidelines on massing.

1. Use the surrounding built environment to inform decisions about variations in height and massing.

   The builders are proposing a "brutalist" architectural style with large single plane vertical expanses with minimal texture, windows, setbacks or recognition of the defined style of the housing stock. The building is replacing two older homes with classic styling and replacing them with a building styled between the two towers jail

and a public storage facility. The surrounding neighborhood is full of classic Steinkamp homes. Rather than reflecting the historical beauty of the housing stock in the neighborhood, They have maxed out the volume and minimized the architectural interest on the property. This is a complete failure to allow the built environment to inform design decisions on the project.

2. Avoid excessive differences in height between the proposed development and adjacent buildings.

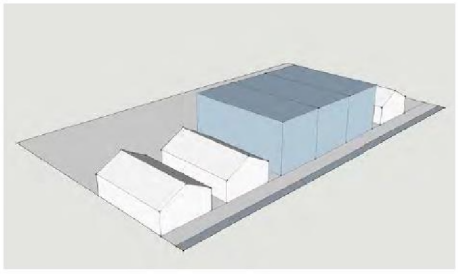
The buildings as designed tower over the neighboring single story homes on either side, and because they are built on the crest that defines the "Crestview" neighborhood, they loom up to 75 feet high over the homes to the north and east.

3. Provide sufficient space between buildings, articulation along the street frontage, and visual breaks to diminish the scale and massing.

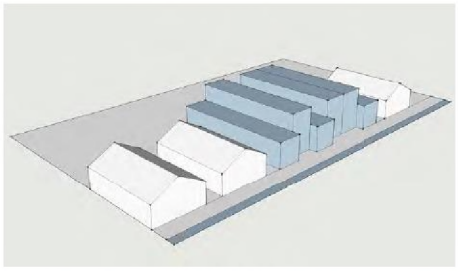
There is no spacing between buildings, no articulation along the street frontage and no visual break to diminish the looming feeling of the buildings.

4. Small lot developments should be appropriately designed and scaled to transition from single-family properties using methods such as step backs, building placement, driveway location, variations in height, and landscape screening elements.

They have completely ignored this design guideline and provide no stepbacks, screening or variations in height to scale to the neighborhood. In contrast, they have joined two lots together and located the driveways in the center of the buildings and pushed the buildings out to the lot lines. Rather than using driveways as a buffer and transition to the neighboring properties, they have maximized the impact and contrast in scale with their neighbors. Doing so allows the builders to use a single driveway for both buildings and thereby minimize the openspace within the property itself to the detriment of the eventual owners and tenants. The developer should move the driveways to the edges of the property and create visual transitions as contemplated in the design guidelines.



This small lot development maxes out the building envelope and does not respond to surrounding context.



By breaking down the height, massing, and facade of the buildings, this small lot development becomes more compatible with the surrounding neighborhood.

This illustration in the guidelines showing what should not be done, matches closely the building massing of the proposed development. The developer has completely violated the guidelines and has created a massive structure with straight vertical walls looming 4 stories above the neighboring single family homes.

In the suggested image below, the guidelines recommend lowering the height of the project along the neighboring properties. Doing so would also reduce the square footage of the developed properties, and meet the goals of the ordinance by creating more affordable housing stock. The current plan to maximize volume to create 2400 square foot homes that will be priced in the 2.5 million dollar price range does nothing to aid the affordable housing goals that this project is putatively targeted at.

Building Façade/rooflines

The developer has chosen to turn all of the homes away from the street with no "communication/interaction" with the neighborhood. Instead he presents the street with a single plane solid block wall with out of scale tiny windows, no variation in elevations, no stoops, balconies or articulated rooflines to enhance the neighborhood. If the builder would reduce the unit count to 10 and keep the setbacks, the dual property is scaled large enough to easily create a more livable and affordable addition to the neighborhood. The plans as submitted, ignore 8 out of 10 of the façade recommendations and 3 out of 4 of the roofline guidelines.

This project has the opportunity to contribute the the livability and affordability of the neighborhood. Instead the developer is gaming the system to create the maximum possible salable square footage ignoring both the affordable housing an livability goals of the ordinances.

The guidelines themselves state:

Released in 2014, the Design Guidelines were created to accompany the implementation of the Ordinance and provide examples of best practices in addressing the complexities of designing small lot developments. The Guidelines are used to inform developers and staff, and assist project design at the onset of the process. The proposed Design Standards will

go a step further to create specific and enforceable rules addressing site planning, massing and other project features. **All new small lot projects will need to show compliance with the Design Standards.**

The **Design Standards** will create specific and enforceable rules regarding design for all small lot homes, including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. All small lot subdivisions must comply with the Design Standards through an Administrative Clearance process.

This project fails to conform. As a neighbor who will be forced to look at this building looming over my yard and home and setting a destructive example of abusing the process to create more unaffordable overbuilt buildings, I appeal the approval and respectfully request that the city send the developer back to the drawing board to create a project that will benefit the neighborhood and the city, and that will stay within the bounds and goals of the ordinance.

§15355. Proper cumulative impact analysis is vital under CEQA because the full environmental impact of a proposed project cannot be gauged in a vacuum. Indeed, one of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually but assume threatening dimensions when considered collectively with other sources with which they interact. Therefore, cumulative effects analysis requires consideration of "reasonably foreseeable probable future projects, if any." *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *Gentry v City of Murrieta* (1995) 36 Cal.App.4th 1359, 1414.

Here, the cumulative impact analysis narrowly focuses on three projects within 500 feet, missing many large multi-family residential projects and their impacts on the area immediately outside such narrow radius.

APPLICATIONS

APPEAL APPLICATION
Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals and Housing Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

☐ Area Planning Commission (APC) ☒ City Planning Commission (CPC) ☐ City Council

☐ Zoning Administrator (ZA) ☐ Director of Planning (DIR)

CASE INFORMATION

Case Number: VTT-84089-SL-HCA

APN: _____

Project Address: 1904 – 1906 South Preuss Road

Final Date to Appeal: July 22, 2024

APPELLANT

For main entitlement cases, <u>except</u> for Building and Safety Appeals and Housing Appeals:
Check all that apply.

☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Representative ☐ Property Owner ☒ Applicant ☐ Operator of the Use/Site

For Building and Safety Appeals only:

Check all that apply.

☒ Person claiming to be aggrieved by the determination made by **Building and Safety**[1]

☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

For Housing Appeals only:

Check all that apply.

☒ Person claiming to be aggrieved by the determination made by **Housing**

☐ Representative ☐ Property Owner ☐ Applicant ☐ Interested Party ☐ Tenant

APPELLANT INFORMATION

Appellant Name: Meyer Shwarzstein & Susan Kahn

Company/Organization: _____

Mailing Address: 1902 Preuss Road

City: Los Angeles **State:** CA **Zip Code:** 90034

Telephone: 310.717.1829 **E-mail:** meyer@brainmedia.com

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

☒ Self ☐ Other: _____

Is the appeal being filed to support the original applicant's position? ☐ **YES** ☒ **NO**

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **E-mail:** _____

[1] Pursuant to LAMC Section 13B.2.10.B.1. of Chapter 1A, Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 13B.10.3 of Chapter 1A, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2 of Chapter 1.

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? ☐ **Entire** ☒ **Part**

Are specific Conditions of Approval being appealed? ☐ **YES** ☒ **NO**

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☐ Reason(s) for the appeal

☐ Specific points at issue

☐ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Susan Lin **Date:** 7/22/2024

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

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

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: $172

Reviewed & Accepted by (DSC Planner): J. Chan

Receipt No.: 200129068219 **Date :** 7/22/24

☐ Determination authority notified ☐ Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our Online Application System (OAS).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal
- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/ Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

  See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.
- ☐ Not applicable for Housing Appeals.

SPECIFIC CASE TYPES
ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g) of Chapter 1.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.

  ☒ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

BUILDING AND SAFETY APPEALS AND HOUSING APPEALS

First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) and Housing (LAHD) are pursuant LAMC Section 13B.10.2. of Chapter 1A.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

1. Appeal Fee

   ☒ Appeal fee shall be in accordance with LAMC Section 19.01 B.2 of Chapter 1 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C. of Chapter 1A. Appellants for BSAs are considered Original Applicants. (Not applicable for Housing appeals).

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☒ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal and LAHD appeals are pursuant to LAMC Section 13B.10.2.G. of Chapter 1A. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

1. Appeal Fee

   ☒ *Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C of Chapter 1A. Appellants for BSAs are considered Original Original Applicants.

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☒ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

1. Appeal Fee

   ☐ *Applicant (Owner/Operator).* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

   For appeals filed by the property owner and/or business owner/operator, or any individuals/ agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

   ☒ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.

Vesting Tentative Tract Map No.: 84089-SL-HCA
Related Cases: ADM-2023-6116-SLD
Address: 1904 – 1906 South Preuss Road
Community Plan: West Adams – Baldwin Hills – Leimert
Zone: RD1.5-1
Council District: 10 – Hutt
CEQA No.: ENV-2023-6117-CE

To whom it may concern:

We live at 1902 Preuss Road, neighboring 1904 Preuss Road, the site of the intended construction.

We have solar panels on our roof which will, the property owner has acknowledged, will be substantially blocked during several months of the year. The cause of this is twofold – first, the height of the intended structure and, second, the fact that the structure closes to our house will be built approximately 8 feet closer to the street than it is now. Our panels face west and the house next door is to our south. The southern exposure is critical to our access to the sun.

When we brought this up to the developer, they offered us a $5,000 battery which will not mitigate the damage caused by the blocked sunlight caused by the development. If we had accepted the offer, we would have had to forfeit the right to appeal. Given that the damage is much greater than a $5,000 cost, we rejected it.

The problem is that system is too old to modify – to upgrade its capacity, it would need to be replaced. Attached is an email from a contractor stating an approximate price of $28,000 – and that was part of a special deal.

The other way to mitigate the damage is to limit the scope of the project by restricting them to constructing the building closest to the front to the be aligned with the front of the current structure.

Our request appears to be in line with the FAQs published in 2016.

Here is an excerpt from the "*SMALL LOT SUBDIVISION CODE AMENDMENT AND POLICY UPDATE FREQUENTLY ASKED QUESTIONS – REVISED June 7, 2016*" –

"Based on the recent Council Motion, is the Planning Department adjusting the rules for Small Lots?

Yes. A comprehensive update of Small Lots is being undertaken by the Planning Department. It will consist of a three-part update including a Small Lot Code Amendment, Small Lot Design Standards, and Advisory Agency Map Standards.

• The Code Amendment will require greater front and rear yard setbacks and greater setbacks when abutting single-family zones (see illustrations below), create a division of land process for "bungalow court" small lot projects, and establish design standards for small lot subdivisions with an incidental Administrative Clearance process."

Given the damage the development will cause to our ability to generate electricity using solar collectors, and the FAQ as quoted above, we hereby request that you deny the developer's request to build the front structure 8 feet in front of where the current structure stands.

Our other concerns relate to our front gate – which will likely be destroyed during demo and/or construction, the nature of the current walls between the properties, and guaranteeing access to our ADU which is very close to their property. The developer allowed the current renter to attach a water hose support to our ADU without requesting permission to do so. The developer has offered us no written guarantees or assurances regarding any of our concerns related to the construction, etc. Given the pattern of our ongoing discussions about our concerns, we remain concerned.

As it is, many trees will be destroyed, shade will be added to our garden – we've planted dozens of trees since we moved here in 2000. The façade is unattractive. And that's not even mentioning the increased traffic, etc. We know that more housing is needed in LA and we're prepared to manage the increased inconvenience, but we're not prepared to have our concerns disregarded.

Thank you for your time and attention.

Sincerely,

Meyer Shwarzstein & Susan Kahn
1902 Preuss Road
LA, CA 90034

Brainstorm media

Meyer Shwarzstein <meyer@anotherbrainyidea.com>

Solar for my house

Michael Knight <mknight@sunisticsgroup.com> Fri, May 3, 2024 at 3:34 PM
To: Meyer Shwarzstein <meyer@anotherbrainyidea.com>
Cc: David Kidman <dkidman@sunisticsgroup.com>

Hi Meyer:

It looks like a 6kW system works best for you. Ballpark pricing would be around $28K, all-in. A recent update to the tax credits allows a new solar project to enjoy the tax benefits even if you already realized them from the prior system, so you would be eligible for the ITC on a new system at 40%.

Thanks,
Michael Knight
Senior Partner
Sunistics Group: Simply Better Energy

Cell: 323.896.3247 | Email: mknight@sunisticsgroup.com | Website: www.sunisticsgroup.com |

CONFIDENTIALITY STATEMENT: This email and any files transmitted with it may contain information from Sunistics Group, which may be privileged and/or confidential and protected from disclosure and intended solely for the use of the recipients named. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or use of the contents of this message is prohibited. If you have received this transmission in error, please notify the sender by reply e-mail, and then destroy all copies of this transmission. Thank you.

Please consider the environment before printing this email or its attachments.

[Quoted text hidden]

APPLICATIONS

APPEAL APPLICATION
Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals and Housing Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC)
- ☒ City Planning Commission (CPC)
- ☐ City Council
- ☐ Zoning Administrator (ZA)
- ☐ Director of Planning (DIR)

CASE INFORMATION

Case Number: VTT-84089-SL-HCA

APN: 4302-020-003 & 4302-020-006

Project Address: 1904 - 1906 South Preuss Road, Los Angeles, CA 90034

Final Date to Appeal: July 22, 2024

APPELLANT

For main entitlement cases, <u>except</u> for Building and Safety Appeals and Housing Appeals:
Check all that apply.

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

For Building and Safety Appeals only:

Check all that apply.

☒ Person claiming to be aggrieved by the determination made by **Building and Safety**[1]

☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

For Housing Appeals only:

Check all that apply.

☐ Person claiming to be aggrieved by the determination made by **Housing**

☐ Representative ☐ Property Owner ☐ Applicant ☐ Interested Party ☐ Tenant

APPELLANT INFORMATION

Appellant Name: Shelly Rothschild, aka Shelly Rothschild Yekutiel, aka Shelly Rothschild-Y

Company/Organization:

Mailing Address: 1908 South Preuss Road

City: Los Angeles **State:** CA **Zip Code:** 90034

Telephone: 310-622-3470 **E-mail:** rothschildlaw@yahoo.com

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

☒ Self ☐ Other:

Is the appeal being filed to support the original applicant's position? ☐ **YES** ☒ **NO**

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable): Not Applicable

Company:

Mailing Address:

City: **State:** **Zip Code:**

Telephone: **E-mail:**

[1] Pursuant to LAMC Section 13B.2.10.B.1. of Chapter 1A, Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 13B.10.3 of Chapter 1A, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2 of Chapter 1.

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? ☒ **Entire** ☐ **Part**

Are specific Conditions of Approval being appealed? ☒ **YES** ☐ **NO**

If Yes, list the Condition Number(s) here: See separate document setting forth justifications

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Shelly Rothschild *Shelly Rothschild* **Date:** July 22.2024

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

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

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: $172

Reviewed & Accepted by (DSC Planner): J. Chan

Receipt No.: 200129073236 **Date :** 7/22/24

☐ Determination authority notified ☐ Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our Online Application System (OAS).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal
- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/ Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

  See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.
- ☐ Not applicable for Housing Appeals.

SPECIFIC CASE TYPES
ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g) of Chapter 1.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
  - ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

BUILDING AND SAFETY APPEALS AND HOUSING APPEALS

First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) and Housing (LAHD) are pursuant LAMC Section 13B.10.2. of Chapter 1A.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

1. Appeal Fee

   ☐ Appeal fee shall be in accordance with LAMC Section 19.01 B.2 of Chapter 1 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C. of Chapter 1A. Appellants for BSAs are considered Original Applicants. (Not applicable for Housing appeals).

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal and LAHD appeals are pursuant to LAMC Section 13B.10.2.G. of Chapter 1A. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

1. Appeal Fee

   ☐ *Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

2. Noticing Requirement

   ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C of Chapter 1A. Appellants for BSAs are considered Original Original Applicants.

   ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).

   ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

1. Appeal Fee

   ☐ *Applicant (Owner/Operator).* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

   For appeals filed by the property owner and/or business owner/operator, or any individuals/ agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

   ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.

JUSTIFICATIONS AND REASONS FOR APPEAL (the "Appeal") FROM:

Approval of Vesting Tentative Tract Map No.: 84089-SL-HCA
Related Cases: ADM-2023-6116-SLD
Address: 1904 – 1906 South Preuss Road
Community Plan: West Adams – Baldwin Hills – Leimert
Zone: RD1.5-1
Council District: 10 – Hutt
CEQA No.: ENV-2023-6117-CE
(the above approval is hereinafter the "Approval")

-PROJECT CASE NUMBER:
-VTT-84089-SL-HCA
OTHER RELATED CASES, ARE NOTED ABOVE IN THE APPROVAL, PLUS:
CPC-2023-6115-DB-HCA

-STAFF ASSIGNED: DAVID WOON

-APPELLANT: SHELLY ROTHSCHILD, AGGRIEVED PERSON, residing at **1908 South Preuss Road**, located directly next to, contiguous with, and adjoining "the Vesting Tentative Tract Map NO. 84089-SL-HCA (Map Stamped Dated April 8, 2024) Located at **1904 – 1906 South Preuss Road** as to Case No. VTT-84089-SL-HCA" (hereinafter **the "Project")**.

- Without waiving any other grounds for appeal that may appear or that may be or have been stated by us or by any other appellants and neighbors, and without prejudice to stating additional issues on appeal, we set forth below the justifications/reasons for the Appeal, specific points at issue, and how we are aggrieved by the decision are set forth below. We further hereby join in the appeals to the Approval filed by Howard Witkin, Meyer Shwarzstein, and Arielle Mandel:

-THE APPROVAL VIOLATES THE LOS ANGELES DEPARTMENT OF CITY PLANNING'S WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN (the "Plan").

GENERAL: The Approval contains **ONE HUNDRED AND TWO (102) CONDITIONS, ALL WITH MULTIPLE SUBCONDITIONS, PLUS ADDITIONAL CONDITIONS UNDER SL-1-2/S-1, 2, AND 3, SET FORTH OVER NINETEEN (19) PAGES.**
Unless and until these conditions have been met in full, the Approval currently violates the Plan, as set forth below, and the Approval lacks any verifiable and certain basis and foundation, and is illusory, as many or none of these conditions have been satisfied and many never be achieved. If this Project does not complete each and every one of this fantasy list of conditions, it will violate the Plan, destroy a heritage hillside neighborhood, and egregiously injure the health, safety, privacy, and property of existing senior and other residents, as explained below. In short, the Approval should not have been granted based solely on speculative promises of conditions that may never be fulfilled, especially as they are being made by a developer who has been sued for violations before and may not have sufficient assets to satisfy any damages and/or remediation if these conditions are not met.

Moreover, the Approval does not discuss the applicability of, and if so, whether the Project complies with and does not violate, the Los Angeles ("LA") Character Residential CPIO Development Regulations; and/or the City's Baseline Mansionization and Hillside Ordinance Guidelines and Standards; and/or the Complete Streets Guide requirement to identify how it will provide for the accommodation of **all** users of the roadway including motorists, **pedestrians, individuals with disabilities, and seniors.**

-VIOLATIONS OF THE PLAN: The Plan sets forth policies and goals that are abrogated by the Project and therefore the Approval. We have lived on this block for 38 years in a single-family residence that we chose for its peace, quiet, and **expansive city views**, so that as seniors "we can age in place," a goal promised by the Plan. We are 75 and 78 years old. We are disabled, unemployed, elderly, sick, and battling cancer. We want to practice our religion, guaranteed by the First Amendment, and our right to privacy and safety. Under California law, we have the right to quiet enjoyment of our property, and "the aging in place" guaranteed by the Plan. This will be destroyed by the Approval.

-A key goal of the Plan is **to maintain the existing character** of our street, as noted in the Plan sections cited below. This will be destroyed by the Approval. The Plan notes that our neighborhood is characterized by single story and two-story main dwelling structures with a detached garage, featuring generous front and back yards. Most of these neighborhoods were designed and constructed in the late Nineteenth and early Twentieth centuries. The Approval will destroy this character by knocking down existing low-level single-family houses and instead installng directly next to us a mammoth development project, consisting of 4 new towers, each with 4 floors. The new construction looks more like a prison than a single-family residence. It will destroy the value, safety, privacy of our home and our health as noted below.

-The block on which my house is located is very narrow and has parking on both sides. As a result**, it has a huge traffic problem:** Two cars cannot pass each other at the same time. It is difficult to get out of driveways as cars speed down our street. Our car recently was rammed by a speeding car on our block, causing major damage and could have killed my husband. Pedestrians also use the street to walk to pray in nearby temples and churches, for the elderly and children crossing the street, and for residents to enjoy a stroll past our hillside homes. The Approval totally disregards the unique character of our block and the impact the Project will have on traffic. Not only will the Project have numerous new units, and each unit may be rented to groups of renters, but also LA recently approved other high-density projects nearby, greatly increasing the traffic for our block.

-Parking: Our little block has an immense parking problem: there are no places to park many times during the day and night. This prevents us from having guests, creates difficult for service personnel, and other invitees. The Approval will exacerbate this problem: there are only two spaces for each of 12 units and no parking for their guests, groups of renters, service personnel or invitees. LA keeps approving other projects nearby with little parking. This further worsen an already intolerable situation but is completely disregarded by the Approval.

-Safety: Contrary to other construction on the other side of Preuss, the Project is being built on a hillside, where there are no other huge multistory towers. There are unique earthquake, methane,

and utility issues, which the Approval disregards based on flawed or outdated reports as noted below. Our city views and our privacy, and our essential internet access, also may be egregiously impacted. Thirteen living trees that help us survive air pollution will be uprooted. The Plan's goals for maintaining the character, health and safety, and for seniors on our block to age in place, will be nullified.

Noted below are the sections of the Plan violated by the Approval:

-Plan LU1.1 The Project Does **NOT** Address Needs of Diverse Income Groups. The Project is primarily designed and intended for multi-millionaires who can afford to pay upwards of $2,000,000.00 for EACH unit. Only 1 of 12 is for another income level, and it is not known if that in fact will be honored by the developer.

Plan Key Issues: The Project's new construction does **NOT maintain existing low scale character.** The Project consists of 4 huge 4 story buildings that tower over the adjoining properties, which are one or two story single family residences. **-Plan Key Opportunities:** The Project **does** NOT increase homeownership by providing housing that is affordable to a mix of income ranges. The Project's dominant mix is for those with extremely high incomes.
The Project does **NOT** create single-family residential design guidelines and incentives **to maintain neighborhood character.** Like the homes being demolished by the Project, contiguous homes are single family homes that are one or two stories and built in the 1920s and 1930s. The Project destroys two existing homes and replaces them with a new huge, towering prison-like complex directly next to them.

-LU1.2 Safe Environments. Ensure that single-family residential neighborhoods are maintained to be safe and inviting environments.

-The Project does NOT protect our privacy: trespass by workers, workers, residents looking into our rooms and yards; it does not install sufficient front and fences between our properties.

-The Project does NOT limit late night construction work. I am 75 years old, disabled, my husband is 78; and I am batting cancer for the second time. I need rest, not being assaulted by 24/7 construction.

-The Project does NOT prohibit work on the Jewish Sabbath and Jewish holy days. The developer has refused our request not and will deprive us of our First Amendment right to practice our religion.

-The Project does **NOT** require that the developer give notice to us by email and text of work schedule, days and times. The developer can control this through their contract with the builders.

-The Project does **NOT** protect us from entry into our property by construction workers and equipment, and residents.

-The Project does NOT Include us on all developer and contractor insurance in case they damage our property.

-The Project does NOT provide for immediate notice to us by email and text of any damage to our property.

-The Project does NOT provide for the developer to enter into a covenant/contract/guarantee with us that they will fix any damage they cause to our property and/or let us hire someone that they will pay.

-LU2-1 The Project does NOT:
Strive to protect existing single-family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

LU2-3 Architectural Compatibility. Seek a high degree of architectural compatibility and landscaping for new infill development in order to protect the character and scale of existing single-family residential neighborhoods.

LU2-4 Analyze Impacts. Consider factors such as neighborhood character and identity, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

LU2-5 Preserve View Corridors. Encourage the preservation of existing prominent public vistas and view corridors throughout the Community Plan Area and especially those from hillside areas.

LU3: A community that promotes programs that provide greater access to homeownership of adequate single-family housing for all persons regardless of income, age, cultural, racial or ethnic identity.

LU3-1 Individual Choice. Promote greater individual choice in type, quality, price and location of single-family housing.

LU3-2 Affordability. Encourage homeownership and affordable housing options by promoting the benefits of tax credit and homebuyer incentive programs that involve the reuse and rehabilitation of existing structures as a viable option to “tear down” redevelopment.

LU4: A community that supports a limit to building intensity and density in hillside areas as appropriate due to social, cultural or environmental determinants.

LU4-1 Topography and Geology. Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Community Plan Area.

LU4-2 Compatibility with Adjacent Development. Recommend that any proposed development be designed to enhance and be compatible with adjacent development and topography.

LU4-3 Maintain Viewsheds. Strive to maintain established viewsheds in hill-side areas.

LU4-4 Minimize Grading. Minimize the amount of grading throughout all hillside areas.

LU6: A community that supports cohesive neighborhoods and lifecycle housing to promote health and safety.

LU6-1 Neighborhood Continuity. Strive to maintain neighborhood continuity by targeting new proposed affordable housing to serve existing residents and be designed to complement established neighborhood character.

LU6-2 Complete Streets. Support healthy aging in place and childhood development by promoting safe, "complete" streets within low intensity neighborhoods.

LU6-3 Universal Design. Promote housing practices that support aging in place through universal design within single-family residential structures.

-G1. The Project does NOT:
respect the existing predominant or historic building patterns.

G2. retain the original scale of a home at its elevation closest to the street.

G3. stay consistent with the historic use of materials and details.

G4. Maintain relationship to Adjacent Buildings - Houses should be designed in a manner which is sensitive to the massing and siting of adjacent structures. In particular, taller portions of new houses should be kept to a minimum and should endeavor not to "broadside" the outdoor spaces of adjacent properties.

G18. Adhere to Predominant Setbacks: The predominant historic setback of the front elevation from the sidewalk should be retained.

G19. use Complimentary Design - The overall size of a house should not dominate neighboring homes, but should be complementary
and designed to a similar size and scale.

G21. Use Appropriate Scale - Houses should be designed to an appropriate neighborhood scale, then the major features and details should be scaled to be consistent

G31. use Authentic Details: Details should be an appropriate scale and authentic.

-Furthermore, the Plan is violated by the Approval because:

-The Project does NOT require developer to install sufficient Infill and Shoring if they cause subsidence. Recent storms and earthquakes may increase impact since their 2017 reports.

-The Project does NOT include a Traffic Control Plan. Two cars cannot pass each other currently on our block.

-The Project does NOT include an Emergency Response plan in case something goes wrong, i.e., earthquake, subsidence, cut-off of utilities, flooding, methane release.

-The Project has NOT checked with all utilities about location underground that may be disturbed by construction and impact us and make plans to ensure all keep working. We should get Immediate notice to us by email and text
of any damage to or cessation of utilities.

-We do not know if the Project only will use licensed contractors; Developer must provide us with name and contact info of all contractors and subcontractors so we can check.

-The Approval does not explain what will occur if the developer does NOT obtain all required permits, approvals, and consents, and/or does NOT strictly abide by all 105 conditions in the Approval.
In prior litigation, it was alleged that this developer does not do so. The developer currently is violating LA law by renting one of the Project properties illegally as an Airbnb.

-The developer appears to be a single asset limited liability company. No information is provided as to whether it has sufficient, or any assets, to satisfy a judgment for damages for failing to comply to 105 conditions.

-The Project does NOT provide for any mitigation measures re shaking caused by construction that may damage our homes.

-The Project does NOT prohibit parking overnight of construction vehicles/machines on our street.

-The Project does NOT prohibit construction vehicles/equipment blocking of our street by their vehicles and equipment. -The Project does NOT require clean up of the lot each day to remove garbage, cover equipment, put away tools and anything that could be dangerous and used to cause damage, and this endangers us and destroys the appearance of our street.
-The Project does NOT prevent outhouses being installed next to our properties, creating risk of disease, invading our property with filth and foul smells.

-The Project would exacerbate the already impossible parking situation on our block: There is no room for guests, service personnel, and other invitees to park at present. The Project has only 2 parking spaces per unit; none for multiple renters, who might lease
the units; invitees, and guests and service personnel. They will park on our street or block our street so it is impassible.

-The Approval does NOT require that the Project will not block our views, essential to our right to quiet enjoyment.

-The Project does NOT require the developer to enter into mitigation/remediation contracts to reduce noise and dust control. We are home all day. I have head and neck cancer; asthma; and no immunity.

-The Project does NOT require that nothing will impinge on or overhang our property.

-Contrary to the developer's noise report, we use all areas of our property. That report relied on by the Approval therefore is false.

-The Approval does NOT require the developer to provide us immediately with copies of all permits and final plans when and as issued.

-The Approval does NOT require that the developer advise us immediately of any changes to plans and reports.

-The Approval does NOT require that there will be no parties on the Project's roof tops. Such parties will create noise, danger of thrown items onto our lots; no privacy for us.

-Many of the reports relied upon in the Approval may be based on old data from 2017, 2018, 2019, and 2021. The Approval should have required update of all reports to bring current for each lot.

-Some of prior expert reports relied on are only for 1904 and do not include 1906 Preuss, which adjoins our property. The Approval should have required updated reports to include 1906.

-Prior reports relied upon also were for a smaller project, fewer buildings. These reports also do not take into account recent torrential rains; flooding; and swarms of earthquakes in LA. The Approval should have required updates.

For all of the above reasons, and others that may appear on appeal, or have arisen or will arise, or that are set forth in appeals filed by other residents, the Appellant hereby appeals the Approval of the Project.

EXHIBIT B

APPLICANT'S RESPONSE TO APPEALS

Responses to Appeals Submitted Regarding VTT-84089-SL-HCA

Project Site: 1904-1906 S Preuss Road, Los Angeles, CA 90034

Prepared for:
Los Angeles Department of City Planning

Prepared by:
Jesi Harris, Brian Silveira & Associates
Kevin Scott, Brian Silveira & Associates
Brian Silveira, Brian Silveira & Associates

Brian Silveira & Associates
P.O. Box 291
Venice, CA 90294

July 24, 2024

Arielle Mandell / Concerned Citizen's Appeal Response

1. The Findings of Fact Cannot be Made in the Affirmative with Substantial Supporting Evidence

a. The Proposed Map and the Design and Improvement of the Subdivision will not be Consistent with the West Adams-Baldwin Hills-Leimert Community Plan, including the Design Guidelines. The West Adams-Baldwin Hills-Leimert Community Plan ("Community Plan") sets forth the following goals and policies:

- Ensure that new construction maintains the consistent two-story character of the existing neighborhood.

The Appellant is citing Policy LU13-1, which refers to Goal LU13: "A community that promotes efforts to conserve desirable neighborhood form and character as well as enhance the quality of life for residents within the Baldwin Village neighborhood."

The subject project is located several miles from the Baldwin Village neighborhood and therefore this policy does not apply.

- Maintain single-family neighborhoods that address the diverse socio-economic and physical needs of current and future residents.

The Appellant is citing Policy LU1.1 "Address Needs of Diverse Income Groups" contained in the Single Family Residential land use element of the West Adams - Baldwin Hills-Leimert Community Plan.

The subject property is not located within a single family residential area as identified on the map in Figure 3-2, therefore this policy does not apply.

The subject property has a General Plan Land Use designation "Multi-Family Neighborhood - Low Medium II" with corresponding zone RD1.5., which has the corresponding Policy LU7-1 "Address Diverse Resident Needs. Strive for the conservation/preservation of existing assisted affordable and non-assisted housing stock and in particular rent-stabilized unis, and for the development of new housing, including restricted affordable housing, to address the diverse economic and physical needs of the existing residents and project population of the Community Plan Area to the year 2030."

- Seek a high degree of architectural compatibility and landscaping for new infill development as well as additions to existing structures in order to protect the character and scale of existing single-family and multi-family residential neighborhoods.

The Appellant is conflating two distinct policies in a single statement about the project.

The West Adams - Baldwin Hills-Leimert Community Plan contains policies LU8-1 and LU2-3. Policy LU2-3 refers to areas identified in the plan as "Single-Family Residential" and policy LU8-1 refers to areas identified as "Multi-Family Residential".

Policy LU2-3 states "Architectural Compatibility. Seek a high degree of architectural compatibility and landscaping for new infill development as well as additions to existing structures in order to protect the character and scale of existing single-family residential neighborhoods."

Policy LU8-1 states "Architectural Compatibility. Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing multi-family residential neighborhoods."

Baldwin Hills-Leimert Community Plan identifies the subject property as multifamily, with corresponding RD1.5 zoning, therefore Policy LU2-3 does not apply. Policy LU8-1 refers to compatibility with "existing multi-family residential neighborhoods", which assumes that surrounding uses are primarily multi-family.

The subject property is surrounded primarily with single-family homes built mostly during the mid-20th century. It is a stated goal of the West Adams - Baldwin Hills-Leimert Community Plan "to address the diverse economic and physical needs of the existing residents and project population of the Community Plan Area to the year 2030." According to the Community Plan document, multi-family residential is located in roughly 36 percent of the overall plan area.

- Recommend that any proposed development be designed to enhance and be compatible with adjacent development and topography.

The Appellant is citing policy LU4-2 "Compatibility with Adjacent Development" contained in the Single Family Residential land use element of the West Adams - Baldwin Hills-Leimert Community Plan.

The subject property is not located within a single family residential area as identified on the map in Figure 3-2, therefore this policy does not apply.

- Encourage development parameters that ensure multi-family designated lands provide for adequate housing that is contextually sensitive to desirable prevailing neighborhood character.

(Response below)

The Project maxes out the development envelope and includes an introduction of an inappropriate number of new vehicles, many of which are proposed to access the development through a hazardous alley to the detriment of adjacent property owners. As proposed, the Project fails to provide a high degree of architectural compatibility, instead proposing a cookie cutter, least affordable option as if it were proposed in any

other part of the City, not contextually sensitive to the prevailing neighborhood character or designed to enhance and be compatible with adjacent development. Accordingly, the project fails to maintain and address the socio-economic and physical needs of area's current residents. The Project is largely surrounded by single family homes and modest two-story multi-family residential housing, as specifically described to be the two-story character of the area. Yet, the Project, at its height and bulk, completely fails to maintain this inherent identity of the area. Furthermore, the design of the Project, striving for cookie cutter - "box shape", least affordable option, completely fails to comply with the residential design guidelines of the Community Plan.

The proposed prcject is a small lot subdivision, which is a single-family housing typology that is allowed only in multi-family zones.

The City of Los Angeles adopted the Small Lot Subdivision Ordinance in 2005. The ordinance aims to encourage the construction of smaller, more affordable infill housing to target first-time home buyers in an increasingly unaffordable market.

The current planning and zoning policies for the subject property accommodate a base density of 12 units in a single multifamily building, constructed at a height of 45-feet; and an even larger, more dense building may be allowed by accessing density bonus incentives pursuant to California Government Code Section 65915 and LAMC Section 12.22 A 25.

It is the Applicant's view that a small lot subdivision is the appropriate prcject for this location because a small lot subdivision addresses the City's housing needs and prcjected population growth while simultaneously acknowledging the single-family character of the existing neighborhood.

b. The Site is Not Physically Suitable for the Development

The Project includes an introduction of an inappropriate number of new vehicles, many of which are proposed to access the development through a hazardous alley to the detriment of adjacent property owners. This design is not physically suitable for the development or the surrounding area.

The proposed prcject includes twelve small lot homes and twenty-four parking spaces planned for two contiguous lots. The number of proposed parking spaces is consistent with the requirements of the Los Angeles Municipal Code Section 12.21. A.4. as well as the Small Lot Design Guidelines and, therefore, meets the City's anticipated need for motor vehicle parking demand generated by a prcject of its type.

Furthermore, the City of Los Angeles has established guidelines for measuring the severity of potential traffic impacts in the Los Angeles Department of Transportation's (LADOT) "Transportation Assessment Guidelines" published in August of 2022. According to the document, a prcject is considered to have a potentially significant

transportation impact if it is expected to generate a net increase of 250 or more daily vehicle trips per day.

In order to determine whether the prcject might have a potentially significant traffic impact, a basic run of the City of Los Angeles VMT Calculator was performed. The VMT Calculator (included as Attachment A to the document titled "Assessment of 1904-1906 Preuss Road Prcject Eligibility for a Categorical Exemption as a Class 32 In-Fill Development" and dated April 25, 2024) determined that the Prcject's 12 new townhouse uses would generate 53 daily trips. Additionally, the Prcject would remove the two existing single-family residences, which currently generate a combined total of 15 daily trips. Therefore, the Prcject would result in a prcject-related net increase of 38 daily trips. A net increase of 38 daily trips is not considered a potentially significant traffic impact by the CEQA guidelines established by the City of Los Angeles.

Additionally, for properties that abut an alley, LADOT typically mandates that vehicular access be provided from the alley rather than from the primary street. This helps to minimize disruptions to pedestrian pathways and reduces conflicts between vehicles and pedestrians on the main street. LADOT has reviewed the proposed prcject including its circulation plan and has not determined that any unusual hazards exist. As part of its development, the prcject will widen the existing alley from 15 feet to 17.5 feet in order to complete a 10-foot wide half alley. In order to complete the 20-foot wide full alley, the property located at 1905 Shenandoah Street would need to dedicate a 2.5-foot wide strip of the rear portion of their lot that abuts the alley.

Finally, the Applicant has reached out to LADOT to inquire about the process for installing mirrors on the corners of the alley that meet with Sawyer Street. While LADOT does not install nor allow these mirrors to be installed in the public right of way, private property owners are able to install these mirrors to increase the safety of vehicular and pedestrian travel. The Applicant has offered to work with the Appellant to install said mirrors.

c. The Subdivision is Likely to Cause Substantial Environmental Damage

For the reasons stated below, the Categorical Exemption was issued in error. Therefore, the Project is likely to cause substantial environmental damage.

2. The Categorical Exemption was Issued in Error

a. Project Does Not Fit Within a Class 32 Exemption

Under the California Environmental Quality Act ("CEQA"), Class 32 exemptions apply only if the following criteria is met:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

Enacted in 2019, the Housing Crisis Act declared a temporary housing emergency statewide in order to preserve existing affordable housing, enhance protections for occupants, and increase certainty in the development review process. The Housing Crisis Act has been in effect since January 1, 2020. Subsequently, on January 1, 2022, SB 8, the first major clarification of the HCA, went into effect. According to the Housing Crisis Act, the California SEC. 3. Section 65589.5 (d) of the Government Code is amended to read "A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record…"

The code goes on to say "(A) This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation."

The proposed development is consistent with the zoning ordinance and general plan land use designation and is requesting a front yard setback decrease as an off-menu waiver of development standard in conjunction with the provision of one Very Low Income dwelling unit, as allowable under California Government Code Title 7, Division 1, Chapter 4.3, Sections 65915 - 65918 (Density Bonus Code). Furthermore, the project site is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element.

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

As described in the document titled "Assessment of 1904-1906 Preuss Road Project Eligibility for a Categorical Exemption as a Class 32 In-Fill Development" and dated April 25, 2024, the proposed project is not anticipated to have any potentially significant effects relating to traffic, noise, air quality, or water quality.

As set forth above, the Project is not consistent with the Community Plan. Furthermore, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley. The City's analysis does not include review of hazards due to a geometric design feature or incompatible uses. Furthermore, the provided VMT calculations do not include a construction VMT analysis, or the VMT calculations for haul route. Under CEQA, the whole of the Project must be assessed.

The prcject's potential VMT impacts related to its haul route, as well as other phases of construction and operation, were evaluated using the California Emissions Estimator Model (CalEEMod) released by the California Air Pollution Control Officers Association (CAPCOA). According to the model's output, which is included as Attachment C in the "Assessment of 1904-1906 Preuss Road Prcject Eligibility for a Categorical Exemption as a Class 32 In-Fill Development" dated April 25, 2024 the proposed prcject is not expected to result in potentially significant air quality impacts due to the movement of earth materials to and from the site. The number of trips generated by earth moving activities is not expected to exceed the City's threshold for determining a potentially significant traffic impact.

Additionally, for properties that abut an alley, LADOT typically mandates that vehicular access be provided from the alley rather than from the primary street. This helps to minimize disruptions to pedestrian pathways and reduces conflicts between vehicles and pedestrians on the main street. LADOT has reviewed the proposed prcject including its circulation plan and has not determined that any unusual hazards exist. As part of its development, the prcject will widen the existing alley from 15 feet to 17.5 feet in order to complete a 10-foot wide half alley. In order to complete the 20-foot wide full alley, the property located at 1905 Shenandoah Street would need to dedicate a 2.5-foot wide strip of the rear portion of their lot that abuts the alley.

Finally, the Applicant has reached out to LADOT to inquire about the process for installing mirrors on the corners of the alley that meet with Sawyer Street. While LADOT does not install nor allow these mirrors to be installed in the public right of way, private property owners are able to install these mirrors to increase the safety of vehicular and pedestrian travel. The Applicant has offered to work with the Appellant to install said mirrors.

b. Exceptions to a Categorical Exemption Apply

All exemptions are inapplicable when the cumulative impact of successive Projects, over time is significant. Cal.Code Regs. Tit. 14 §15300.2(b). Here, the cumulative impact analysis narrowly focuses on three projects within 500 feet, missing many large multi-family residential projects and their impacts on the area immediately outside such narrow radius. Furthermore, a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Cal.Code Regs. Tit. 14 §15300.2(c).

Here, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley. Furthermore, the Project is largely surrounded by single family homes and modest two-story multi-family residential housing, as specifically described to be the two-story character of the area. It is an identified, uniquely situated community. The aesthetic impacts of such a drastic change will have a significant impact on environment.

For properties that abut an alley, LADOT typically mandates that vehicular access be provided from the alley rather than from the primary street. This helps to minimize disruptions to pedestrian pathways and reduces conflicts between vehicles and pedestrians on the main street. LADOT has reviewed the proposed prcject including its circulation plan and has not determined that any unusual hazards exist. As part of its development, the prcject will widen the existing alley from 15 feet to 17.5 feet in order to complete a 10-foot wide half alley. In order to complete the 20-foot wide full alley, the property located at 1905 Shenandoah Street would need to dedicate a 2.5-foot wide strip of the rear portion of their lot that abuts the alley.

Additionally, the Applicant has reached out to LADOT to inquire about the process for installing mirrors on the corners of the alley that meet with Sawyer Street. While LADOT does not install nor allow these mirrors to be installed in the public right of way, private property owners are able to install these mirrors to increase the safety of vehicular and pedestrian travel. The Applicant has offered to work with the Appellant to install said mirrors.

The prcject site is located within a neighborhood block that is zoned for multifamily residential development including Low Medium II Zones RD1.5 and RD2 which allow for a residential density of one unit per 1,500 square feet of lot area and one unit for every 2,000 square feet of lot area, respectively. The properties in the neighborhood are in Height District 1 which allows a height of up to 45 feet. Neighboring properties contain residential units that were built between 1924 and 1956 when the housing demand was lower and, therefore, the development typology less dense than what is needed in the current development cycle. Recent proposed and completed developments along Preuss Road include a 3-story, 5-unit condominium prcject (1901 Preuss Road), a 4-story, 6-unit small lot subdivision prcject (1953 Preuss Road), another 4-story, 6-unit small lot subdivision prcject (1959 Preuss Road), and a 4-story, 5-unit small lot subdivision prcject (1973 Preuss Road). The proposed 6-unit small lot prcject is, therefore, consistent with the current development pattern in the surrounding neighborhood.

Howard Witkin Appeal Response

The Project is using the small lot subdivision process to create 12 residences on a pair of lots currently supporting two single family homes. The property design as submitted is in violation of the Design Standards for small lot subdivisions. It specifically contradicts both the letter and spirit of the design standards in Chapter 4.

The Guidelines for Height and Massing state:

Well-designed buildings do not “max out” the allowable building massing permitted by the code --height limits, yard, setbacks--but employ variations in height, massing, rhythm, and texture to reduce the perceivable massing of the building. These variations serve dual functions: they help small developments mesh with their surroundings, while

also enhancing the overall quality of the street by providing visual interest and a pedestrian scale.

The buildings as proposed not only “max out” the allowable building massing permitted by code, but the developers have proposed exceptions to that code to go beyond even that limit in the massing of the building. They have requested both removing setbacks, and adding height (since removed) to inappropriately add additional mass to the project.

Furthermore, the developers have specifically ignored each of the 4 design guidelines on massing.

1. Use the surrounding built environment to inform decisions about variations in height and massing.

The builders are proposing a “brutalist” architectural style with large single plane vertical expanses with minimal texture, windows, setbacks or recognition of the defined style of the housing stock. The building is replacing two older homes with classic styling and replacing them with a building styled between the two towers jail and a public storage facility. The surrounding neighborhood is full of classic Steinkamp homes. Rather than reflecting the historical beauty of the housing stock in the neighborhood, They have maxed out the volume and minimized the architectural interest on the property. This is a complete failure to allow the built environment to inform design decisions on the project.

2. Avoid excessive differences in height between the proposed development and adjacent buildings.

The buildings as designed tower over the neighboring single story homes on either side, and because they are built on the crest that defines the “Crestview” neighborhood, they loom up to 75 feet high over the homes to the north and east.

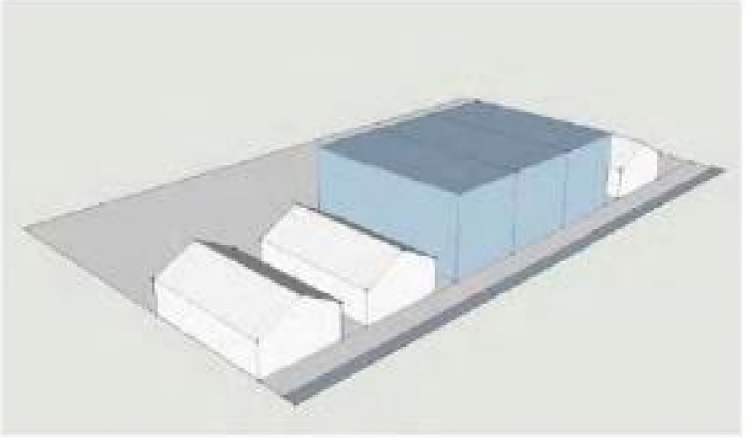
3. Provide sufficient space between buildings, articulation along the street frontage, and visual breaks to diminish the scale and massing.

There is no spacing between buildings, no articulation along the street frontage and no visual break to diminish the looming feeling of the buildings.

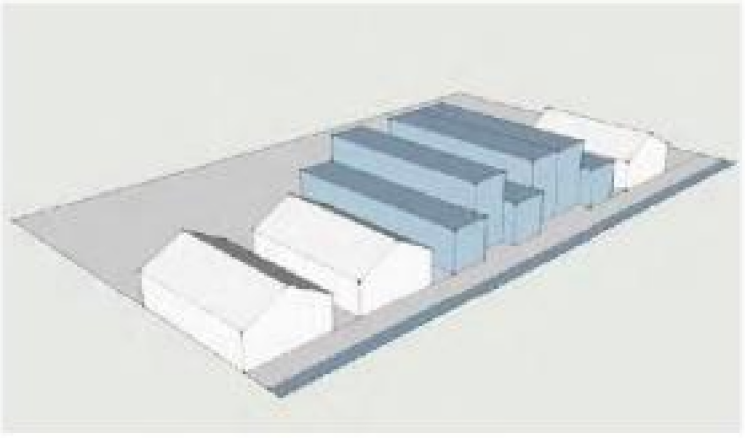
4. Small lot developments should be appropriately designed and scaled to transition from single-family properties using methods such as step backs, building placement, driveway location, variations in height, and landscape screening elements.

They have completely ignored this design guideline and provide no stepbacks, screening or variations in height to scale to the neighborhood. In contrast, they have joined two lots together and located the driveways in the center of the buildings and pushed the buildings out to the lot lines. Rather than using driveways as a buffer and transition to the neighboring properties, they have maximized the impact and contrast in

scale with their neighbors. Doing so allows the builders to use a single driveway for both buildings and thereby minimize the open space within the property itself to the detriment of the eventual owners and tenants. The developer should move the driveways to the edges of the property and create visual transitions as contemplated in the design guidelines.



This small lot development maxes out the building envelope and does not respond to surrounding context.



By breaking down the height, massing, and facade of the buildings, this small lot development becomes more compatible with the surrounding neighborhood.

This illustration in the guidelines showing what should not be done, matches closely the building massing of the proposed
development.

The developer has completely violated the guidelines and has created a massive structure with straight vertical walls looming 4 stories above the neighboring single family homes. In the suggested image below, the guidelines recommend lowering the height of the project along the neighboring properties. Doing so would also reduce the square footage of the developed properties and meet the goals of the ordinance by creating more affordable housing stock. The current plan to maximize volume to create 2,400 square foot homes that will be priced in the 2.5 million dollar price range does nothing to aid the affordable housing goals that this project is putatively targeted at.

Building Façade/rooflines

The developer has chosen to turn all of the homes away from the street with no "communication/interaction" with the neighborhood. Instead he presents the street with a single plane solid block wall with out of scale tiny windows, no variation in elevations, no stoops, balconies or articulated rooflines to enhance the neighborhood. If the builder would reduce the unit count to 10 and keep the setbacks, the dual property is scaled large enough to easily create a more livable and affordable addition to the neighborhood. The plans as submitted, ignore 8 out of 10 of the façade recommendations and 3 out of 4 of the roofline guidelines.

This project has the opportunity to contribute the the livability and affordability of the neighborhood. Instead the developer is gaming the system to create the maximum possible salable square footage ignoring both the affordable housing an livability goals of the ordinances.

The guidelines themselves state:

Released in 2014, the Design Guidelines were created to accompany the implementation of the Ordinance and provide examples of best practices in addressing the complexities of designing small lot developments. The Guidelines are used to inform developers and staff, and assist project design at the onset of the process. The proposed Design Standards will go a step further to create specific and enforceable rules addressing site planning, massing and other project features. All new small lot projects will need to show compliance with the Design Standards.

The Design Standards will create specific and enforceable rules regarding design for all small lot homes, including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. All small lot subdivisions must comply with the Design Standards through an Administrative Clearance process.

The prcject's Administrative review has happened and the prcject has been found to be compliant.

This project fails to conform. As a neighbor who will be forced to look at this building looming over my yard and home and setting a destructive example of abusing the process to create more unaffordable overbuilt buildings, I appeal the approval and respectfully request that the city send the developer back to the drawing board to create a project that will benefit the neighborhood and the city, and that will stay within the bounds and goals of the ordinance.

The prcject team has met with the Appellant on several occasions to address his concerns regarding the Small Lot Standards and have taken several of his ideas and incorporated them into the design of the prcject. These include reducing the overall height of the prcject to 45' feet, stepping back the roof decks to add privacy for neighbors, providing larger windows on the units fronting Preuss Road, articulating the

window frames in order to provide depth, and adding very large three-story windows on those front units to break up the facade and add transparency.

The Small Lot Ordinance was created in order to encourage the development of homes on much smaller parcels than the quarter-acre lots predominantly seen throughout the City. With the price of land being a major factor in the overall cost of new housing, the small Lot typology aimed to create homeownership opportunities at a price point lower than that of new construction on traditionally-sized lots. Although the sale price of the units in the Proposed Development has not yet been determined, it will certainly be much lower than that of new construction on larger parcels in the area.

The Prcject plans for the replacement of two single-family homes with twelve single-family homes. Although some elements of the architectural style of the Prcject differ from that of some of the homes immediately surrounding the Prcject site, most of those homes were built sixty to one hundred years ago, and may soon age out and be redeveloped in an updated style.

In fact, densification of areas of Los Angeles zoned for multi-family housing which currently contain single-family homes is essential to meeting both the City and State's housing goals.

The Regional Housing Needs Allocation, or RHNA, is a process mandated by state law that requires local governments to plan for housing needs across all income levels. The planning is outlined by the Housing Element of each local government's General Plan.

In Los Angeles, the California Department of Housing and Community Development (HCD) has determined that the City must plan for 456,643 new housing units in its 8 year RHNA cycle. In order to accomplish this, the City has developed an accounting of the properties that are appropriate for new housing, and listed them in Chapter 4 of its Housing Element.

Further, central to the Housing Element's goals is the strategy of producing these new units in what HCD considers "Higher Opportunity Areas," or neighborhoods that offer better access to quality education, employment opportunities, healthcare services, and safe environments with low crime rates, among other criteria.

The Prcject site, located at 1904-1906 Preuss Road, is both listed in the City's Inventory of Adequate Sites for Housing and within an area that HCD considers to be a Higher Opportunity Area.

In the last few years, Los Angeles has been producing approximately 10,000 to 16,000 new housing units annually. This production rate falls short of the City's goal of producing the approximately 456,000 new units called for in this current RHNA cycle–a goal that would require the construction of about 57,000 units per year.

It is also important to note that approximately 75% of the City of Los Angeles is zoned for single family housing, which means that the vast majority of new housing must be built on one quarter of the City's land. Therefore, replacing single-family dwellings with multiple units is essential in areas zoned for multifamily housing such as this section of the South Robertson neighborhood. Despite the need for such a large amount of units, the Proposed Development plans for only 12 units–an amount equal to the base density of the Project site.

The goal of producing more housing units within developed urban areas is also supported at the State level by laws such as SB 330, also known as the Housing Crisis Act. This law aims to accelerate housing production by streamlining approvals and reducing barriers and uncertainties in the development process. One of the ways that it does this is by limiting the ability of local governments to deny housing projects that comply with objective standards and requirements in effect at the time of application. The Proposed Development's inclusion of one unit affordable at the Very Low Income level puts it in compliance with the State Density Bonus Law and therefore makes applicable the provisions of SB 330 for the Project at its proposed density and with its requested Incentive.

Meyer Shwartzstein Appeal Response

To whom it may concern:

We live at 1902 Preuss Road, neighboring 1904 Preuss Road, the site of the intended construction.

We have solar panels on our roof which will, the property owner has acknowledged, will be substantially blocked during several months of the year. The cause of this is twofold - first, the height of the intended structure and, second, the fact that the structure closes to our house will be built approximately 8 feet closer to the street than it is now. Our panels face west and the house next door is to our south. The southern exposure is critical to our access to the sun.

When we brought this up to the developer, they offered us a $5,000 battery which will not mitigate the damage caused by the blocked sunlight caused by the development. If we had accepted the offer, we would have had to forfeit the right to appeal. Given that the damage is much greater than a $5,000 cost, we rejected it.

The problem is that system is too old to modify- to upgrade its capacity, it would need to be replaced. Attached is an email from a contractor stating an approximate price of $28,000 - and that was part of a special deal.

The other way to mitigate the damage is to limit the scope of the project by restricting them to constructing the building closest to the front to the be aligned with the front of the current structure.

Our request appears to be in line with the FAQs published in 2016.

Here is an excerpt from the "SMALL LOT SUBDIVISION CODE AMENDMENT AND POLICY UPDATE FREQUENTLY ASKED QUESTIONS-REVISED June 7, 2016"- "Based on the recent Council Motion, is the Planning Department adjusting the rules for Small Lots?

Yes. A comprehensive update of Small Lots is being undertaken by the Planning Department. It will consist of a three-part update including a Small Lot Code Amendment, Small Lot Design Standards, and Advisory Agency Map Standards.

The Code Amendment will require greater front and rear yard setbacks and greater setbacks when abutting single-family zones (see illustrations below), create a division of land process for "bungalow court" small lot projects, and establish design standards for small lot subdivisions with an incidental Administrative Clearance process."

Given the damage the development will cause to our ability to generate electricity using solar collectors, and the FAQ as quoted above, we hereby request that you deny the developer's request to build the front structure 8 feet in front of where the current structure stands.

Enacted in 1978, the California Solar Shade Control Act modified Chapter 12, Section 25982. of the state Public Resources Code to read 'After the installation of a solar collector, a person owning or in control of another property shall not allow a tree or shrub to be placed or, if placed, to grow on that property so as to cast a shadow greater than 10 percent of the collector absorption area upon that solar collector surface at any one time between the hours of 10 a.m. and 2 p.m., local standard time." The Act does not contain any language prohibiting the construction of nearby structures that might obstruct solar access to the property's solar collectors.

Furthermore, the provision of "greater front and rear yard setbacks and greater setbacks when abutting single-family zones" referenced by the Appellant from the "Small Lot Subdivision Code Amendment and Policy Update Frequently Asked Questions-Revised June 7, 2016" is not applicable to the subject property both because the referenced document was not ratified as part of City Planning, Zoning, and Land Use code and because the subject property does not abut any single-family zones.

Our other concerns relate to our front gate - which will likely be destroyed during demo and/or construction, the nature of the current walls between the properties, and guaranteeing access to our ADU which is very close to their property. The developer allowed the current renter to attach a water hose support to our ADU without requesting permission to do so. The developer has offered us no written guarantees or assurances regarding any of our concerns related to the construction, etc. Given the pattern of our ongoing discussions about our concerns, we remain concerned.

The Appellant's property, located at 1902 Preuss Road acjacent to the subject prcject site, contains a fence that is attached to a structure on the subject prcject site that will be demolished as part of the proposed prcject (as shown in the figure below). While the Applicant recognizes the inconvenience of removing the Appellant's fence as part of the development process, this removal is not a violation of any laws or regulations as the Appellant's fence clearly encroaches onto the Applicant's property. Furthermore, the Applicant has agreed - in writing to the Appellant - to replace the fence once construction of the new prcject has been completed.



As it is, many trees will be destroyed, shade will be added to our garden - we've planted dozens of trees since we moved here in 2000. The facade is unattractive. And that's not even mentioning the increased traffic, etc. We know that more housing is needed in LA and we're prepared to manage the increased inconvenience, but we're not prepared to have our concerns disregarded.

According to the Los Angeles Protected Tree and Shrub Ordinance (Ordinance No. 186873), protected trees include: any tree of the Oak genus indigenous to Southern California (excluding Scrub Oak [Quercus berberidifolia], Southern California Black Walnut trees (Juglans californica), Western Sycamore trees (Platanus racemosa), and California Bay trees (Umellularia californica) which measure four inches or more in cumulative diameter four and one-half feet above the ground level at the base of the tree. Protected shrubs include Mexican Elderberry shrubs (Sambucus mexicana) and Toyon shrubs (Heteromeles arbutifolia) which measure four inches or more in

cumulative diameter four and one-half feet above the ground level at the base of the shrub. The definition shall not include any tree or shrub grown or held for sale by a licensed nursery, or trees planted or grown as part of a tree planting program.

The Appellant's property contains several trees that will be impacted by the adjacent development on the subject site. While the Applicant recognizes the inconvenience of impacts to the Appellant's trees as part of the development process, the impacts are not a violation of any laws or regulations.

The front facade has been updated to include increased window sizes and changes in materiality at the request of the Appellant. The updated plan set and renderings are attached to these appeal responses.

The City of Los Angeles has established guidelines for measuring the severity of potential traffic impacts in the Los Angeles Department of Transportation's (LADOT) "Transportation Assessment Guidelines" published in August of 2022. According to the document, a project is considered to have a potentially significant transportation impact if it is expected to generate a net increase of 250 or more daily vehicle trips per day.

In order to determine whether the project might have a potentially significant traffic impact, a basic run of the City of Los Angeles VMT Calculator was performed. The VMT Calculator (included as Attachment A to the document titled "Assessment of 1904-1906 Preuss Road Project Eligibility for a Categorical Exemption as a Class 32 In-Fill Development" and dated April 25, 2024) determined that the Project's 12 new townhouse uses would generate 53 daily trips. Additionally, the Project would remove the two existing single-family residences, which currently generate a combined total of 15 daily trips. Therefore, the Project would result in a project-related net increase of 38 daily trips. A net increase of 38 daily trips is not considered a potentially significant traffic impact by the CEQA guidelines established by the City of Los Angeles.

Shelly Rothschild Appeal Response

-APPELLANT: SHELLY ROTHSCHILD, AGGRIEVED PERSON, residing at 1908 South Preuss Road, located directly next to, contiguous with, and adjoining "the Vesting Tentative Tract Map NO. 84089-SL-HCA (Map Stamped Dated April 8, 2024) Located at 1904 – 1906 South Preuss Road as to Case No. VTT-84089-SL-HCA" (hereinafter the "Project").
- Without waiving any other grounds for appeal that may appear or that may be or have been stated by us or by any other appellants and neighbors, and without prejudice to stating additional issues on appeal, we set forth below the justifications/reasons for the Appeal, specific points at issue, and how we are aggrieved by the decision are set forth below. We further hereby join in the appeals to the Approval filed by Howard Witkin, Meyer Shwarzstein, and Arielle Mandel:

-THE APPROVAL VIOLATES THE LOS ANGELES DEPARTMENT OF CITY

PLANNING'S WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN (the "Plan").

GENERAL: The Approval contains ONE HUNDRED AND TWO (102) CONDITIONS, ALL WITH MULTIPLE SUBCONDITIONS, PLUS ADDITIONAL CONDITIONS UNDER SL-1-2/S-1, 2, AND 3, SET FORTH OVER NINETEEN (19) PAGES.

Unless and until these conditions have been met in full, the Approval currently violates the Plan, as set forth below, and the Approval lacks any verifiable and certain basis and foundation, and is illusory, as many or none of these conditions have been satisfied and many never be achieved. If this Project does not complete each and every one of this fantasy list of conditions, it will violate the Plan, destroy a heritage hillside neighborhood, and egregiously injure the health, safety, privacy, and property of existing senior and other residents, as explained below. In short, the Approval should not have been granted based solely on speculative promises of conditions that may never be fulfilled, especially as they are being made by a developer who has been sued for
violations before and may not have sufficient assets to satisfy any damages and/or remediation if these conditions are not met.

Every condition must be met and inspected/approved by the City before any further permits can be issued.

Moreover, the Approval does not discuss the applicability of, and if so, whether the Project complies with and does not violate, the Los Angeles ("LA") Character Residential CPIO Development Regulations; and/or the City's Baseline Mansionization and Hillside Ordinance Guidelines and Standards; and/or the Complete Streets Guide requirement to identify how it will provide for the accommodation of all users of the roadway including motorists, pedestrians, individuals with disabilities, and seniors.
-VIOLATIONS OF THE PLAN: The Plan sets forth policies and goals that are abrogated by the Project and therefore the Approval. We have lived on this block for 38 years in a single-family residence that we chose for its peace, quiet, and expansive city views, so that as seniors "we can age in place," a goal promised by the Plan. We are 75 and 78 years old. We are disabled, unemployed, elderly, sick, and battling cancer. We want to practice our religion, guaranteed by the First Amendment, and our right to privacy and safety. Under California law, we have the right to quiet enjoyment of our property, and "the aging in place" guaranteed by the Plan. This will be destroyed by the Approval.

The proposed project site is not within a Community Plan Implementation Overlay District (CPIO) and, therefore, is not subject to the development regulations of one.

The City's development standards for single-family zones are referred to as the Baseline Mansionization and Baseline Hillside Ordinances, or BMO and BHO. These regulations were established to address out-of-scale development in single-family zones throughout the City and related construction impacts in Hillside Areas. The purpose of the BMO/BHO Code amendment is to update and refine the current rules relating to the

size and bulk of new and enlarged homes, as well as grading of hillside lots. The subject property is not in a single-family zone, nor does it abut a single family zone. The subject property is not in a designated hillside area as identified by the Department of City Planning. Therefore, the City's Baseline Mansionization and Hillside Ordinance Guidelines and Standards do not apply to the subject site.

The project complies with the City's Transportation and Mobility Element - Mobility Plan 2035 - as designed. As recommended by the Bureau of Engineering and in accordance with Mobility Plan 2035, the project will dedicate and improve a 5-foot wide strip of land along Preuss Road adjoining the tract to complete a 30-foot wide half right-of-way in accordance with Local Street standards. The project will also dedicate and improve a 2.5-foot wide strip of land along the alley adjoining the tract to complete 10-foot wide half alley in accordance with alleyway standards. Therefore, the project complies with the City's Transportation and Mobility Element including its Complete Streets Guide requirements.

-A key goal of the Plan is to maintain the existing character of our street, as noted in the Plan sections cited below. This will be destroyed by the Approval. The Plan notes that our neighborhood is characterized by single story and two-story main dwelling structures with a detached garage, featuring generous front and back yards. Most of these neighborhoods were designed and constructed in the late Nineteenth and early Twentieth centuries. The Approval will destroy this character by knocking down existing low-level single-family houses and instead installing directly next to us a mammoth development project, consisting of 4 new towers, each with 4 floors. The new construction looks more like a prison than a single-family residence. It will destroy the value, safety, privacy of our home and our health as noted below.

The subject property is not located within a single family residential area as identified on the map in Figure 3-2, therefore this policy does not apply.

The subject property has a General Plan Land Use designation "Multi-Family Neighborhood - Low Medium II" with corresponding zone RD1.5., which has the corresponding Policy LU7-1 "Address Diverse Resident Needs. Strive for the conservation/preservation of existing assisted affordable and non-assisted housing stock and in particular rent-stabilized units, and for the development of new housing, including restricted affordable housing, to address the diverse economic and physical needs of the existing residents and project population of the Community Plan Area to the year 2030."

The proposed project is a 12-unit small lot home development, including one unit reserved for Very Low Income households. According to the Small Lot Ordinance (Ordinance No. 176,354 enacted on 2005) the small lot housing typology was created in order to encourage the development of homes on much smaller parcels than the quarter-acre lots predominantly seen throughout the City. With the price of land being an enormous factor in the overall cost of new housing, the Small Lot typology aims to create homeownership opportunities at a price point lower than that of new construction

on traditionally-sized lots. Although the sale price of the units in the Proposed Development has not yet been determined, it will certainly be much lower than that of new construction on larger parcels in the area.

Therefore, the proposed development is consistent with Land Use Policy LU7-1 from the West Adams-Baldwin Hills-Leimert Community Plan pertaining to multi-family neighborhoods such as the one in which the proposed prcject site is located.

-The block on which my house is located is very narrow and has parking on both sides. As a result, it has a huge traffic problem: Two cars cannot pass each other at the same time. It is difficult to get out of driveways as cars speed down our street. Our car recently was rammed by a speeding car on our block, causing major damage and could have killed my husband. Pedestrians also use the street to walk to pray in nearby temples and churches, for the elderly and children crossing the street, and for residents to enjoy a stroll past our hillside homes. The Approval totally disregards the unique character of our block and the impact the Project will have on traffic. Not only will the Project have numerous new units, and each unit may be rented to groups of renters, but also LA recently approved other high-density projects nearby, greatly increasing the traffic for our block.

We are providing a 5-foot dedication along Preuss Road (as well as a 2.5-foot dedication to the rear alley), consistent with the recommendation of the Bureau of Engineering. The Applicant is not personally responsible for the City's decisions regarding street widening nor are the existing traffic issues an impact of the proposed prcject.

-Parking: Our little block has an immense parking problem: there are no places to park many times during the day and night. This prevents us from having guests, creates difficult for service personnel, and other invitees. The Approval will exacerbate this problem: there are only two spaces for each of 12 units and no parking for their guests, groups of renters, service personnel or invitees. LA keeps approving other projects nearby with little parking. This further worsen an already intolerable situation but is completely disregarded by the Approval.

The Proposed Development complies with the Los Angeles Municipal Code (LAMC) Section 12.21.A.4 by providing two parking spaces for each single-family dwelling. Additionally, lawmakers at the State and municipal levels have identified the mandatory inclusion of off-street parking in new development as one of the factors driving up the cost of housing and making many parts of the State unaffordable and are working to change that dynamic. State Assembly Bill 2097 was passed in 2022 and prohibits municipalities from requiring off-street parking in new developments accessible to high quality public transportation. The City's Density Bonus ordinance also includes provisions for reducing off-street parking requirements in exchange for the provision of affordable units. The City's Transit Oriented Communities (TOC) program, which was implemented after the passage of Measure JJJ in 2016, is another example of a City policy designed to encourage development with less parking than has been traditionally

required in order to increase ridership in public transit and encourage active transportation. The Proposed Development does not utilize any of these reductions, and instead opts to include the amount of automobile parking required by the LAMC.

-Safety: Contrary to other construction on the other side of Preuss, the Project is being built on a hillside, where there are no other huge multistory towers. There are unique earthquake, methane, and utility issues, which the Approval disregards based on flawed or outdated reports as noted below. Our city views and our privacy, and our essential internet access, also may be egregiously impacted. Thirteen living trees that help us survive air pollution will be uprooted. The Plan's goals for maintaining the character, health and safety, and for seniors on our block to age in place, will be nullified.

The proposed prcject is consistent with the planning and land use requirements applicable to its location within the West Adams-Baldwin Hills-Leimert Community Plan. The prcject is not located within a designated hillside area as identified by the Department of City Planning. As part of its approval through the Department of Building and Safety, the prcject team retained an Addendum Soils Engineering Exploration Report completed on March 24, 2023 by Schick Geotechnical, Inc. (to accompany the report titled "Fault Rupture Hazard Investigation, Proposed New Residential Development, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," dated, June 14, 2018). The report was approved by the Grading Division of the Los Angeles Department of Building and Safety on May 5, 2024. All of the conditions and recommendations for site development imposed by the Geotechnical consultant and the Department of Building and Safety will be adhered to during construction of the proposed prcject.

Furthermore, three separate conversations with Spectrum, the internet service provider, confirmed that adding 12 units on the street would not impact the speed of internet service. Spectrum added that each current customer is guaranteed the speed/bandwidth for which they currently pay, so, if, for some reason, there was an unexpected loss in speed/bandwidth, Spectrum would do whatever was necessary - including boosting infrastructure - in order to maintain customers' current internet speeds.

Noted below are the sections of the Plan violated by the Approval:

-Plan LU1.1 The Project Does NOT Address Needs of Diverse Income Groups. The Project is primarily designed and intended for multi-millionaires who can afford to pay upwards of $2,000,000.00 for EACH unit. Only 1 of 12 is for another income level, and it is not known if that in fact will be honored by the developer.

According to the document titled Small Lot Subdivision Code Amendment and Policy Update FREQUENTLY ASKED QUESTIONS – REVISED June 7, 2016 "The Small Lot Ordinance was intended as an innovative housing tool to encourage the development of alternative fee-simple homeownership in areas zoned for multi-family and commercial uses." The proposed prcject includes the construction of twelve small lot homes on

approximately 1,200 sq ft of lot area each. When compared with the typical single-family home lot, the small lot typology proposed for the site introduces housing units that address the needs of diverse income groups.

Plan Key Issues: The Project's new construction does NOT maintain existing low scale character. The Project consists of 4 huge 4 story buildings that tower over the adjoining properties, which are one or two story single family residences.

The proposed project's 12 residential units will be built within the 45-foot height limit effective for the zone and height district.

-Plan Key Opportunities: The Project does NOT increase homeownership by providing housing that is affordable to a mix of income ranges. The Project's dominant mix is for those with extremely high incomes.

The proposed project is a 12-unit small lot home development, including one unit reserved for Very Low Income households. According to the Small Lot Ordinance (Ordinance No. 176,354 enacted on 2005) the small lot housing typology was created in order to encourage the development of homes on much smaller parcels than the quarter-acre lots predominantly seen throughout the City. With the price of land being an enormous factor in the overall cost of new housing, the Small Lot typology aims to create homeownership opportunities at a price point lower than that of new construction on traditionally-sized lots. Although the sale price of the units in the Proposed Development has not yet been determined, it will certainly be much lower than that of new construction on larger parcels in the area.

The Project does NOT create single-family residential design guidelines and incentives to maintain neighborhood character. Like the homes being demolished by the Project, contiguous homes are single family homes that are one or two stories and built in the 1920s and 1930s. The Project destroys two existing homes and replaces them with a new huge, towering prison-like complex directly next to them.

-LU1.2 Safe Environments. Ensure that single-family residential neighborhoods are maintained to be safe and inviting environments.

-The Project does NOT protect our privacy: trespass by workers, workers, residents looking into our rooms and yards; it does not install sufficient front and fences between our properties.

The proposed project includes plans to install a front fence, two retaining walls along the sides of the subject property, and a rear wall at the subject property's rear property line. The front fence is planned to a maximum height of 3'-6", the tallest allowed within a front setback by the Los Angeles Municipal Code. The retaining walls along the sides of the property are planned to reach a height of eight feet from finished grade, the tallest allowed within a front setback by the Los Angeles Municipal Code. The rear wall is planned to reach a height of six feet, the tallest allowed within a front setback by the

Los Angeles Municipal Code. Further efforts to preserve the privacy of nearby property occupants include 5-foot setbacks along the rooftop deck edges as well as stairways and elevator roof access structures, and a mechanical area on each roof deck that is situated at the exterior edges of the roof decks to successfully orient views from the proposed structures toward the interior of the prcject site.

Construction workers are not expected to enter the properties of any neighboring lots.

-The Project does NOT limit late night construction work. I am 75 years old, disabled, my husband is 78; and I am battling cancer for the second time. I need rest, not being assaulted by 24/7 construction.

Permitted construction and demolition hours within the City of Los Angeles are restricted to Monday through Friday between 8:00 A.M. and 6:00 P.M. Exterior construction is prohibited at any other time; however, interior construction is permitted on Saturday between the hours of 8:00 A.M. and 6:00 P.M. Excess exterior illumination of the work site (i.e. floodlights and similar devices) is prohibited after 6:00 PM on any day of the week. The proposed prcject construction will comply with the laws and regulations set forth by the Department of Building and Safety. Therefore, the prcject does not proposed any late night construction activity.

-The Project does NOT prohibit work on the Jewish Sabbath and Jewish holy days. The developer has refused our request not and will deprive us of our First Amendment right to practice our religion.

Permitted construction and demolition hours within the City of Los Angeles are restricted to Monday through Friday between 8:00 A.M. and 6:00 P.M. Exterior construction is prohibited at any other time; however, interior construction is permitted on Saturday between the hours of 8:00 A.M. and 6:00 P.M. Excess exterior illumination of the work site (i.e. floodlights and similar devices) is prohibited after 6:00 PM on any day of the week. The proposed prcject construction will comply with the laws and regulations set forth by the Department of Building and Safety.

-The Project does NOT require that the developer give notice to us by email and text of work schedule, days and times. The developer can control this through their contract with the builders.

The developer is committed to respecting the concerns of the prcject's neighbors throughout the construction phases. The developer, however, is not required to notify neighbors via text or email of work schedule, days and times. Contact information for the prcject's General Contractor will be posted inconspicuously on the prcject site so that neighbors can reach out with any questions or concerns.

-The Project does NOT protect us from entry into our property by construction workers and equipment, and residents.

Construction workers are not expected to enter the properties of any neighboring lots.

-The Project does NOT Include us on all developer and contractor insurance in case they damage our property.

The developer is required to post a bond with the City for the purposes of protecting and repairing, as necessary, neighboring properties from any damage caused by the construction on the proposed prcject site.

-The Project does NOT provide for immediate notice to us by email and text of any damage to our property.
-The Project does NOT provide for the developer to enter into a covenant/contract/guarantee with us that they will fix any damage they cause to our property and/or let us hire someone that they will pay.

Construction impacts are not expected to affect properties outside of the prcject site.

-LU2-1 The Project does NOT:
Strive to protect existing single-family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

The Prcject site and surrounding area are zoned RD 1.5-1, with a general plan land use designation of Low Medium II Residential, and do not represent a single-family or low-density neighborhood.

LU2-3 Architectural Compatibility. Seek a high degree of architectural compatibility and landscaping for new infill development in order to protect the character and scale of existing single-family residential neighborhoods.
LU2-4 Analyze Impacts. Consider factors such as neighborhood character and identity, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.
LU2-5 Preserve View Corridors. Encourage the preservation of existing prominent public vistas and view corridors throughout the Community Plan Area and especially those from hillside areas.
LU3: A community that promotes programs that provide greater access to homeownership of adequate single-family housing for all persons regardless of income, age, cultural, racial or ethnic identity.
LU3-1 Individual Choice. Promote greater individual choice in type, quality, price and location of single-family housing.
LU3-2 Affordability. Encourage homeownership and affordable housing options by promoting the benefits of tax credit and homebuyer incentive programs that involve the reuse and rehabilitation of existing structures as a viable option to “tear down” redevelopment.
LU4: A community that supports a limit to building intensity and density in hillside areas as appropriate due to social, cultural or environmental determinants.

LU4-1 Topography and Geology. Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Community Plan Area.
LU4-2 Compatibility with Adjacent Development. Recommend that any proposed development be designed to enhance and be compatible with adjacent development and topography.
LU4-3 Maintain Viewsheds. Strive to maintain established viewsheds in hill-side areas.

LU4-4 Minimize Grading. Minimize the amount of grading throughout all hillside areas.
LU6: A community that supports cohesive neighborhoods and lifecycle housing to promote health and safety.
LU6-1 Neighborhood Continuity. Strive to maintain neighborhood continuity by targeting new proposed affordable housing to serve existing residents and be designed to complement established neighborhood character.
LU6-2 Complete Streets. Support healthy aging in place and childhood development by promoting safe, “complete” streets within low intensity neighborhoods.
LU6-3 Universal Design. Promote housing practices that support aging in place through universal design within single-family residential structures.
-G1. The Project does NOT:
respect the existing predominant or historic building patterns.
G2. retain the original scale of a home at its elevation closest to the street.
G3. stay consistent with the historic use of materials and details.
G4. Maintain relationship to Adjacent Buildings - Houses should be designed in a manner which is sensitive to the massing and siting of adjacent structures. In particular, taller portions of new houses should be kept to a minimum and should endeavor not to “broadside” the outdoor spaces of adjacent properties.
G18. Adhere to Predominant Setbacks: The predominant historic setback of the front elevation from the sidewalk should be retained.
G19. use Complimentary Design - The overall size of a house should not dominate neighboring homes, but should be complementary and designed to a similar size and scale.
G21. Use Appropriate Scale - Houses should be designed to an appropriate neighborhood scale, then the major features and details should be scaled to be consistent
G31. use Authentic Details: Details should be an appropriate scale and authentic.
-Furthermore, the Plan is violated by the Approval because:
-The Project does NOT require developer to install sufficient Infill and Shoring if they cause subsidence. Recent storms and earthquakes may increase impact since their 2017 reports.

The Appellant is citing policies contained in the Single Family Residential land use element of the West Adams - Baldwin Hills-Leimert Community Plan.

The subject property is not located within a single family residential area as identified on the map in Figure 3-2, therefore these policies do not apply.

The Applicant submitted a geotechnical report which was prepared in 2021 by Schick Geotechnical, Inc (SGI) and that report was accepted by the city. The report concludes that the project's design can be safely accommodated by the project site, saying "Based upon the referenced exploration, it is the finding of SGI that the proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction." These recommendations include implementing proper foundation design, retaining walls, shoring piles, floor slabs, grading, drainage, waterproofing, and site observation during construction. These recommendations will be adhered to during construction and the developer will abide by the conditions set in the entitlement determination as well as all LADBS standards, working hand-in-hand with the city to ensure safety for neighboring houses as well as the proposed development.

-The Project does NOT include a Traffic Control Plan. Two cars cannot pass each other currently on our block.

The project team will be required to submit a Haul Route and Construction Staging Plan to be approved by the Department of Building and Safety prior to permits being issued.

-The Project does NOT include an Emergency Response plan in case something goes wrong, i.e., earthquake, subsidence, cut-off of utilities, flooding, methane release.
-The Project has NOT checked with all utilities about location underground that may be disturbed by construction and impact us and make plans to ensure all keep working. We should get Immediate notice to us by email and textof any damage to or cessation of utilities.

-We do not know if the Project only will use licensed contractors; Developer must provide us with name and contact info of all contractors and subcontractors so we can check.

The project team has offered to provide contact information for contractors once building permits are issued.

-The Approval does not explain what will occur if the developer does NOT obtain all required permits, approvals, and consents, and/or does NOT strictly abide by all 105 conditions in the Approval. In prior litigation, it was alleged that this developer does not do so. The developer currently is violating LA law by renting one of the Project properties illegally as an Airbnb.
-The developer appears to be a single asset limited liability company. No information is provided as to whether it has sufficient, or any assets, to satisfy a judgment for damages for failing to comply to 105 conditions.
-The Project does NOT provide for any mitigation measures re shaking caused by construction that may damage our homes.
-The Project does NOT prohibit parking overnight of construction vehicles/machines on our street.

-The Project does NOT prohibit construction vehicles/equipment blocking of our street by their vehicles and equipment.
-The Project does NOT require clean up of the lot each day to remove garbage, cover equipment, put away tools and anything that could be dangerous and used to cause damage, and this endangers us and destroys the appearance of our street.

-The Project does NOT prevent outhouses being installed next to our properties, creating risk of disease, invading our property with filth and foul smells.

-The Project would exacerbate the already impossible parking situation on our block: There is no room for guests, service personnel, and other invitees to park at present. The Project has only 2 parking spaces per unit; none for multiple renters, who might lease the units; invitees, and guests and service personnel. They will park on our street or block our street so it is impassable.

Answered previously.

-The Approval does NOT require that the Project will not block our views, essential to our right to quiet enjoyment.

The current planning and zoning policies for the subject property accommodate a base density of 12 units in a single multifamily building, constructed at a height of 45-feet; and an even larger, more dense building may be allowed by accessing density bonus incentives pursuant to California Government Code Section 65915 and LAMC Section 12.22 A 25.

-The Project does NOT require the developer to enter into mitigation/remediation contracts to reduce noise and dust control. We are home all day. I have head and neck cancer; asthma; and no immunity.

The Applicant has offered to pay for a weeklong hotel stay at the Courtyard Marriot near the neighborhood where the project site is located during the noisiest, dustiest portions of the project construction phases.

-The Project does NOT require that nothing will impinge on or overhang our property.
-Contrary to the developer's noise report, we use all areas of our property. That report relied on by the Approval therefore is false.
-The Approval does NOT require the developer to provide us immediately with copies of all permits and final plans when and as issued.
-The Approval does NOT require that the developer advise us immediately of any changes to plans and reports.
-The Approval does NOT require that there will be no parties on the Project's roof tops. Such parties will create noise, danger of thrown items onto our lots; no privacy for us.

Nearby property owners, including the eventual owners of the small lot homes proposed for the project site have the right to full enjoyment of their properties, including their roof decks and

other open space areas, within the bounds of the law. The roof decks have been stepped back and screened with architectural materials in order to protect neighbors' privacy.

Any plan changes from the approved 'Exhibit A' from the prcject file will be reflected in the public record. The Applicant has offered to provide the Appellant with copies of all permits and final plans in a timely manner after issuance.

-Many of the reports relied upon in the Approval may be based on old data from 2017, 2018, 2019, and 2021. The Approval should have required update of all reports to bring current for each lot.
-Some of prior expert reports relied on are only for 1904 and do not include 1906 Preuss, which adjoins our property. The Approval should have required updated reports to include 1906.
-Prior reports relied upon also were for a smaller project, fewer buildings. These reports also do not take into account recent torrential rains; flooding; and swarms of earthquakes in LA. The Approval should have required updates.

For all of the above reasons, and others that may appear on appeal, or have arisen or will arise, or that are set forth in appeals filed by other residents, the Appellant hereby appeals the Approval of the Project.

All reports for the proposed prcject are up-to-date and have been reviewed by the necessary City agencies.

Fwd: Preuss Road - Issue 3 - Front gate

2 messages

Brian Silveira <brian@bsilveira.associates>
To: Jesi Harris <jesi@bsilveira.associates>

Tue, Jul 23, 2024 at 6:24 PM

Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates I Venice, California I bsilveira.associates

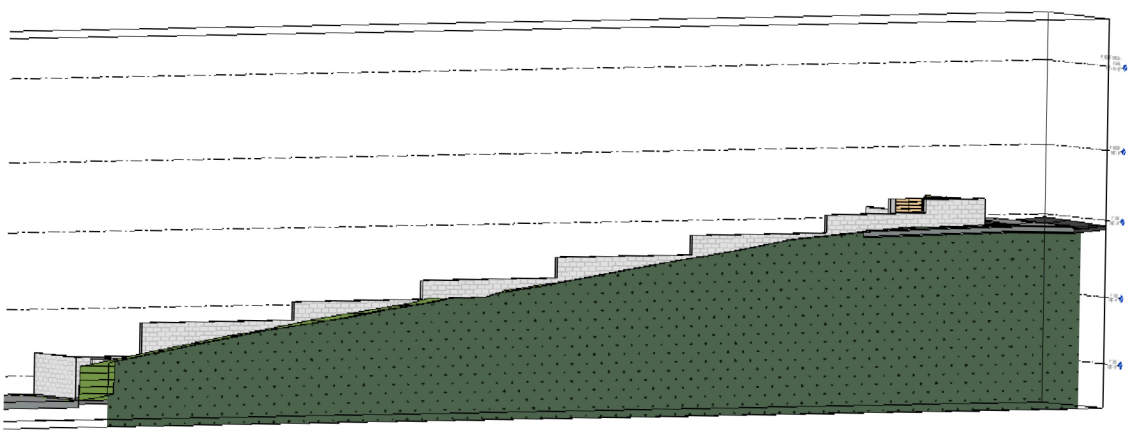
---------- Forwarded message ---------
From: **Billy Diep** <billy.d@breakformdesign.com>
Date: Mon, Apr 22, 2024 at 2:50 PM
Subject: Re: Preuss Road - Issue 3 - Front gate
To: Brian Silveira <brian@bsilveira.associates>
CC: Philip Knight <philip@breakformdesign.com>

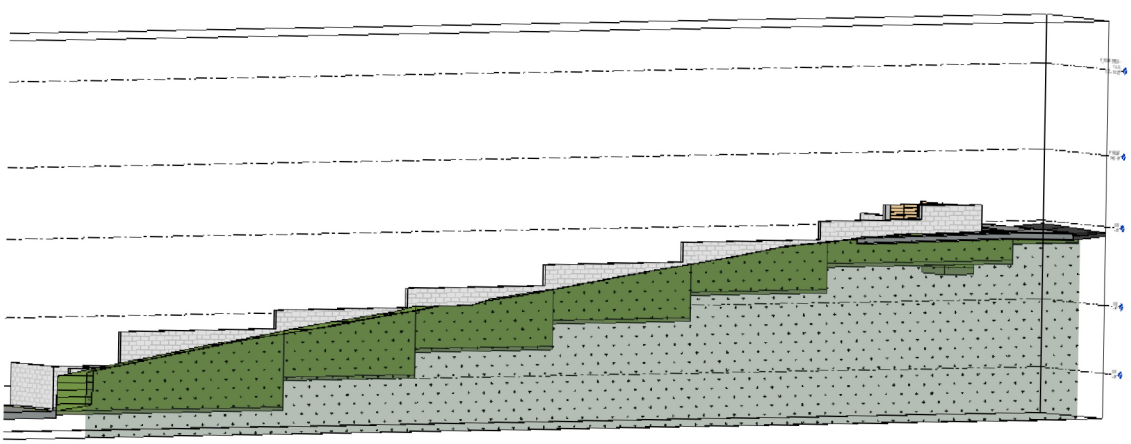
Hi Brian,

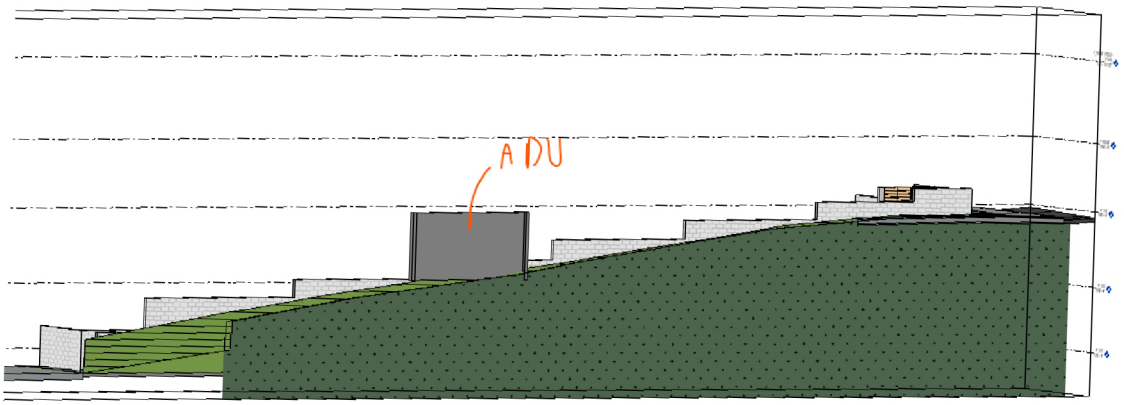
I'm not sure how much details you like to give out to him but I will explain what the actual site will look like when we do excavation and grading for the project:

1. I believe it will be ok to have some kind of fence between his post and our block wall in the front.

2. the view from his side with the slope will look something like this:

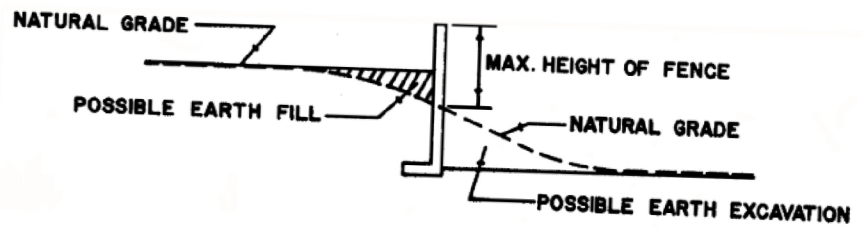


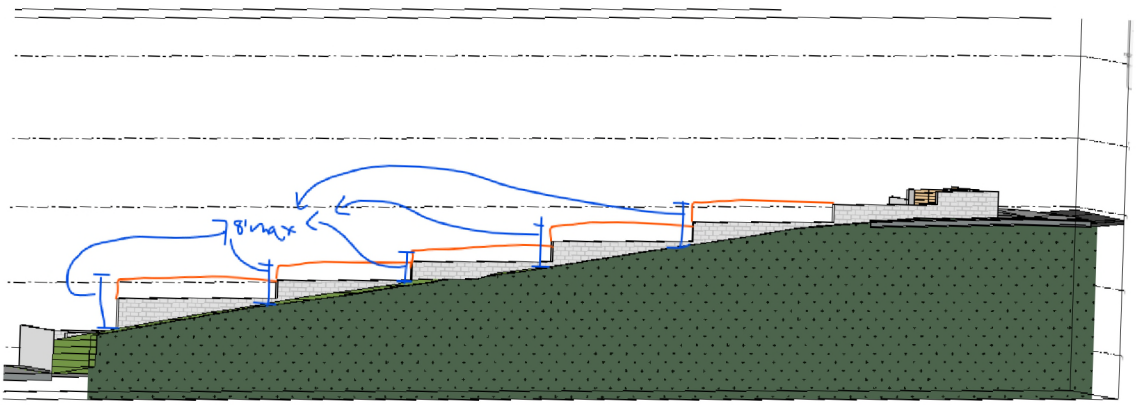




the height of all this wall is not final since we will need input from engineers to adjust it and also i believe there is a limit of 8' height from natural grade,

METHOD OF DETERMINING MAXIMUM FENCE HEIGHT ON SLOPING GROUND





Please feel free to contact me if you have any questions or need to discuss further.
Best regards,

On Fri, Apr 19, 2024 at 7:57AM Brian Silveira <brian@bsilveira.associates> wrote:

> Hi Billy,
>
> Can you please respond to the best of your ability?
>
> ---------- Forwarded message ---------
> From: **Meyer Shwarzstein** <meyer@anotherbrainyidea.com>
> Date: Thu, Apr 18, 2024 at 10:25AM
> Subject: Re: Preuss Road - Issue 3 - Front gate
> To: Brian Silveira <brian@bsilveira.associates>
> Cc: Susan Kahn <susan@brainstormmedia.com>
>
> Thanks, Brian,
>
> This is very helpful. While I don't quite get a sense of the full scope of the excavation, I'm getting a better sense of what it might look like.
>
> There are a few sections of wall between the properties. I think it makes sense to have them all removed. Is that something we should ask for now? It seems that decisions will be made along the way. Will we be able to talk to the contractor during demo and construction?
>
> I'm a little unclear as to the fence height above our property. I can see that, near the ADU, your side will have a 7' fence and on our side, it will appear to be less than 3' tall - that's really good news. It is possible to get a sense of how that will look all the way down the lot? When he's talking about a wood fence built above the block wall, is he talking about the 3' that we'd see from our side? I'm guessing that the elevation will change as we go downhill and that we'd see more or less fencing depending on where it is along the way.
>
> As for the front gate, we'd like to have something attached from the fence to our front gate. Otherwise, people will just be able to walk around the gate into our backyard. Is this something you can discuss internally?
>
> It's good to know that we'll have access to the other side of the ADU if we need it.
>
> Meyer

On Thu, Apr 18, 2024 at 8:05AM Brian Silveira <brian@bsilveira.associates> wrote:

> Hi Meyer,
>
> Please see response below from architect.
>
> Thanks,
>
> B

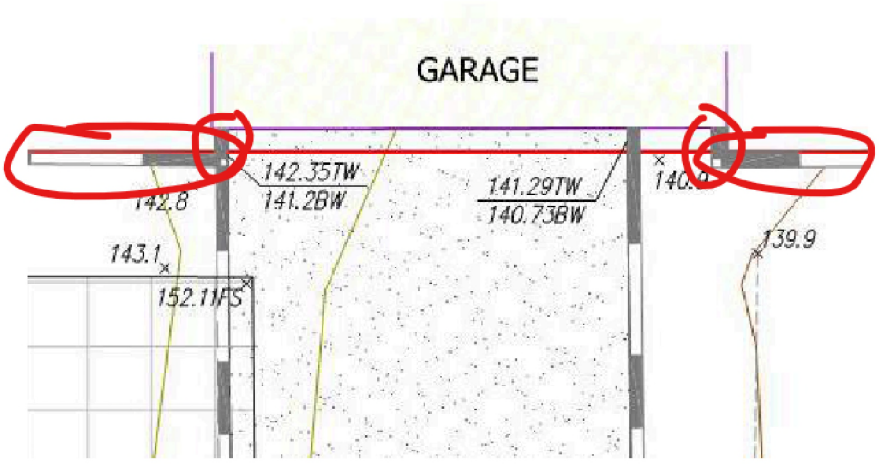
---------- Forwarded message ---------
From: **Billy Diep** <billy.d@breakformdesign.com>
Date: Tue, Apr 16, 2024 at 3:43 PM
Subject: Re: Preuss Road - Issue 3 - Front gate
To: Brian Silveira <brian@bsilveira.associates>
Cc: Philip Knight <philip@breakformdesign.com>

Hi Brian,

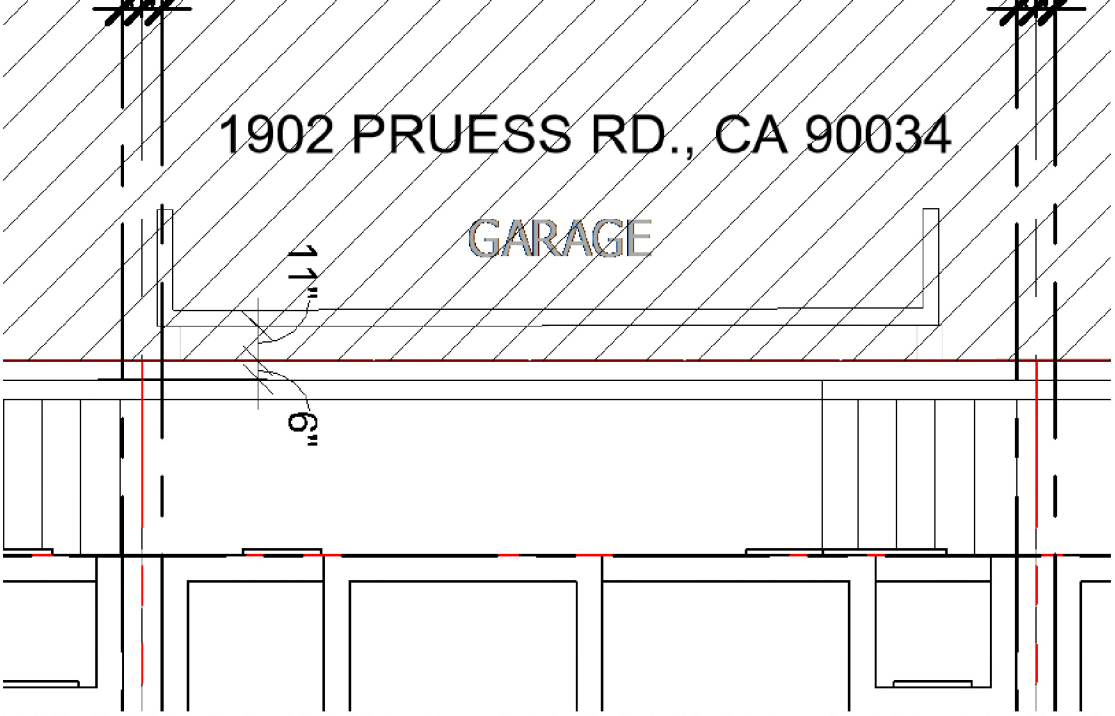
Please see my response below from my understanding:

1. The Neighbor ADU (garage conversion):
I assume the block wall he is talking about is the block wall around the area I marked on the picture below since i can't open his image (It locked from google drive with view upon request permission) that he mentioned in the email:

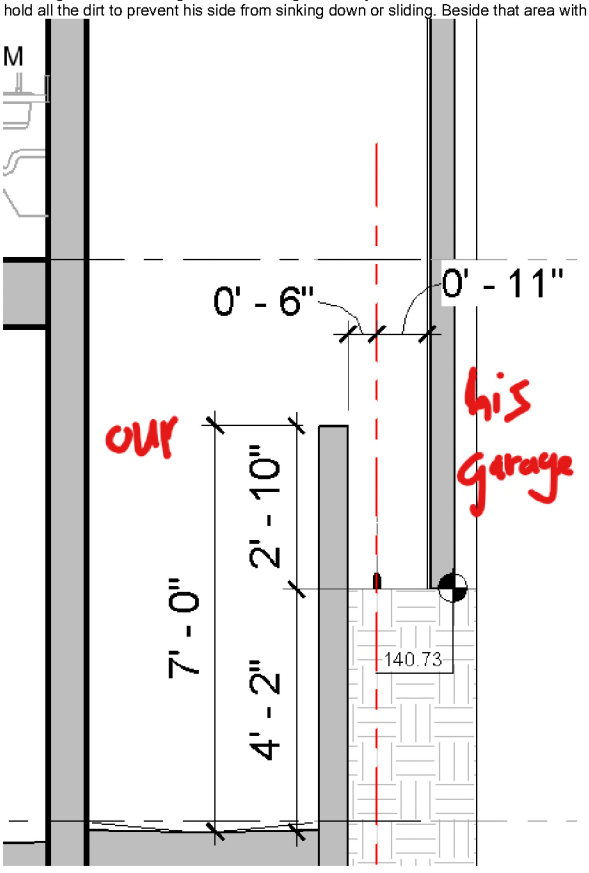




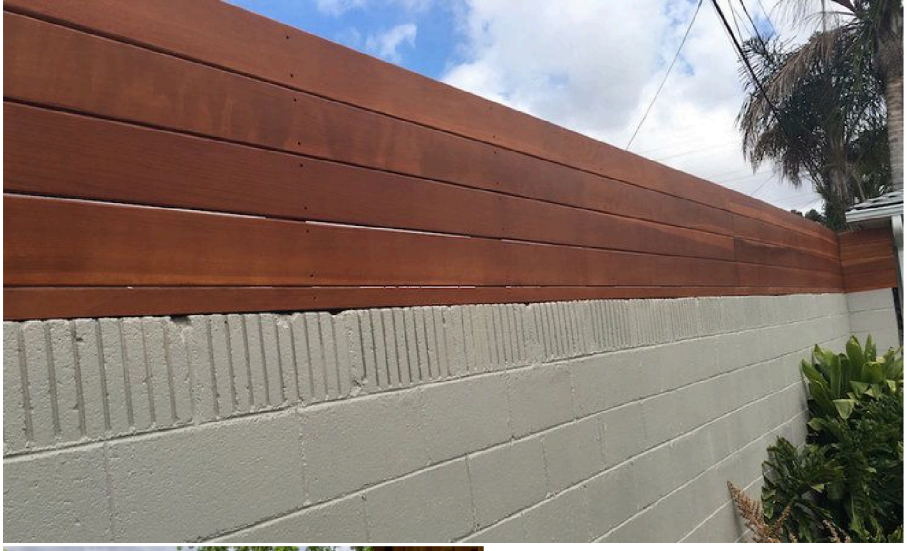
Base on site survey, there are 2 low block walls (around 1'+ height) that touching his garage wall; however the portion which is around 11" that in his property, he can do what he wants or we can demo it for him, the rest of the wall that is on our side, we will remove it and our retaining wall (block wall) will be offset 6" from our property line so it won't be on at the property line or even on his property. The gap between his garage wall and our property line is one 11", I'm not sure how he likes to access that but there will be a 17" gap between the retaining wall and his garage wall.



The height of the retaining wall we have right now is just an estimate and we will need to involve civil and structural engineers to know exactly how high it is. The retaining wall will need to be a block wall since it is structural to hold all the dirt to prevent his side from sinking down or sliding. Beside that area with his garage, his side will be higher than ours which is based on the spot elevation I have from the survey.



We can build wood fence on top of it, something like this:





2. Regarding the front fence post, It looks like our fence is attached to his post right now, I think we can just remove the brown fence on our side and keep that post for him with no problem. We will set the block wall back 6" anyway so we will not touch his post.

I hope this is clear and helpful. Please feel free to contact me anytime if you would like to discuss further.
Best regards,

On Tue, Apr 16, 2024 at 12:21 PM Brian Silveira <brian@bsilveira.associates> wrote:

> Hi guys,
>
> Is it going to be possible to protect this fence post that's right inside their property line? Or should I tell the neighbor that we'll need to replace it?
>
> ---------- Forwarded message ---------
> From: **Meyer Shwarzstein** <meyer@anotherbrainyidea.com>
> Date: Sun, Mar 31, 2024 at 1:17 PM
> Subject: Preuss Road - Issue 3 - Front gate
> To: Brian Silveira <brian@bsilveira.associates>
> Cc: Susan Kahn <susan@brainstormmedia.com>
>
> Dear Brian,
>
> After taking a closer look at our gate, it's only attached to the building from our post (see attached). Assuming that it's not damaged during construction, it would just need to be attached to the new fence.
>
> Please confirm that this will be addressed appropriately.
>
> Thanks,
> Meyer
>
> On Tue, Mar 26, 2024 at 4:52 PM Meyer Shwarzstein <meyer@anotherbrainyidea.com> wrote:
>
> > Hi, Brian,
> >
> > As I recall, you were talking about 2 heights for the fences - 5' and 8'.
> >
> > As you know, one of our biggest issues has to do with shade. I'm concerned that the 8' fences will only provide more shade on our side.
> >
> > Secondly, our ADU butts up right against their yard. I want to be sure that we can have access if we need to.
> >
> > Also, there are existing concrete structures between our yards - I've included photos. Will those be replaced by the new fences?
> >
> > Finally, just to clarify, I was hoping that we'd have wood fencing instead of cinder block. I've always found cinderblock to be ugly - even when painted. Indeed, there is also an existing cinder block fence between our properties near our driveway.
> >
> > We like the natural look of our environment and would prefer it to continue to look natural.
> >
> > IMG_3767.jpeg
> >
> > Meyer
> >
> > On Thu, Mar 21, 2024 at 8:01 AM Meyer Shwarzstein <meyer@anotherbrainyidea.com> wrote:
> >
> > > Hi, Brian,
> > >
> > > I'm just checking in.
> > >
> > > Thanks,
> > > Meyer
> > >
> > > On Mon, Mar 18, 2024 at 12:20 PM Meyer Shwarzstein <meyer@anotherbrainyidea.com> wrote:
> > >
> > > > Hi Brian,
> > > >
> > > > I'm at my daughter's where, sadly, I'm haunted by our conversations. After all, my wife and I will have to live with the new conditions created by this building for the rest of our lives.

I've decided to try a different tack in our conversation that I hope will be more productive.

First, I'm only going to address you and I'll copy my wife, Susan.

Second, I'm going to address only one issue at a time -- otherwise, individual items seem to get short shrift.

Let's talk about the Solar panels.

First off, Marc and I spoke once. He suggested the batteries and I said we'd consider it - we needed to do an analysis. He said he'd do whatever he could to help mitigate the damage - acknowledging that he'd hate to be in my position.

When I told him how important alternative energy is to me - telling him, for example, that I've arranged for a synagogue in our neighborhood to get solar panels and make them available to the community for a reduced price - he talked about getting solar for the new buildings.

After doing some research, I discovered two things:

1. We cannot add any solar panels onto our current system (I tried to do that a month ago).

2. We will produce much less power in the winter months as a direct result of the new building.

So, the only way I know of that we can make up for the difference is to get more solar panels. I haven't gotten a quote for this, but my guess is the cost would be around $25,000 (without considering the IRA rebates).

Is Marc willing to pay for that?

Thank you,
Meyer

--
Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Billy Diep
breakformdesign

breakformdesign.com
127 Arena St. El Segundo, CA 90245
[o] 310.322.3700

*notice to recipient: this e-mail and its content is meant for only the intended recipient of the transmission. all files and subject matter are for the recipients use only.

--
Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates | Venice, California | bsilveira.associates

--
Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Billy Diep
breakformdesign

breakformdesign.com
127 Arena St. El Segundo, CA 90245
[o] 310.322.3700

*notice to recipient: this e-mail and its content is meant for only the intended recipient of the transmission. all files and subject matter are for the recipients use only.

Brian Silveira <brian@bsilveira.associates> Wed, Jul 24, 2024 at 9:09 AM
To: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>

---------- Forwarded message ---------
From: **Brian Silveira** <brian@bsilveira.associates>
Date: Tue, Apr 16, 2024 at 12:20 PM
Subject: Re: Preuss Road - Issue 3 - Front gate
To: Meyer Shwarzstein <meyer@anotherbrainyidea.com>
Cc: Susan Kahn <susan@brainstormmedia.com>

I can confirm that if any portion of the gate/post is damaged during construction then Marc will 100% replace it in-kind. I have forwarded your email to the architects to make sure this is noted during demo/construction.

Thanks
[Quoted text hidden]

--
[Quoted text hidden]

EXHIBIT C

DETERMINATION LETTER -

VTT-84089-SL-HCA

DEPARTMENT OF
CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

MONIQUE LAWSHE
PRESIDENT

ELIZABETH ZAMORA
VICE-PRESIDENT

MARIA CABILDO
CAROLINE CHOE
MARTINA DIAZ
ILISSA GOLD
KAREN MACK
MICHAEL R. NEWHOUSE

CITY OF LOS ANGELES
CALIFORNIA

KAREN BASS
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

HAYDEE URITA-LOPEZ
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

Decision Date: July 12, 2024

Appeal Period Ends: July 22, 2024

Marc & Risa Dauer (A/O)
Preuss Development, LLC
2313 Duxbury Circle
Los Angeles, CA 90034

Kevin Scott (R)
Brian Silveira & Associates
PO Box 291
Venice, CA 92904

RE: Vesting Tentative Tract Map No.: 84089-SL-HCA
Related Cases: ADM-2023-6116-SLD
Address: 1904 – 1906 South Preuss Road
Community Plan: West Adams – Baldwin Hills – Leimert
Zone: RD1.5-1
Council District: 10 – Hutt
CEQA No.: ENV-2023-6117-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and 12.22 C.27, the Advisory Agency approves Vesting Tentative Tract Map No. 84089-SL-HCA **(map stamp-dated April 8, 2024)** located at 1904 – 1906 South Preuss Road, for the subdivision of two lots into 12 small lots in the West Adams – Baldwin Hills – Leimert Community Plan. This unit density is based on the RD1.5-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077, (310) 231-2598 or (818) 374-5050. The Advisory Agency's consideration of the request is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review. The final map must be recorded within 36 months of this approval, unless the subdivider requests a time extension and it is granted before the end of such period, if applicable. Time Extensions may not always be granted.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding these conditions should be directed to Quyen Phan of the Permit Case Management Division, located at 201 North Figueroa Street, Suite 290, or by e-mailing quyen.phan@lacity.org.

1. That a 5-foot wide strip of land be dedicated along Preuss Road adjoining the tract to complete a 30-foot wide half right-of-way in accordance with Local Street standards.

2. That a 2.5-foot wide strip of land be dedicated along the alley adjoining the tract to complete 10-foot wide half alley.

3. That the 5-foot wide water easement within the tract boundary be shown on the final map.

4. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.

5. That if this tract map is approved as small lot subdivisions, then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.

6. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.

7. That if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment by the Central Engineering District Office.

8. That if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.

9. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

10. That all pedestrian common access easements be shown on the final map.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor. The approval of this Tract Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

11. No structures for human occupancy shall be located to the east of the 5-foot fault setback zone depicted on the Site Map of the 03/24/2023 report. If structures for human occupancy are proposed in this area, submit a supplemental report to the Grading Division for review and approval.

12. The project engineering geologist shall observe all final removal excavations to verify that the conclusions of the current fault investigation are correct and that no fault trace or evidence of ground deformation are exposed in the excavation. Each panel of the shoring excavation shall be logged prior to installation of lagging and a field memo documenting that the panel has

been logged shall be prepared for review by the Deputy Grading Inspector and Building inspector(s). A supplemental report that summarizes the geologist's observations shall be submitted to the Grading Division of the Department upon completion of the excavations. If evidence of faulting is observed, the Grading Division shall be notified and a site meeting scheduled.

13. The entire site shall be brought up to the current Code standard (7005.9).

14. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Development Services and Permits Program for the proposed removal of support and/or retaining of slopes adjoining to public way (3307.3.2).

    201 N. Figueroa Street 3rd Floor, LA (213) 482-7045

15. Secure the notarized written consent from all owners upon whose property proposed grading/construction access is to extend, in the event off-site grading and/or access for construction purposes is required (7006.6). The consent shall be included as part of the final plans.

16. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans that clearly indicates the geologist and soils engineer have reviewed the plans prepared by the design engineer; and, that the plans include the recommendations contained in their reports (7006.1).

17. All recommendations of the reports that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

18. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans (7006.1). Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.

19. A grading permit shall be obtained for all structural fill and retaining wall backfill (106.1.2).

20. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density. Placement of gravel in lieu of compacted fill is only allowed if complying with LAMC Section 91.7011.3.

21. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill (1809.2, 7011.3).
22. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction (7013.12).

23. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, 8-Permit Section, for any grading work in excess of 200 cubic yards (7007.1).

201 N. Figueroa Street 3rd Floor, LA (213) 482-7045

24. All loose foundation excavation material shall be removed prior to commencement of framing. Slopes disturbed by construction activities shall be restored (7005.3).

25. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the General Safety Orders of the California Department of Industrial Relations (3301.1).

26. Temporary excavations that remove lateral support to the public way, adjacent property, or adjacent structures shall be supported by shoring, as recommended. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)

27. Prior to the issuance of any permit that authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation (3307.1).

28. The soils engineer shall review and approve the shoring plans prior to issuance of the permit (3307.3.2).

29. Prior to the issuance of the permits, the soils engineer and/or the structural designer shall evaluate the surcharge loads used in the report calculations for the design of the retaining walls and shoring. If the surcharge loads used in the calculations do not conform to the actual surcharge loads, the soil engineer shall submit a supplementary report with revised recommendations to the Department for approval.

30. Shoring shall be designed for a minimum EFP of 67 PCF; all surcharge loads shall be included into the design, as recommended.

31. Shoring shall be designed for a maximum lateral deflection of0.5 inch, as recommended.

32. A shoring monitoring program shall be implemented to the satisfaction of the soils engineer.

33. All foundations shall derive entire support from native undisturbed alluvial terrace soils, as recommended and approved by the geologist and soils engineer by inspection.

34. Foundations adjacent to a descending slope steeper than 3:1 (horizontal to vertical) in gradient shall be a minimum distance of one-third the vertical height of the slope but need not exceed 40 feet measured horizontally from the footing bottom to the face of the slope (1808.7.2).
35. Buildings adjacent to ascending slopes steeper than 3H:1V in gradient shall be setback from the toe of the slope a level distance measured perpendicular to slope contours equal to one-half the vertical height of the slope, but need not exceed 15 feet (1808.7.1).

36. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4), ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top of the footing.

37. The foundation/slab design shall satisfy all requirements of the Information Bulletin P/BC 2017- 116 "Foundation Design for Expansive Soils" (1803.5.3).

38. Slabs placed on approved compacted fill shall be at least 4 inches thick, as recommended, and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
39. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 4 inches thick, as recommended, and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.

40. The seismic design shall be based on a Site Class D, as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.

41. Retaining walls shall be designed for the lateral earth pressures specified in the section titled “Retaining Walls" starting on page 9 of the 03/24/2023 report. All surcharge loads shall be included into the design.

42. Retaining walls higher than 6 feet shall be designed for lateral earth pressure due to earthquake motions as specified on the wall pressure analysis of the reference report (1803.5.12).

43. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted in a non-erosive device to the street in an acceptable manner (7013.11).

44. With the exception of retaining walls designed for hydrostatic pressure, all retaining walls shall be provided with a subdrain system to prevent possible hydrostatic pressure behind the wall. Prior to issuance of any permit, the retaining wall subdrain system recommended in the soils report shall be incorporated into the foundation plan which shall be reviewed and approved by the soils engineer of record (1805.4).

45. Installation of the subdrain system shall be inspected and approved by the soils engineer of record and the City grading/building inspector (108.9).

46. Basement walls and floors shall be waterproofed/damp-proofed with an LA City approved "Below-grade" waterproofing/damp-proofing material with a research report number (104.2.6).

47. Prefabricated drainage composites (Miradrain, Geotextiles) may be only used in addition to traditionally accepted methods of draining retained earth.

48. The structures shall be connected to the public sewer system per P/BC 2020-027.

49. All roof, pad and deck drainage shall be conducted to the street in an acceptable manner in non-erosive devices or other approved location in a manner that is acceptable to the LADBS and the Department of Public Works; water shall not be dispersed on to descending slopes without specific approval from the Grading Division and the consulting geologist and soi ls engineer (7013.10).

50. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LA DBS (7013.10).

51. Any recommendations prepared by the geologist and/or the soils engineer for correction of geological hazards found during grading shall be submitted to the Grading Division of the Department for approval prior to use in the field (7008.2, 7008.3).

52. The geologist and soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading (7008, 1705.6 & 1705.8).

53. Prior to pouring concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the work inspected meets the conditions of the report. No concrete shall be poured until the LADBS Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)

54. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction; shoring; protection fences; and, dust and traffic control will be scheduled (108.9.1).

55. Installation of shoring shall be performed under the inspection and approval of the soils engineer and deputy grading inspector (1705.6, 1705.8).

56. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included (7011.3).

57. No footing/slab shall be poured until the compaction report is submitted and approved by the Grading Division of the Department

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 or laura.duong@lacity.org to schedule an appointment.

58. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

59. Lot 7 shall provide a 20 ft. setback as per the 20 ft. Building Line along Preuss Road. Revise the map to show compliance with the required setback per the 20 ft. Building Line or obtain approval from the Department of City Planning to remove the existing 20 ft. Building Line.

60. The submitted map does not comply with the maximum density (1,500 s.f. of lot area/dwelling unit) requirement of the RD1.5 Zone. A half of the alley can be used for density purposes. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.

61. Show all street/alley dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Density and front and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication.

    Notes:

    There is a 20 ft. Building Line along portion of Preuss Road for Proposed Lot 7.

    Owners are to record a Maintenance Agreement that runs with the land for the purpose of reciprocal private easements maintenance program to all common areas and shared facilities such as trees, landscaping, drainage, trash, parking, community driveway (ground floor width and width clear to sky above the ground floor level), including walkways as shown on the approved Small Lot Subdivision Map.

    The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

    If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

    Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

DEPARTMENT OF RECREATION AND PARKS

Please contact RAP at (213) 202-2682 for any questions regarding the following:

62. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

DEPARTMENT OF TRANSPORTATION

Please contact the Department of Transportation at ladot.onestop@lacity.org for any questions regarding the following.

63. A minimum 20-foot reservoir space be provided between any security gate(s) and the property line, or as shall be determined to the satisfaction of the Department of Transportation.

64. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk (not applicable when driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway), LAMC 12.21 A.

65. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT One Stop Counter portal at: ladot.onestop@lacity.org

66. That a fee in the amount of $205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished ***BY APPOINTMENT ONLY****, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6543. You should advise any consultant representing you of this requirement as well.*

67. Access for Fire Department apparatus and personnel to and into all structures shall be required.

68. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

69. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).

70. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

71. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

72. Fire Lane Requirements:

    a) Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

    b) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

    c) Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

d) Submit plot plans indicating access road and turning area for Fire Department approval.

e) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

f) Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.

g) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

h) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.

i) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

73. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.

74. Site plans shall include all overhead utility lines adjacent to the site.

75. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

76. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

77. Smoke Vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.

78. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

79. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".

80. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.

81. Standard cut-corners will be used on all turns.

82. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.

83. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

84. FPB #105
5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

85. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

    a. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.

    b. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed or their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.

    c. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.

    d. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.

    e. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

86. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

87. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

88. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.

89. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

90. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan

91. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

DEPARTMENT OF WATER AND POWER

Questions regarding WSO clearance should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1241.

92. Satisfactory arrangement shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1(c).)

    Note:

    If improvements are proposed within existing dedicated streets, we [LADWP] must review your preliminary street improvement plans. If adjustments to water facilities are necessary, the developer may be required to pay for the cost of such adjustments. Please submit a copy of your street improvement plans after the City's District Engineer has signed them so that we can expedite determination of the need for adjustments.

BUREAU OF STREET LIGHTING

93. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

94. The office of LA Sanitation/CWCD – Clean Water North Conveyance Division has reviewed the sewer/storm drain lines serving the subject tracts/areas, and found no potential problems to its structures and/or potential maintenance issues.

    This approval is for the Tract Map only and represents the office of LA Sanitation/CWCDs. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of the Bureau of Engineering.

URBAN FORESTRY

95. Native Protected Trees

a. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. Project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on site native tree or shrub shall be replaced in kind at a 4: 1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long term survival of the species.

b. The applicant shall submit a Protected Tree Report with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report (PTR) shall contain ·the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

Note: Removal of Native Protected trees and shrubs requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of native protected trees and shrubs. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

96. Street Trees

a. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

b. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

INFORMATION TECHNOLOGY AGENCY

97. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of 3 people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

98. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

    a. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract Map No. 84089-SL-HCA shall not be issued until after the final map has been recorded.

    b. Limit the tract to a maximum of twelve (12) small lots.

    c. Parking shall be provided in accordance with the LAMC.

    d. The Advisory Agency has approved a minimum 16-foot wide common access driveway (easement) with a minimum of 10 feet in width that is clear to the sky for the approved subdivision.

    e. A minimum of one common access walkway (easement) shall provide pedestrian access from a public street to the subdivision. The common access walkway(s) must be a minimum of 3 feet in width and remain unobstructed and open to the sky.

    f. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

    g. No vehicular gates shall be permitted within the development.

    h. The applicant shall seek and obtain any necessary approvals for any proposed ADUs and JADUs. No construction or siting of any ADUs or JADUs have been authorized herein.

    i. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

    j. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

    k. A utility easement shall be provided per Department of Water and Power or similar agency requirements.

    l. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

m. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.

n. A Maintenance Agreement shall be formed, composed of all small-lot property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each small-lot owner and future small-lot property owners shall automatically become members of the agreement and shall be subject to a proportionate share of the maintenance. The Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract file.

o. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

99. The approval of Vesting Tentative Tract Map No. 84089-SL-HCA shall be contingent upon the approval of Case No. CPC-2023-6115-DB-HCA.

100. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

101. If applicable, within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the LAMC relating to demolition. A copy shall be provided to each eligible tenant within five days of recordation of the covenant and agreement.

102. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:

a. Defend and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify of annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgment or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve

the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

e. If the City determines it necessary to protect the City's interests, execute the indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

f. The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event that applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with <u>any</u> federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT HOME CONDITIONS

SL-1. That approval of this vesting tentative tract map constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract map approval, the following conditions shall apply:

1. <u>Prior to recordation of the final map</u>, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22 A.10 and 11 and Section 17.05 O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

(f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

(g) That any required slope easements be dedicated by the final map.

(h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

(i) That one-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The one-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are

accepted for public use.

(j) That any one-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

(k) That no public street grade exceeds 15 percent.

(l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

(a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

(b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.

(c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

(d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

(e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(a) Construct on-site sewers to serve the tract as determined by the City Engineer.

(b) Construct any necessary drainage facilities.

(c) No street lighting improvements if no street widening per BOE improved conditions. Otherwise, relocate and upgrade street light: one (1) on Preuss Road.

(d)

1) Native Protected Trees

i. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. Project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on site native tree or shrub shall be replaced in

kind at a 4: 1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long term survival of the species.

ii. The applicant shall submit a Protected Tree Report with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report (PTR) shall contain ·the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

2) Street Trees

i. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

ii. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 2010.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

a) Improve Preuss Road being dedicated and adjoining the subdivision by the construction of the following:

a. A concrete curb, a concrete gutter, and a 12-foot wide concrete sidewalk with tree wells or a 5-foot wide concrete sidewalk and landscaping of the parkway.

b. Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.

c. Any necessary removal and reconstruction of existing improvements.

d. The necessary transitions to join the existing improvement.

b) Improve the alley adjoining the subdivision by the construction of a new 2-foot wide longitudinal concrete gutter and suitable surfacing to complete a 10-foot wide half alley, including any necessary removal and reconstruction of the existing improvements.

c) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However, the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects". The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting five established conditions and if it is not subject to an Exception that would disqualify it. The Categorical Exception document dated April 24, 2024 and attached to the subject case file provides the full analysis and justification for project conformance with the definition of a Class 32 Categorical Exemption.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 84089-SL-HCA the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Project site consists of two lots encompassing a total lot area of approximately 17,124 square feet (0.39 acres) in the La Cienega Heights neighborhood. The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan with a land use designation of Low Medium II Residential with corresponding zones RD1.5 and RD2. The subject property is zoned RD1.5-1, thus it is consistent with the existing land use designation. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The site is not located within the boundaries of any relevant specific plan or interim control ordinance, and is currently developed with two single-family homes and accessory structures.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the existing General Plan Land Use Designation of Low Medium II Residential and RD-1.5 zoning of the site. Single-family and multi-family family residences, including apartment houses, condominiums, and small lot homes are permitted in the RD1.5-1 Zone and Low Medium II Residential land use designation. Therefore, the proposed construction of a small lot development on the subject property is permitted. The proposed Project will subdivide the Project site, consisting of two lots into 12 small lots (Lots A-L) for the construction of a new 12-unit small lot development. The unit density is based on the RD1.5-1 Zone. The R1.5-1 Zone permits a density of one unit per 1,500 square feet of lot area, therefore the applicant would be permitted to construct a maximum of 12 dwelling units on the subject property (17,924.4 SF / 1,500 SF = 11.95 or 12 units, rounded up to whole number; lot area includes ½ area of the adjacent alley and the dedication of land to be provided).

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The West Adams – Baldwin Hills – Leimert Community Plan addresses subdivisions in its goals and objectives for Residential land uses as follows:

Goal LU7 A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.

LU7-1 Address Diverse Resident Needs. Strive for the conservation/preservation of existing assisted affordable and non-assisted housing stock and in particular rent-stabilized units, and for the development of new housing, including restricted affordable housing, to address the diverse economic and physical needs of the existing residents and projected population of the Community Plan Area to the year 2030.

LU7-3 Compliance with Design Guidelines. Recommend that new multifamily residential development be designed in accordance with the adopted Citywide Residential Design Guidelines.

Goal LU9 A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.

LU9-1 Affordability. Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work and achieve homeownership.

Goal LU10 A community that supports cohesive neighborhoods and lifecycle housing to promote health, well-being and safety.

LU10-6 Increase Homeownership. Provide for development of townhouses and other similar condominium type housing units to increase homeownership options.

The Project will be consistent with the aforementioned goals and policies as the subdivision will allow for the construction of 12 single-family residences in a predominantly single- and multi-family residential neighborhood. Of the 12 small lot homes proposed, one (1) unit will be reserved for Very Low Income Households thereby expanding affordable housing and homeownership opportunities in the neighborhood. In addition, the Project will be consistent with the Citywide Design Guidelines and Small Lot Design Guidelines.

Section 17.05 C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05 C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). LAMC Section 17.06 B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22 C.27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. The LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75 percent; and 5-foot setback requirements for the rear (when the rear lot line abuts an alley), 5-foot side yard setback requirements, and setback requirements aligning with those of the underlying zone for the front boundaries of the

subdivision. Concurrent with the subject subdivision, the Project also requests an On-Menu Incentive for an increase in maximum building height and a Waiver of Development Standard for a reduction in the front building line setback through the State Density Bonus Law under Case No. CPC-2023-6115-DB-HCA. The proposed 12-unit small development is contingent upon the approval of Case No. CPC-2023-6115-DB-HCA.

On April 22, 2024, an administrative clearance was issued for the proposed project after determining project compliance with the Small Lot Design Standards. The Small Lot Design Standards establish specific and enforceable design rules to ensure a small lot subdivision's compatibility with existing by-right zoning and neighborhood contexts. These standards address numerous design components including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. Pedestrian access to the front entrances of each small lot home will be located along the northern and southern walkways. The northern walkway will provide access to Units A – F and the southern walkway will provide access to the Units G – L. Vehicular access to each of the 12 small lot homes will be located along a center driveway accessible along South Preuss Road and the eastern adjacent alley. In addition, each small lot home will also feature balconies and a roof deck orientated towards the center driveway away from the adjacent residential properties. Therefore, the small lot homes will minimize vehicular and residential noise impacts on the surrounding neighborhood and the outdoor residential spaces will prevent direct views of abutting residential neighbors. Compliance with the Small Lot Design Standards is a requirement established by the Small Lot Subdivision Ordinance.

Therefore, the proposed map is substantially consistent with the applicable General Plan affecting the Project site and demonstrates compliance with Sections 17.01, 17.05 C, 17.06 B and 12.22 C.27 of the Los Angeles Municipal Code.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The subject property consists of a two lots fronting South Preuss Road and is zoned RD1.5-1. The Community Plan designates the subject property for Low Medium II Residential land uses corresponding to the RD1.5 and RD2 Zones; thus, the subject property is consistent with the existing land use designation. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The Project site is also adjacent to a 15-foot alley to the east. The Project stie is not located within the boundaries of any relevant specific plan or interim control ordinance, nor is it located within any other special hazard zone, flood, landslide, or tsunami inundation zone. The Project site is located within the Alquist-Proto Earthquake Fault Zone and Methane Buffer Zone, and is currently developed with a two (2) single-family houses.

Section 66418 of the Subdivision Map Act defines the term "design" as follows: "Design" means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire

subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05 C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05 C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). LAMC Section 17.06 B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22 C.27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small-lot subdivisions The LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75 percent; and 5-foot setback requirements for the rear (when the rear lot line abuts an alley), 5-foot side yard setback requirements, and setback requirements aligning with those of the underlying zone for the front boundaries of the subdivision. Concurrent with the subject subdivision, the Project also requests an On-Menu Incentive for an increase in maximum building height and a Waiver of Development Standard for a reduction in the front building line setback through the State Density Bonus Law under Case No. CPC-2023-6115-DB-HCA. Therefore, the proposed subdivision will be consistent with the applicable General Plan affecting the Project site and will comply with Sections 17.01, 17.05 C, 17.06 B and 12.22 C.27 of the Los Angeles Municipal Code.

The design and improvement of the proposed subdivision are consistent with the West Adams – Baldwin Hills – Leimert Community Plan and are not subject to any Specific Plan requirements. For the purposes of approving a small lot subdivision, the "design" of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and "improvements" refer to the infrastructure facilities serving the subdivision. Several public agencies, including the Department of Building and Safety, the Bureau of Engineering, the Los Angeles Department of Transportation, the Bureau of Street Lighting, the Department of Recreation and Parks, the Department of Water and Power, and the Los Angeles Fire Department have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the vesting map, building permit, grading permit, or certificate of occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the Community Plan and the General Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED <u>TYPE</u> OF DEVELOPMENT.

The subject property consists of two rectangular-shaped lots encompassing approximately 17,124 square feet. The property is located midblock along the east side of South Preuss Road between West Sawyer Street and West Guthrie Avenue. The Project

site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The site is currently developed with two (2) single-family houses. No protected trees or shrubs will be removed on the project site or in the public right-of-way adjacent to the subject property.

The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The Community Plan designates the subject property for Low Medium II Residential land uses corresponding to the RD1.5 and RD2 Zones. The site is zoned RD1.5-1 and therefore is consistent with the existing land use designation. The Project site is not located within the boundaries of any relevant specific plan or interim control ordinance, nor is it located within any other special hazard zone, flood, landslide, or tsunami inundation zone.

The Project site is located within the Alquist-Proto Earthquake Fault Zone and Methane Buffer Zone.

As discussed in the Addendum Soils Engineering Exploration Report prepared by Schick Geotechnical, Inc. (March 24, 2023) and the approved Fault Study and SGI report, a trace of the fault is not located onsite. The reports also determined that the "proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction". The Project will be consistent with the requirements of the 2023 City of Los Angeles Building Code. In a letter dated May 1, 2024, the Grading Division of the Department of Building and Safety stated that they had reviewed the referenced reports and finds that the analysis is acceptable provided that a list of 47 conditions are complied with during site development.

As discussed in the Site Methane Investigation Report for the proposed small lot subdivision dated November 22, 2022, measurable levels of methane were not detected while testing at the Project site and therefore no methane mitigation system is required. Nevertheless, the Project is required to comply with the City's methane regulations and will implement a passive methane mitigation system.

The Project proposes to subdivide the subject property into 12 lots for the construction of a 12-unit small lot development. The Project will provide two (2) vehicular parking spaces per dwelling unit, for a total of 24 parking spaces. The Project is required to have common access driveway with a minimum 16 feet in width (with a minimum of 10 feet in width clear and open to the sky); the tentative tract map displays a common access driveway with a width of 20 feet off of South Preuss Road with a minimum of 10 feet open to the sky.

The Project site is located in a long-developed, predominantly residential neighborhood in the La Cienega Heights community. The surrounding area is developed with single- and multi-family residences. Within 600 feet of the Project site, two Vesting Tentative Tract Maps involving the construction of two small lot developments were approved by the City. Both projects are located along South Preuss Road, south of the Project site. Approximately 500 feet west of the Project site is South Robertson Boulevard, a major arterial road which connects to other neighborhoods in the community and is developed with commercial businesses and residential structures. As a similar use, the proposed subdivision and construction of 12 small lot homes at the Project site will be compatible with the surrounding area.

The Department of City Planning, on April 24, 2024, determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section I, Class 32. The Class 32 exemption is for infill developments meeting the following five criteria: (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. Planning staff has determined that the project meets all of these criteria and thus qualifies for a Class 32 Categorical Exemption. Planning staff also evaluated the exceptions to the use of categorical exemptions for the proposed project listed under "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project. Therefore, material evidence supports that the project site is physically suitable for the proposed type of development.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and future population growth expected to occur. The West Adams – Baldwin Hills – Leimert Los Angeles Community Plan designates the site for Low Medium II Residential land uses. The site is zoned RD1.5 and is consistent with the range of zones under the corresponding land use designation.

The zoning and land use designation of the Project site permits a maximum residential density of one (1) dwelling unit per 1,500 square feet of lot area. As such, at 17,927.4 square feet in size (inclusive of lot area plus ½ area of the adjacent alley and dedication of land being provided), the Project site will allow for 12 dwelling units. With the requested Vesting Tentative Tract Map, the Project site consisting of two lots would be subdivided into 12 lots for the construction of 12 small lot residences (one residence per lot). As such, the Project will be consistent with the land use designation and the applicable zoning of the site.

The Project site is located in a long-developed, predominantly residential neighborhood. The surrounding area is characterized by a mixture of flat and hillside terrain and is developed with a variety of buildings and improved streets. Approximately 400 feet west of the Project site is South Sepulveda Boulevard, a major arterial road which connects to other communities in the West Adams – Baldwin Hills – Leimert Community Plan area and is developed with a variety of uses including commercial businesses and residential structures. Surrounding properties are primarily developed with single- and multi-family developments in the R1V2, R1R3-RG, RD1.5-1, RD2-1, and R3-1-CPIO Zones. Abutting the property to the north and south are single-family homes located in the RD1.5-1 Zone. Across South Preuss Road and the eastern adjacent alley are single- and multi-family homes located in the RD1.5-1 Zone. Therefore, the proposed 12-unit small lot development would be compatible with the surrounding area.

Based on the density calculation and land uses in the vicinity, this subdivision involves a density consistent with the General Plan and Zoning affecting the site. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Project site is located in an urbanized and developed area in the City of Los Angeles. The site and the surrounding area are currently developed with residential land uses, and does not provide natural habitat for either fish or wildlife. The project was identified as being Categorially Exempt from further CEQA review pursuant Class 32 for infill development. As such, the design of the subdivision and the proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The Project site is not located on a hazardous materials site and is located outside a flood zone. The Project site is also located within the Alquist-Priolo Earthquake Faultline Zone and a Methane Buffer Zone. As discussed in the Addendum Soils Engineering Exploration Report prepared by Schick Geotechnical, Inc. (dated March 24, 2023) and the approved Fault Study and SGI report, a trace of the fault is not located onsite. It was also determined in the reports that the "proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction". The Project will be consistent with the requirements of the 2023 City of Los Angeles Building Code. The Grading Division of the Department of Building and Safety has reviewed the referenced reports and finds that the analysis is acceptable provided that a list of 47 conditions are complied with during site development. As discussed in the Site Methane Investigation Report for the proposed small lot subdivision dated November 22, 2022, measurable levels of methane were not detected while testing at the Project site and therefore no methane mitigation system is required. Nevertheless, the Project is required to comply with the City's methane regulations and will implement a passive methane mitigation system.

The area surrounding the property is fully developed with similar residential uses indicating that sewers and other services are available. Additionally, the project has been determined to be statutorily exemption from CEQA which indicates that no adverse impacts to the public health or safety would occur as a result of the design and improvements are not likely to cause serious public health problems. Therefore, the design of the subdivision and the proposed improvements will not cause serious public health problems.

(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The Project will comply with the required easements outlined in the Bureau of Engineering - Specific Conditions in this report and the letter dated December 11, 2023. The site is surrounded by private properties that adjoin improved public streets, alleys, and sidewalks designed and improved to the specific requirements of the Los Angeles Municipal Code for providing public access throughout the area. The Project site does not adjoin or provide access to a natural habitat, public park, or any officially recognized public recreation area. The design of the subdivision and the improvements proposed by the project will not conflict with access through or use of property within the proposed subdivision. Necessary public access for roads and utilities will be acquired by the City prior to the recordation of the proposed tract map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at-large for access through or use of the property within the proposed subdivision.

(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the Applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 84089-SL-HCA.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (https://planning.lacity.org/oas) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at http://planning.lacity.org/development-services/forms. Public offices are located at:

Metro DSC (213) 482-7077 201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org	Van Nuys DSC (818) 374-5050 6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org	West Los Angeles DSC (CURRENTLY CLOSED) (310) 231-2901 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's BuildLA portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.

QR Code to Online Appeal Filing

QR Code to Forms for In-Person Appeal Filing

QR Code to BuildLA Appointment Portal for Condition Clearance

VINCENT P. PERTONI, AICP
Advisory Agency

Heather Bleemers
Deputy Advisory Agency

HB:EA:DW:nm

EXHIBIT D

VESTING TENTATIVE TRACT MAP NO. 84089-SL-HCA

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
☒ TRACT MAP

APR 08 2024

☒ REVISED MAP ☐ EXTENSION OF TIME
☐ FINAL MAP UNIT ☐ MODIFIED
DEPUTY ADVISORY AGENCY

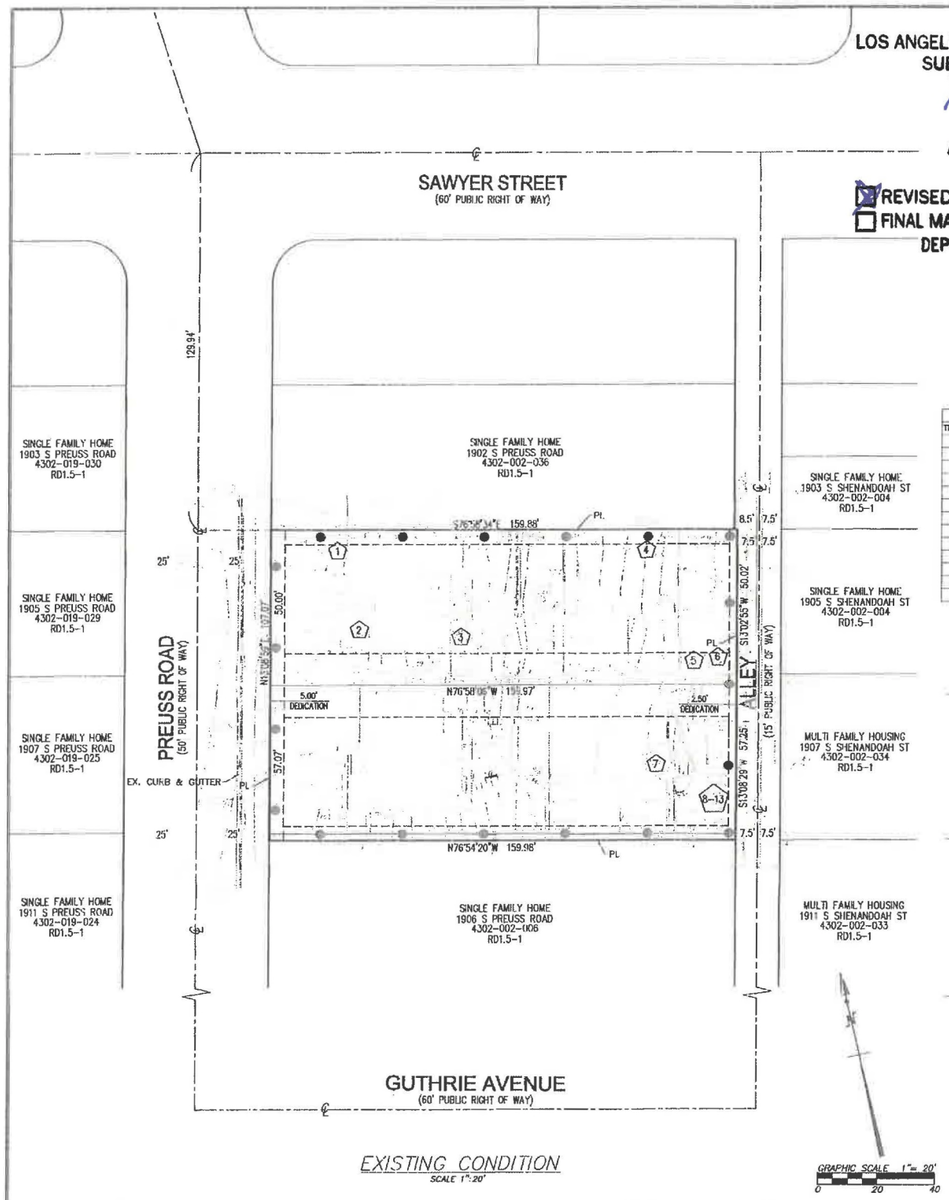
VESTING TENTATIVE TRACT MAP NO. 84089

IN THE CITY OF LOS ANGELES
12 LOT SMALL LOT SUBDIVISION
COUNCIL DISTRICT # 10

A SMALL LOT SINGLE FAMILY SUBDIVISION IN THE RD1.5–1 ZONE,
PURSUANT TO ORDINANCE NO. 185,462

Tentative Map VTT-84089 and the accompanying geological and soils engineering reports dated 2/26/24, 10 are acceptable for the Initial filing with the Department of City Planning.

Geologist, Building & Safety — DATE 4/5/24



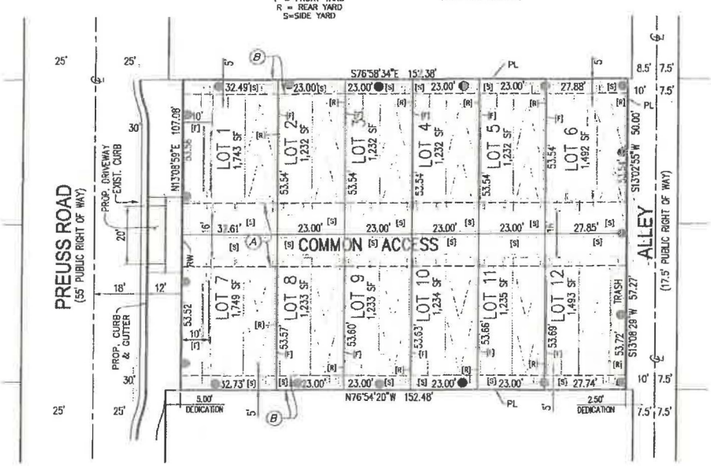
EXISTING CONDITION
SCALE 1":20'

GRAPHIC SCALE 1"= 20'
0 20 40

EXISTING TREE TABLE		
TREE #	SPECIES	DIAMETER
1	KING PALM	10" & 5"
2	KING PALM	10", 8", 7" & 4"
3	KING PALM	8"
4	MEXICAN PALM	12"
5	CITRUS SP	6"
6	CITRUS SP	8"
7	CREPE MYRTLE	8"
8	WEEPING FIG	14"
9	WEEPING FIG	14"
10	WEEPING FIG	12"
11	WEEPING FIG	18"
12	WEEPING FIG	16"
13	WEEPING FIG	12"

REQUIRED SETBACK MATRIX				
LOT	NORTH	SOUTH	EAST	WEST
1	5'(S)	11'(S)	0.5'(R)	10'(F)
2	5'(S)	11'(S)	0.5'(R)	0.5'(F)
3	5'(S)	11'(S)	0.5'(R)	0.5'(F)
4	5'(S)	11'(S)	0.5'(R)	0.5'(F)
5	5'(S)	11'(S)	0.5'(R)	0.5'(F)
6	5'(S)	11'(S)	5.16'(R)	0.5'(F)
7	11'(S)	5'(S)	0.5'(R)	10'(F)
8	11'(S)	5'(S)	0.5'(R)	0.5'(F)
9	11'(S)	5'(S)	0.5'(R)	0.5'(F)
10	11'(S)	5'(S)	0.5'(R)	0.5'(F)
11	11'(S)	5'(S)	0.5'(R)	0.5'(F)
12	11'(S)	5'(S)	5'(R)	0.5'(F)

INDICATED ON PLAN AS:
F = FRONT YARD
R = REAR YARD
S=SIDE YARD



PROPOSED CONDITION
SCALE 1":20'

EASEMENTS:

(A) PROPOSED 11' WIDE PRIVATE RECIPROCAL EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS/EGRESS, EMERGENCY ACCESS, UTILITIES, INFRASTRUCTURE, CROSS LOT DRAINAGE AND COMMON LANDSCAPING PURPOSES. (COMMON ACCESS)

(B) PROPOSED 5' WIDE PRIVATE RECIPROCAL EASEMENT FOR PEDESTRIAN INGRESS/EGRESS, EMERGENCY ACCESS, UTILITIES, INFRASTRUCTURE, CROSS LOT DRAINAGE AND COMMON LANDSCAPING PURPOSES. (COMMON ACCESS)

ASSESSOR PARCEL NUMBERS:
4302-00-003 & 4302-020-006

ZONING INFORMATION:
EXISTING: RD1.5–1
PROPOSED: RD1.5–1

SITE ADDRESS:
1904 S PREUSS ROAD
1906 S PREUSS ROAD
LOS ANGELES, CA 90034

THOMAS GUIDE:
PAGE 632, GRID H5

OWNERS:
RISA DAUER AND MARC DAUER
2313 DUXBURY CIRCLE
LOS ANGELES, CA 90034
310–753–2311

LEGAL DESCRIPTION:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 44 OF TRACT NO. 1250, BOOK 18, PAGES 46 AND 47 OF MAPS

AND THE NORTHERLY 2.28 FEE OF LOT 45 OF TRACT NO. 1250, BOOK 18, PAGES 46 AND 47 OF MAPS

APN: 4302-020-006

AND LOT 24 OF TRACT NO 12110, BOOK 227, PAGES 39 THROUGH 42, INCLUSIVE, OF MAPS

APN: 4302-020-003

NOTES:
1. EXISTING USE: SINGLE FAMILY HOUSES
2. PROPOSED DEVELOPMENT: 12 LOT – SMALL LOT SUBDIVISION
3. AREA: GROSS=17,142 SF (0.3935 ACRES)
   NET=16,339 SF (0.3751 ACRES)
4. SMALL LOT SINGLE FAMILY SUBDIVISION IN THE RD1.5–1 ZONE, PURSUANT TO ORDINANCE NO. 185,462.
5. TREES:
   NO PROTECTED ONSITE TREES ON SITE. THE FOLLOWING TREES ARE NOT FOUND ONSITE: (A) OAK TREE INCLUDING VALLEY OAK (QUERCUS LOBATA) AND CALIFORNIA LIVE OAK (QUERCUS AGRIFOLIA), OR ANY OTHER TREE OF THE OAK GENUS INDIGENOUS TO CALIFORNIA EXCLUDING THE SCRUB OAK (QUERCUS DUMOSA); (B) SOUTHERN CALIFORNIA BLACK WALNUT (JUGLANS CALIFORNICA VAR. CALIFORNICA); (C) WESTERN SYCAMORE (PLATANUS RACEMOSA); (D) CALIFORNIA BAY (UMBELLULARIA CALIFORNICA); (E) MEXICANA ELDERBERRY (SAMBUCUS MEXICANA) AND (F) TOYON (HETEROMELLES ARBUTIFOLIA) SHRUBS.

   THIRTEEN NON–PROTECTED SIGNIFICANT TREES TO BE REMOVED; SEE TREE TABLE HEREON.
6. EXISTING UTILITIES:
   8" SEWER MAIN LINE IN PREUSS ROAD
   8" SEWER MAIN IN THE ALLEY
   6" WATER MAIN LINE IN PREUSS ROAD
   3" GAS MAIN LINE IN PREUSS ROAD
7. DRAINAGE:
   THE ENTIRE SITE DRAINS TO THE ALLEY VIA SURFACE FLOW.
8. FLOOD ZONE: X
   FEMA PANEL: 06037C1595G
9. THERE ARE NO KNOWN POTENTIALLY DANGEROUS AREAS WITHIN THIS PROPOSED DEVELOPMENT.
10. THE PROPERTY IS LOCATED IN A FAULT ZONE.
11. THE PROPERTY IS LOCATED IN A METHANE BUFFER ZONE.
12. THERE ARE EXISTING SINGLE FAMILY HOMES ON SITE.
13. 23'–4" VEHICULAR BACKUP SPACE IS PROVIDED.
13. DISTRICT MAP NO. 126B169
14. WEST ADAMS PLANNING AREA
15. TRASH WILL BE COLLECTED ADJACENT TO THE ALLEY ON LOT 7 SIDE YARD
16. THE PROJECT INCLUDES THE PROVISION OF 24 AUTOMOBILE PARKING SPACES, ALLOWABLE PURSUANT TO LAMC 12.21.A.4, PERMITTING THE REPLACEMENT OF 3 AUTOMOBILE PARKING SPACES WITH 12 BICYCLE SPACES.

PREPARED FOR:
RISA DAUER AND MARC DAUER
2313 DUXBURY CIRCLE
LOS ANGELES, CA 90034
310–753–2311

VESTING TENTATIVE MAP
TRACT 84089
1904 & 1906 PREUSS ROAD
LOS ANGELES, CA 90034

DEVELOPER'S ENGINEER:
FORMA ENGINEERING INC.
400 SAN FERNANDO MISSION BLVD, 2ND FLOOR, SAN FERNANDO, CA 91340
Phone: (818) 832–1710 • Fax: (818) 832–1740
SHEREE SUMIN L.S. 7295 DATE 2024–03–07

LICENSED LAND SURVEYOR SHEREEF SUMIN No. 7295 STATE OF CALIFORNIA

No.	DATE	REVISION

DESIGNER: CK
CHECKED BY: W.M.W.
DATE: 3/20/2024
SHEET 1 OF 1

EXHIBIT E

Small Lot Design Standards Checklist – Administrative Review

ADMINISTRATIVE REVIEW

SMALL LOT DESIGN STANDARDS (SLD)
Administrative Review

RELATED CODE SECTION: Los Angeles Municipal Code Section 12.22 C.27(a)(2) authorizes the Director of Planning's review for compliance with the Commission's Small Lot Design Standards.

GENERAL INFORMATION

New Applications - This application and full set of architectural plans as listed below shall be filed concurrently with any small lot subdivision application request (*Vesting Tentative Tract or Preliminary Parcel Map*) and along with any applicable Geographic Project Planning Referral Form (CP-7812).

Modifications to Approved Projects (Deemed Complete After April 18, 2018) - Any subsequent modifications to architectural plans found not to be in substantial compliance with the originally approved Exhibit A shall be required to file a new application for Administrative Clearance and pay all applicable fees concurrently with a building permit application for a small lot project ("Project").

Determining a Project:
For the purposes of Small Lot Administrative Clearance application, the term **"Project"** includes the erection or construction, reconstruction, rehabilitation, relocation, addition to, or exterior alteration of any building or structure, which require the issuance of a demolition permit, grading permit, or building permit. Projects include the preservation of existing structures in a single lot and the subdivision of land for Small Lot purposes. A Project excludes work that consists solely of interior remodeling, interior rehabilitation or repair work that does not result in alterations to the façade or change in floor area. *The following are examples of building permits that are generally exempt from administrative review:*

- Re-roof with no alterations to the existing roof form, roof details, eave depth, eave details, or facades of the buildings
- In-ground swimming pools where permitted by the LAMC
- Roof-mounted solar modules
- Maintenance, repair, and/or rehabilitation of existing foundations
- Maintenance, repair, and/or rehabilitation of existing window and door treatments
- Mechanical equipment
- Exterior lighting

1. SUBMITTAL REQUIREMENTS

Size and Number of Copies: Provide one full size and five (5) 11"x17" color copies of architectural plans containing the following:

- ☑ Site Plan
- ☑ Contextual and Dimensioned Floor Plans
- ☑ Detailed Elevations
- ☑ Roof Plan
- ☑ Materials Sheet
- ☑ Renderings
- ☑ Landscape Plan (See Technical Requirements applicable to all landscape plans of form CP-6730)

2. APPLICANT INFORMATION

Applicant Name: Marc & Risa Dauer, Preuss Development, LLC
Address: 2313 Duxbury Circle — Unit/Space Number:
City: Los Angeles — State: CA — Zip: 90034
Telephone: — E-mail:

3. CASE INFORMATION

ADM-2023-6116-SLD Administrative Clearance Case Number	(VTT) 84089 Tract/Parcel Map Case Number	 Additional Case Number (If applicable)
RD1.5-1 Existing Zone	N/A Proposed Zone (If Applicable)	Low Medium II Residential General Plan Land Use Designation
2 Single Family Dwellings Existing Use	Small lot subdivision: 12 SFDs Proposed Use	

4. PROJECT SUMMARY

Project Address: 1904-1906 Preuss Road, Los Angeles, CA 90034

Community Plan Area: West Adams - Baldwin Hills - Leimert

Specific Plan, DRB, CDO, POD, NOD, CPIO or SN, including subarea if applicable:
N/A

Small Lot Subdivision Type (check all that apply)

☑ New construction ☐ Small Lot Subdivision of Existing Dwelling Unit/s** ☐ Renovation/Addition

** If your project involves the small lot subdivision of existing dwelling units, please describe the proposed alterations.

N/A

(Please note that any nonconforming building, structure or improvements may be maintains or repaired or structurally altered provided it conforms to LAMC Section 12.23-A):

5. PROJECT DETAILS

Proposed number of lots:	12	Proposed number of small lot homes:	12
Maximum building height:	48'-3"	Number of stories:	4
Roof deck(s) proposed:	☑Yes ☐ No	Maximum building height with railing:	48'-3"
Total number of parking spaces provided:	24	Number of guest parking spaces provided (If applicable):	0
Common open space provided:	☐Yes ☑ No	Size of common open space:	N/A

The following section shall be completed by City Planning staff at the time of filing:

6. ACCEPTANCE FOR FILING

Project Type

❒ New Construction
❒ Change of use from apartment unit to Small Lot Home
❒ Modification to an existing Small Lot Home that constitutes a Project
❒ Not a Project

Planning Signature	**Phone Number**
Print Name	**Date**
Receipt Number	**Fee** Miscellaneous sign off – Director

Small Lot Design Standards Checklist

To be completed by applicant and subsequently verified by Prcject Planners during prcject review.

A. BUILDING DESIGN

	Yes	No	N/A	Plan Sheet	Administrative Use Only
1. Dwelling Orientation					
a. Small Lot Homes abutting a right-of-way, including a public street, walk street, public stairways ("right-of-way") or private street shall orient the primary entryway ("front door") toward the right-of-way or, where there is a physical site constraint, shall provide a clearly identifiable pedestrian entry to the site from the right-of-way.	☑	☐	☐	A1.10	☐
b. Small Lot Homes located in the interior of the subdivision shall orient the primary entryway toward and be visible from a pedestrian pathway that is connected to the right-of-way.	☑	☐	☐	A1.10	☐
c. Small Lot Homes that abut an alley shall orient the primary entryway toward the alley or shall be connected to a pedestrian pathway that leads directly to a right-of-way.	☑	☐	☐	A1.10	☐
2. Primary Entryways					
a. All Small Lot Homes shall have a primary entryway. All primary entryways shall provide the address or unit identification, ornamental low-level lighting to illuminate the entry area, and a landing area.	☑	☐	☐	A1.10	☐
b. All primary entryways shall incorporate at least four of the following elements:					
i. The entryway shall be recessed at least 2 feet from the building façade to create a covered porch or landing area.	☑	☐	☐	A1.10	☐
ii. The doorway shall be recessed at least 3 inches from the building façade.	☑	☐	☐	A1.10	☐
iii. The entryway shall be designed with an overhead projection of at least 6 inches such as an awning or other architectural design features so as to distinguish the front door from the rest of the building façade, unless prohibited by LAMC Section 12.22 C.20.	☑	☐	☐	A1.10	☐
iv. The entryway shall be clearly marked with a side lite window panel, adjacent window, or a door with a window.	☑	☐	☐	A1.10	☐
v. The entryway shall be raised or sunken at least one stair step from the pedestrian pathway.	☑	☐	☐	A1.10	☐
vi. The entryway landing area shall be enhanced with unique paving material, texture, pattern, or color that is differentiated from the pedestrian pathway.	☑	☐	☐	A1.10	☐
3. Primary Entryways Between Small Lot Homes					
a. Small Lot Homes shall provide at least an 8-foot separation between the face of a primary entryway of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home. The separation may include projections as listed in 2.b.iii above, but be clear to sky for a minimum of 7 feet. The separation shall be measured along the portion of the pedestrian pathway that provides access to the entryway.	☑	☐	☐	A1.10	☐

	Yes	No	N/A	Plan Sheet	Administrative Use Only
4. Façade Articulation					
a. Façades facing a right-of-way, the project perimeter, and all portions of exterior building elevations located greater than 7 feet from an adjacent Small Lot Home, shall be treated with an equal level of detail and articulation, and shall incorporate all of the following façade articulation techniques:					
i. Change in exterior building materials to include at least two high-quality building façade materials that accentuate or correspond to variations in building massing. Building materials may include, but are not limited to: wood, glass, brick, metal spandrel, cement board siding, or tile.	☑	☐	☐	A1.30	☐
ii. Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 6 inches in depth that provide variations in the building plane.	☑	☐	☐	A1.30	☐
iii. Window treatments that are extruded or recessed from the building façade a minimum of 3 inches. Windows or doors that are flush with the plane of the building (rather than extruded or recessed at least 3 inches) will not qualify as facade articulation.	☑	☐	☐	A1.30	☐
iv. A break in the façade plane of a minimum of 6 inches in depth that is applied to at least 10 vertical feet of the facade.	☑	☐	☐	A1.30	☐
v. Other additional architectural enhancements to the floor of the primary entrance and below, so as to create a human scale to the building. Examples include handrails, fixed planters, and ornamental details, such as lighting, molding, or tiles.	☑	☐	☐	L1.00	☐
5. Varied Roofline					
a. For any Small Lot Home façade fronting a right-of-way exceeding two stories in height, the roofline shall be articulated by incorporating two of the following:					
i. A roof with a slope equal to or greater than 2 inches to 12 inches, including but not limited to a sloped or curved roofline at the top of the dwelling.	☐	☐	☑	N/A	☐
ii. A flat roof with a minimum of 2 feet vertical height difference for a minimum of 10 horizontal feet along the roofline of each building façade.	☐	☐	☑	N/A	☐
iii. A break in façade plane of a minimum of 6 inches in depth that is carried up to the roofline.	☑	☐	☐	A1.31	☐
iv. Any form of roofline modulation such as a step back, an outdoor stairwell, or a corner balcony.	☑	☐	☐	A1.31	☐
6. Roof Decks					
a. All roof decks along the project perimeter and abutting residential uses shall be stepped back a minimum of 5 feet from the roof edge, so that they are oriented away from and screened to prevent direct views of abutting residential neighbors. Roof decks facing a right-of-way are not required to be stepped back.	☑	☐	☐	A1.15	☐

	Yes	No	N/A	Plan Sheet	Administrative Use Only
7. Building Massing Variation					
a. Small Lot Homes shall be grouped into clusters to avoid long spans of building wall. Clusters of Small Lot Homes shall be no more than six Small Lot Homes in a single continuous row or 180 linear feet, whichever is smaller. Clusters of Small Lot Homes shall be separated with a building gap of a minimum of 6 feet in width, which shall be treated with a combination of landscaping, open space, and common walkways or driveways.	☑	☐	☐	A1.30	☐
b. Small Lot Homes in a single row shall provide a lateral shift or break in the façade of a minimum of 6 inches for every three Small Lot Homes or 90 linear feet, whichever is smaller.	☑	☐	☐	A1.30	☐
c. Small Lot Homes shall be unique in design so that there is variety between Small Lot Homes within a subdivision. For a Small Lot Subdivision containing more than six Small Lot Homes in a single row, there shall be at least two variations in building design, such as changes in dwelling orientation, primary entryways, fenestration pattern, façade articulation, or varied roofline as prescribed in Subsections 1-5. For a Small Lot Subdivision of 20 or more Small Lot Homes, there shall be at least three variations in building design as stated above.	☐	☐	☑	N/A	☐
B. PEDESTRIAN CONNECTIVITY AND ACCESS					
1. Pedestrian Pathways					
a. Pedestrian pathways of a minimum width of 3 feet shall be provided from the right of-way to all primary entryways and common areas, such as common open space areas, guest parking, mailboxes, and centralized trash enclosures.	☑	☐	☐	A1.10	☐
b. A pedestrian pathway located within or parallel to a Common Access Driveway shall be constructed and/or treated with a change of materials, finishes, pattern, or paving that distinguishes the pathway from vehicular traffic.	☐	☐	☑	N/A	☐
c. Small Lot Subdivisions of 20 or more Small Lot Homes shall provide pedestrian and bicycle access to surrounding neighborhood rights-of-way.	☐	☐	☑	N/A	☐
2. Fences/Walls					
a. Fences or walls abutting the street or common open space areas shall be decorative, including but not limited to latticework, ornamental fences, screen walls, hedges or dense shrubs or trees. Solid masonry walls along the right-of way are not permitted.	☑	☐	☐	A1.30	☐
b. Fences or walls abutting the right-of-way and within the yard shall provide a point of entry into each lot abutting the right-of-way.	☑	☐	☐	A1.30	☐
C. LANDSCAPING					
1. Landscaping, Common Open Space Areas and Amenities					
a. All setback and open areas not used for buildings, parking areas, driveway, pedestrian pathways, utilities, and common open space areas shall be attractively landscaped and maintained.	☑	☐	☐	L1.00	☐

	Yes	No	N/A	Plan Sheet	Administrative Use Only
b. Required Common Open Space Areas must:					
i. Be open to the sky and have no structures that project into the common open space area, except as provided in Section 12.22 C.20 (b).	☐	☐	☑	N/A	☐
ii. Be located at grade level, contiguous or connected, and readily accessible to all residents of the site.	☐	☐	☑	N/A	☐
iii. Have a minimum area of 300 sq. ft. with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area. Driveways, parking spaces, or pedestrian pathways cannot be counted toward the open space requirement.	☐	☐	☑	N/A	☐
c. The combination of required Common Open Space Areas shall be multifunctional and designed to accommodate a range of passive, active, or social uses, with enhancements such as landscaping, activity lawns, swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas, sitting areas, decorative bike racks, and/or dog washing stations. Common open space areas may include enhanced side yards and rear yards that meet the minimum area and dimension requirement above.	☐	☐	☑	N/A	☐
d. All yards of a subdivision abutting the right-of-way shall be improved with landscaping (combination of groundcover, shrubs, and trees) and amenities. Amenities may include: decorative fencing, uncovered patios, enhanced pedestrian pathways, garden walls, seating areas, and/or decorative bike racks.	☐	☐	☑	N/A	☐

D. MIXED USE SMALL LOTS

Small Lot Subdivisions may provide Small Lot Homes that contain commercial uses at the ground floor ("Mixed Use Small Lot Homes"). Mixed Use Small Lots must comply with all other applicable regulations governing the site with regards to parking, signage, access, and FAR limitations in the LAMC. The following Design Standards shall be required for any Mixed Use Small Lot Home in addition to the other Design Standards contained in this document.

	Yes	No	N/A	Plan Sheet	Administrative Use Only
1. Building Orientation and Entry					
a. Mixed Use Small Lot Homes shall be first located along the perimeter of the subdivision abutting the right-of-way.	☐	☐	☑	N/A	☐
b. A Mixed Use Small Lot Home shall provide a separate ground floor entrance to the commercial use, or an identifiable lobby that serves both the residential and commercial uses. The commercial entrance shall be directly accessible from the right-of-way and open during the normal business hours posted by the business.	☐	☐	☑	N/A	☐
2. Building Design					
a. A Mixed Use Small Lot Home shall be designed with an identifiable ground floor commercial component.	☐	☐	☑	N/A	☐
b. Store entrances shall be recessed, not flush, with the edge of the building facade to articulate the storefront and provide shelter for persons entering and exiting.	☐	☐	☑	N/A	☐
c. The ground floor commercial use shall be visually separated from upper residential floors, with a façade treatment such as an awning, framing, setback, or overhang of at least 18 inches in depth, so as to distinguish the commercial base of the building.	☐	☐	☑	N/A	☐

Yes	No	N/A	Plan Sheet	Administrative Use Only
☐	☐	☑	N/A	☐
☐	☐	☑	N/A	☐

d. The storefront of a ground floor non-residential use that fronts a right-of-way shall consist of at least fifty percent transparent windows and doors, unless otherwise prohibited by other sections of the L.A.M.C.

e. Signage for the ground floor commercial use shall be located at or adjacent to the ground level, and be located no higher than 14 feet.

E. BUNGALOW COURTS AND EXISTING STRUCTURE SMALL LOTS

Existing bungalow courts and detached single, duplex, or triplex dwelling structures may be subdivided in accordance with the 2018 Small Lot Code Amendment. The conversion of an existing "Bungalow Court or Existing Structure" to a Small Lot Subdivision shall only be required to comply with the following Design Standards.

1. Common Access Driveway

a. Existing Common Access Driveways, pedestrian pathways, and central common open space areas shall be maintained and not reduced in size.

☐ ☐ ☑ N/A ☐

2. Pedestrian Pathway

a. Pedestrian pathways of a minimum width of 3 feet shall be provided from the public rights-of-way to all primary entryways and common areas, such as centralized trash enclosures, guest parking, and open space easements. If narrower pathways exist, they may be maintained in the same footprint and area and shall not be further reduced in width.

☐ ☐ ☑ N/A ☐

3. Existing Structures

a. New dwelling construction or additions to a designated or identified historic structure shall be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

☐ ☐ ☑ N/A ☐

4. New Dwellings

a. All new dwellings proposed in addition to a Bungalow Court or Existing Structure Small Lot project shall also meet the applicable design standards in sections A, B, and C of the Small Lot Design Standards. 5. Landscaping All open areas not used for buildings, parking areas, driveway, pedestrian pathways, utilities, or amenity areas shall be attractively landscaped and maintained.

☐ ☐ ☑ N/A ☐

Additional Design Details

The following section shall be completed by Project Planning staff after the review and approval of submitted plans:

8. ADMINISTRATIVE CLEARANCE APPROVAL

Planning Signature	Phone Number
	(213) 978-1368
Print Name	**Date**
David Woon	4/22/24

EXHIBIT F

ENVIRONMENTAL DOCUMENTS

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
CITY HALL 200 NORTH SPRING STREET LOS ANGELES CA 90012

CATEGORICAL EXEMPTION – CLASS 32

1904-1906 S. Preuss Road Project

Case Number: ENV-2023-6617-CE
Related Case Numbers: CPC-2023-6115-DB-HCA; VTT-84089-SL-HCA

Project Location: 1904-1906 South Preuss Boulevard

Community Plan Area: West Adams – Baldwin Hills – Leimert Community Plan

Council District: 10 – Heather Hutt

Project Description: The Project involves the demolition of two single-family houses and the subdivision of two lots for the construction, use, and maintenance of a 12-unit small lot development, including one (1) unit reserved for Very Low Income Households. The Project includes the construction of 11 four-story small lot homes and 1 three-story small lot home. Each unit will provide two vehicular parking spaces for a total of 24 vehicle parking spaces. The Project will also provide 12 bicycle parking spaces. In order to permit development of the Project, the City would require approval of the following discretionary actions: (1) Pursuant to Section 12.22 A.25 of the LAMC, Density Bonus Compliance Review to permit a Housing Development Project requesting one (1) On-Menu Incentive and one (1) Waiver of Development Standard: a. An On-Menu Incentive to permit a maximum building height of 48 feet and 3 inches in lieu of 45 feet, otherwise permitted in the RD1.5-1 Zone; b. permit a 10-foot front building line setback in lieu of 15 feet otherwise required by LAMC Section 12.09.1 B.1 and 20 feet otherwise required by Ordinance No. 140,304; and (2) Pursuant to LAMC Section 17.50, a Preliminary Vesting Tentative Tract Map permitting the subdivision of two lots into 12 small lots in conjunction with the construction, use, and maintenance of a 12-small lot development.

PREPARED FOR:
The City of Los Angeles
Department of City Planning

PREPARED BY:
Brian Silveira & Associates

APPLICANT:
Marc & Risa Dauer
Preuss Development, LLC

April 2024

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2023-6617-CE

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The 1904 – 1906 S. Preuss Road Project (the "Project") is for the demolition of the existing structures and the construction, use, and maintenance of a new 12-unit small lot development with one (1) dwelling unit reserved for Very Low Income Households. The Project will develop eleven (11) four-story small lot homes and one (1) three-story small lot home. Vehicular access will be located along Preuss Road and the easterly adjacent alley through a center driveway. Pedestrian access will be located along the northern and southern walkways. Each small lot home will feature two vehicular parking spaces for a total of 24 parking spaces and the Project will also provide 12 bicycle parking spaces. As a housing development project and a project which is characterized as in-fill development, the Project qualifies for the Class 32 Categorical Exemption.

The Project requires the following:

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.25, a Density Bonus Compliance Review to permit a housing development project consisting of 12 dwelling units, of which one (1) unit will be set aside for Very Low Income Households, and the following one (1) On-Menu Incentive and one (1) Waiver of Development Standard:

    a. On-Menu Incentive to permit a maximum building height of 48 feet and 3 inches in lieu of 45 feet, otherwise permitted in the RD1.5-1 Zone.

    b. Waiver of Development Standard to permit a 10-foot front building line setback in lieu of 15 feet otherwise required by LAMC Section 12.09.1 B.1 and 20 feet otherwise required by Ordinance No. 140,304.

2. Pursuant to LAMC Sections 17.15 and 12.22 C.27, a Vesting Tentative Tract Map No. VTT-84089-SL-HCA to permit the subdivision of two lots into 12 small lots in conjunction with the construction, use, and maintenance of a 12-small lot development.

Implementation of the California Environmental Quality Act

Pursuant to Section 21084 of the Public Resources Code, the Secretary for the Natural Resources Agency found certain classes of projects not to have a significant effect on the environment and declared them to be categorically exempt from the requirement for the preparation of environmental documents.

The project meets the conditions for a Class 32 Exemption found in CEQA Guidelines, Section 15332 (In-Fill Development Projects), and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 apply.

Conditions for a Class 32 Exemption

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

1) 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;
2) The proposed developed occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
3) The project site has no value as habitat for endangered, rare, or threatened species;
4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
5) The site can be adequately served by all required utilities and public services.

The Project is located within the West Adams – Baldwin Hills – Leimert Community Plan which designates the subject property for Low Medium II Residential land uses with a corresponding zone of RD1.5 and RD2. The subject property is located in the RD1.5-1 Zone. The Project is consistent with the applicable general plan land use designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.

The Project site is wholly within the City of Los Angeles, on a site that is approximately 16,776 square feet, or 0.39 acres, in size. Lots adjacent to the subject properties are developed with single- and multi-family structures. The Project site is currently developed two (2) single-family residences and is surrounded by urban development and therefore is not, and has no value as a habitat for endangered, rare or threatened species. No street tree or protected tree may be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171.

The Project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations, and Best Management Practices for stormwater runoff. These RCMs will ensure the Project will not have significant impacts on noise and water. The Project would not result in any significant effects related to traffic, noise, air quality, or water quality.

- The Project will be subject to Regulatory Compliance Measures, which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater conditions, and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water.

- A Noise Impact Analysis dated February 23, 2024, was prepared by Brian Silveira & Associates, for the proposed project indicating that construction and operation activities associated with the development of the proposed Project will result in less than significant impacts.

- An Air Quality Technical Memorandum dated February 20, 2024, was prepared by Brian Silveira & Associates, for the proposed Project indicating construction and operation emissions associated with the proposed Project will not result in significant air quality impacts.

- An Addendum Soils Engineering Exploration Report dated March 24, 2023, was prepared by Schick Geotechnical, Inc., for the proposed Project to evaluate the nature, distribution, engineering properties, and geologic structure of the earth materials underlying the site. The report concluded that the proposed structures is feasible provided the advice and recommendations contained in the report are included in the plans and are implemented during construction. While the proposed Project is located within an Alquist-Priolo Fault Study Zone, a trace of the fault is not located onsite.

- A Site Methane Investigation Report dated November 30, 2022 was prepared by Methane Specialists, for the proposed Project. The report concluded that the Project site is located in a Methane Buffer Zone and that measurable levels of methane were not detected while testing at this site. Pursuant to the Methane Code, the Project requires no methane mitigation systems. However, Project shall implement a passive methane mitigation system as the Project site is located within a methane zone.

- The proposed Project would not result in significant transportation impacts.

- The proposed Project would not result in significant impacts to water quality.

- The proposed Project will not result in the removal of any protected trees.

The Project site will be adequately served by all public utilities and services given that the construction of a 12-unit small lot development be on a site which has been previously developed and is consistent with the General Plan. Therefore, the Project meets all the Criteria for the Class 32.

Exceptions to Categorical Exemptions

There are six (6) exceptions to categorical exemptions must be considered in order to find a project exempt from CEQA: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

The Project is not located on or near any environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Three related projects located with 500 feet were identified and based on the analyses the analyses provided in the *Appendices*, the Project would not result in significant cumulative impacts. The Project would not reasonably result in a significant effect on the environment due to unusual circumstances. The Project is not located near a State Scenic Highway. Furthermore, according to Envirostor and GeoTracker, the State of California's database of Hazardous Waste Sites and Water Resources Control Board, neither the subject site, nor any site in the vicinity is identified as an active hazardous waste site. The Project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register or Historic Places, California Register of Historical Resources, the Los Angles Historic-Cultural Monuments Register, and/or any local register, and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. 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.

Assessment of 1904-1906 Preuss Road Project Eligibility for a Categorical Exemption as a Class 32 In-Fill Development

Date: April 25, 2024

To: City of Los Angeles, Department of Planning

Brian Silveira & Associates drafted this assessment for the City of Los Angeles as the lead agency. This assessment evaluates whether the proposed 1904-1906 Preuss Road Project (Project) located in the City of Los Angeles (City) qualifies for a Class 32 Categorical Exemption under the California Environmental Quality Act (CEQA) as eligible infill development.

CEQA defines categorical exemptions for various types of projects the Secretary of the Resources Agency of the State of California has determined would not have a significant effect on the environment, and therefore are not subject to further environmental review under CEQA. The Class 32 exemption (Section 15332 of the State CEQA Guidelines) is intended to promote infill development within urbanized areas. The class consists of environmentally benign infill projects consistent with local general plan and zoning requirements.

Pursuant to Section 15332 of the State CEQA Guidelines, for a project to be eligible for a Categorical Exemption as Class 32 In-fill Development, a project must meet the following conditions, or criteria:

Criteria

a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
b) The proposed development occurs within city limits on a project site of no more than five (5) 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.
e) The site can be adequately served by all required utilities and public services.
f) In addition, projects seeking this Categorical Exemption cannot fall under certain specified exceptions, as follows.

Exceptions

a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. The project site is not in a location subject to this consideration. 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.
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, orver time is significant.
c) Significant Effect. The 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.
d) Scenic Highways. The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially

designated scenic highway.

e) Hazardous Waste Sites. The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code Section 65962.5, as being affected by hazardous wastes or clean-up problems.

f) Historical Resources. The project may cause a substantial adverse change in the significance of an historical resource.

Table of Contents

- Section I. Project Description.....Page 3
- Section II. Evaluation of Class 32 Exemption Criteria.....Page 3
- Section III. Consideration of Exceptions.....Page 25
- Section IV. Conclusion.....Page 33

Appendices

- Appendix A – VMT Calculator Output Data Sheets, dated July 25, 2023
- Appendix B – Muffler and Barrier Specification Sheets
- Appendix C – CalEEMod Output Data Sheets, dated July 27, 2023
- Appendix D – LA Department of Transportation Traffic Volume Counts
- Appendix E – Tree Report by Certified Arborist
- Appendix F – Noise Impact Analysis
- Appendix G – CalEEMod Output Data Sheets for Projects in Cumulative Impact Analysis
- Appendix H – Air Quality Technical Memorandum

The justification for use of a Class 32 Categorical Exemption as an infill project in compliance with CEQA and the City's Class 32 Requirements is provided below in the following format: I. Project Description, II. Evaluation of Class 32 Exemption Criteria, III. Consideration of Exemptions, and IV. Conclusion.

I. Project Description

The subject property consists of two (2) existing parcels (4302-020-003 and 4302-020-006) including two (2) lots that will be subdivided into 12 new townhouse-style residential units located at 1904-1906 Preuss Road within the West Adams-Baldwin Hills-Leimert Specific Plan Area of the City. The Project proposes 12 townhouse-style units on the 17,124 square foot (sf) lot with 11 market rate units (4 stories, a roof deck, and a two-car garage) and 1 affordable unit (3 stories and 2 outdoor parking spaces). **Table 1, Lot Unit Areas**, below provides the lot areas for each of the units. The Project site is surrounded by urban development, consisting of low medium density residential land uses. The Project would remove the two existing single-family residences on the subject property. Site preparation and grading would involve approximately 3,644 sf of cut and fill.

Table 1, Lot and Unit Areas

Lot and Unit Name	Unit Type	Lot Area (sf)
Lot 1 | Unit A	Market Rate	2,011.65
Lot 2 | Unit B	Market Rate	1,232.32
Lot 3 | Unit C	Market Rate	1,232.32
Lot 4 | Unit D	Market Rate	1,232.32
Lot 5 | Unit E	Market Rate	1,232.32
Lot 6 | Unit F	Affordable	1,480.29
Lot 7 | Unit G	Market Rate	2,017.27
Lot 8 | Unit H	Market Rate	1,232.95
Lot 9 | Unit I	Market Rate	1,233.59
Lot 10 | Unit J	Market Rate	1,234.23
Lot 11 | Unit K	Market Rate	1,234.87
Lot 12 | Unit L	Market Rate	1,479.19

II. Evaluation of Class 32 Exemption Criteria

The following subsections provide discussion and analysis of the Project's consistency with the criteria listed in Section 15332 of the State CEQA Guidelines, for a project to be eligible for a Categorical Exemption as a Class 32 In-fill Development project.

a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The Project is consistent with the existing General Plan designation, as specified by the West Adams-Baldwin Hills-Leimert Community Plan Area, which designates the site "Low Medium II Residential." The site zoning is RD1.5-1. The Project would therefore not require a General Plan Amendment or Zoning Change. Multiple dwelling units are consistent with the RD1.5-1 zoning, as outlined in the Los Angeles Municipal Code (LAMC) Section 12.09.1. Additionally, the Project is consistent with the Low Medium II Residential General Plan land use designation. As stated in the Community Plan, this land use designation, "...encourages [townhouse and condominium] development by designating specific areas for low medium residential land use categories where condominium and townhouse type development can be most economically

sited." Under the existing zoning of RD1.5-1, the minimum lot area per dwelling unit is 1,500 sf. Therefore, the existing approximately 17,124 sf lot area would allow a by-right density of 11 units. The Project is providing 12 units which is consistent with the density calculation procedures for calculating the base density of a Density Bonus project under Los Angeles Municipal Code (LAMC) 12.22. A.25. (c)(7). Therefore, the Project is not requesting a density bonus but will set aside eight percent of the base density for Very Low Income Household to request one Density Bonus (1) On-Menu incentive and one (1) Waiver of Development Standards.

The Project's On-Menu incentive will allow for three feet and three inches (3'-3") in additional building height to allow for a building height up to 48 feet and 3 inches (48'-3") in lieu of the maximum 45 feet allowed in the RD1.5-1 zone pursuant to LAMC 12.21.A.1. Therefore, construction of a 12-unit small lot development would be consistent with the General Plan designation and zoning.

The Applicant is requesting a Waiver of Development Standards to permit a 50 percent reduction in the required building line setback to allow a 10-foot building line setback in lieu of the required 20-foot building line setback pursuant to building line ordinance No. 140,304 (applicable only to the existing lot located at 1906 S Preuss Road; APN: 4302-020-006). Therefore, the Project would be consistent with all applicable General Plan designations, General Plan policies, and applicable zoning designations and regulations.

The applicant is proposing a subdivision of the existing 17,124 square-foot Project site into twelve small lots. Adopted in 2005, the Small Lot Subdivision Ordinance ("Ordinance") introduced a new housing typology to the City, the small lot home. The small lot home was enabled by the Ordinance's subdivision regulations that permitted fee-simple homeownership of homes located on conventionally smaller lots and in zones where apartment units would be permitted by-right. This housing typology facilitates the construction of homes that look and function like townhomes, but where each unit is built independently on an individual "small lot." Small lot subdivisions are required to abide by the Small Lot Map Standards as well as the provisions of the Small Lot Ordinance (LAMC Section 12.22-C.27) and general requirements that fall under the Map Act and the authority of the Advisory Agency. In addition, the Small Lot Design Standards create specific and enforceable rules regarding design for all small lot homes, including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. All small lot subdivisions must comply with the Design Standards through an Administrative Clearance process.

Table 2 below demonstrates the project's consistency with the General Plan's Framework Element, West Adams-Baldwin Hills-Leimert Community Plan, and LA Green Building Code.

General Plan Framework Element	
Goals, Policies, and Objectives	**Corresponding Project Component**
Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.	The Project is using the small lot development typology to provide home ownership opportunities at a lower cost than traditional single-family developments while also providing one covenanted unit affordable to Very Low Income households.
Objective 4.2: Encourage the location of new multi-family housing development to	The Project is located in a multifamily zoned neighborhood that contains a mix of older

occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.	single-family and newer multifamily uses. The Project site is in close proximity to Metro bus lines 617 (500 feet) and 105 (0.6 miles), Big Blue Bus lines 7/R7 (0.8 miles), and the future Metro D-Line Rail Station at Wilshire and La Cienega (1.5 miles). It is also located in a High Quality Transit Area according to the map prepared by the Southern California Association of Governments (SCAG).
Policy 4.2.1: Offer incentives to include housing for very low- and low-income households in mixed-use developments.	The Project is using the Density Bonus policy, based on its provision of one Very Low Income dwelling unit, to request incentives and waivers of development standards that support the financial and physical feasibility of providing its market rate and affordable units.
West Adams - Baldwin Hills - Leimert Community Plan	
Goal LU7: A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.	The Project proposes twelve townhouse-style single-family homes, each made with high-quality architectural materials, its own two-car garage, four bedrooms, and roof decks to accommodate family recreation.
Policy LU7-2 Context Sensitive Housing: Encourage development parameters that ensure multi-family designated lands provide for adequate housing that is contextually sensitive to desirable prevailing neighborhood character.	The Project's twelve dwelling units are provided in a single-family typology that mimics the development style of the remaining single-family homes around it. Small lot developments are often called "gentle density" because they provide much-needed supply while still adhering to the aesthetic principles of lower-density housing typologies.
Policy LU7-3 Compliance with Design Guidelines: Recommend that new multi-family residential development be designed in accordance with the adopted Citywide Residential Design Guidelines.	The Project submitted findings within its DCP application package demonstrating compliance with the Citywide Design Guidelines including pedestrian-first design, 360-degree Design, and climate-adapted design.
Goal LU9: A community of neighborhoods where social capital is promoted by ensuring the provision of adequate housing for all persons regardless of income, age, racial or ethnic background.	The Project is using the small lot development typology to provide home ownership opportunities at a lower cost than traditional single-family developments while also providing one covenanted unit affordable to Very Low Income households.
Policy LU9-1 Affordability: Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work and achieve homeownership.	The Project is using the small lot development typology to provide home ownership opportunities at a lower cost than traditional single-family developments while also providing one covenanted unit affordable to Very Low Income households. The Project is located in a High Quality

	Transit Area with a high concentration of educational, employment, and commercial resources.
Policy LU9-2 Mixed-income Neighborhoods: Strive to eliminate residential segregation and concentrations of poverty by promoting affordable housing that is integrated into mixed-income neighborhoods.	The Project site is located in a "higher opportunity" neighborhood historically composed of high-value single-family homes. By using the small lot development typology to provide home ownership opportunities at a lower cost than traditional single-family developments and providing one covenanted unit affordable to Very Low Income households, the Project is addressing residential segregation and concentrations of poverty and helping to create a mixed-income neighborhood.
Policy LU9-5 Housing Near Schools: Strive to provide a range of housing types and affordable housing units around schools.	The Project site is located within close proximity (a mile or less) to eight schools.
Policy LU10-6 Increase Homeownership: Provide for development of townhouses and other similar condominium type housing units to increase homeownership options.	The Project is using the small lot development typology to provide twelve townhouse-style home ownership opportunities at a lower cost than traditional single-family developments while also providing one covenanted unit affordable to Very Low Income households.
Policy LU10-10 Moderate Income Homeownership: Allow for the creation of townhouse and condominium development through new construction, conversion or adaptive reuse in order to meet the demands of moderate income residents thereby increasing access to affordable, and moderate income homeownership opportunities.	The Project is using the small lot development typology to provide twelve townhouse-style home ownership opportunities at a lower cost than traditional single-family developments while also providing one covenanted unit affordable to Very Low Income households.
Goal LU11: A community where new housing is located in a manner which reduces vehicular trips and makes it accessible to services and facilities.	The Project is located in a High Quality Transit Area with a high concentration of educational, employment, and commercial resources.
Mobility Plan 2035	
Street Dedication: The West Adams - Baldwin Hills – Leimert Community Plan designates Preuss Road as a Local Street Standard with a 60-foot right of way and a width of 36-foot roadway.	The Project will dedicate 5 feet of frontage to the public right-of-way to complete a 30-foot wide half right-of-way in accordance with Local Street standards. The Project will improve Preuss Road with a concrete curb, a concrete gutter, and a 12-foot wide concrete sidewalk with tree wells or a 5-foot wide concrete sidewalk and landscaping of the Parkway as well as suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.
Alley dedication: The West Adams -	The Project will Improve the alley adjoining

Baldwin Hills – Leimert Community Plan designates the rear right-of-way as an alley with a 20-foot right of way width.	the subdivision by the construction of a new 2-foot wide longitudinal concrete gutter and suitable surfacing to complete a 10-foot wide half alley, including any necessary removal and reconstruction of the existing improvements.
Objective: Ensure that 90% of households are have access within one mile to the Transit Enhanced Network by 2035.	The Project proposes the construction of 12 small lot homes located on a Project site approximately 415 feet (0.08 miles) from Robertson Boulevard which is designated as a Moderate Transit Enhanced Street in the City's Mobility Element of the General Plan.
3.3 Land Use Access and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.	The Project proposes the construction of 12 small lot homes located in an area with high access to jobs, schools, retail, entertainment, and services.
3.8 Bicycle Parking: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.	The Project's parking garages for each of its 12 units include high-quality bicycle parking equipment.
Los Angeles Green Building Code (*LAMC 99.04.100-99.04.504*)	
Storm Water Drainage and Retention During Construction: Projects which disturb soil shall manage storm water drainage during construction.	The Project will comply with the City of Los Angeles' storm water management ordinances.
EV Capable: Thirty percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric vehicle. EV Ready: Twenty-five percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles.	The Project provides 12 residential units with two off-street parking spaces in garages per unit. All of the parking garages contain at least one EV charging space such that 50% of the total number of parking spaces are capable of charging an electric vehicle.
Cool Roof for Reduction of Heat Island Effect: Using materials with higher SRI values can enhance building occupant comfort and reduce air conditioning use.	The Project proposes the use of roofing materials that have a three-year aged Solar Reflectance Index equal to or greater than those specified in LAMC Table 99.04.106.5.1.
Reduction of Heat Island Effect for Nonroof Areas: Reduce nonroof heat islands for 50% of pathways patios, driveways or other paved areas by using one or more of the methods listed.	The Project proposes the use of trees to provide shade and that mature within 15 years of planting as well as permeable pavement.
Solar Ready Buildings: All one- and two-family dwellings shall comply with Sections 110.10(b)1A, 110.10(b)2, 110.10(b)3, 110.10(b)4, 110.10(c), 110.10(d) and 110.10(e) of the California Energy Code (CCR, Title 24, Part 6).	The proposed Project's one-family units are all equipped with solar conduits to allow future unit owners the option of installing solar photovoltaic panels.
Greywater Systems: Waste piping shall be	The Project proposes the use of untreated

arranged to permit the discharge from the clothes washer, bathtub, showers and bathroom/restroom washbasins to be used for a future graywater irrigation system(s).	wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs (greywater) for subsurface irrigation of its drought-resistant landscaping.
All Electric: To deal with environmental and climatic conditions, the City of Los Angeles has ordained that all newly constructed buildings be fitted with all electrical infrastructure. All electric buildings contain no combustion equipment such as fuel or gas piping that provide energy for appliances and/or equipment and such structures are expected to rely solely on electricity.	The proposed Project's dwelling units will be fitted with all electrical infrastructure for residents to provide power for general lighting, small appliances, refrigerators, garbage disposals, microwaves, washers, dryers, smoke detectors, stoves, dishwashers, and other household appliances.
Pollutant Control: Mechanically ventilated buildings shall meet the air filtration requirements of the California Energy Code.	The Project will comply with the VOC limits found in LAMC 99.04.504.6. for adhesives, sealants, and coatings in its architectural materials and fixtures.
EnergyStar Appliances: EnergyStar appliances perform more efficiently than standard appliances and, therefore, require less energy and a lower demand load from the power grid. To earn the EnergyStar, they must meet strict energy efficiency criteria set by the US Environmental Protection Agency or the US Department of Energy.	The Project plans to provide EnergyStar rated appliances in each of its 12 dwelling units, including EnergyStar qualified refrigerators, dishwashers, clothes washers, and clothes dryers.
Table 2: Project Compliance with Overlaying Municipal Regulations	

b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The Project is located within the city limits of the City of Los Angeles. The project site consists of approximately 17,124 sf of land, or approximately 0.4 acres, and is surrounded by existing urban uses, including single family residential surrounding the Project site. Therefore, the Project is consistent with this criterion.

c) The project site has no value as habitat for endangered, rare, or threatened species.

The Project site is located within a highly urbanized portion of the City of Los Angeles. The surrounding urban landscape, including the project site, has been developed for decades. The Project site is currently developed with residential buildings, hardscape, and landscape vegetation. The subject property does not have reported occurrences of special-status species in the California Natural Diversity Database (CNDDB) maintained by the California Department of Fish and Wildlife (CDFW). The Project site does not include riparian areas or other sensitive plant communities. Therefore, the Project site has no substantive 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.

a. Transportation

The Project would have a significant impact if the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)(1), relating to Vehicle Miles Traveled (VMT). CEQA Guidelines Section 15064.3(b)(1) applies to land use projects and states, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact." Both of the following City of Los Angeles Transportation Assessment Guidelines (TAG) screening criteria must be met in order to require further analysis of a land use project's VMT contribution: the land use project would both generate a net increase of 250 or more daily vehicle trips and the Project would generate a net increase in daily VMT.

In order to determine if both criteria are triggered by the project, a basic run of the City of Los Angeles VMT Calculator was performed. The VMT Calculator (included as Appendix A) determined that the Project's 12 new townhouse uses would generate 53 daily trips and 367 daily VMT. Additionally, the Project would remove the two existing single-family residences, which currently generate a combined total of 15 daily trips and 106 daily VMT. Therefore, the Project would result in a project-related net increase of 38 daily trips and 261 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the Project would not result in a significant effect relating to transportation, and further analysis of the Project's VMT contribution would not be warranted.

b. Noise

A Noise Impact Analysis (see Appendix F) was prepared for the Project. Based upon the size, scope, and features of this Project and the project site, it is not likely that the City will require additional documentation or analysis to provide substantial evidence supporting a determination that the Project will have significant impacts related to noise.

Existing Noise Conditions

Surrounding Sensitive Uses

The City's Noise Element defines the following land uses as noise-sensitive receptors: single-family and multi-unit dwellings, long-term care facilities (including convalescent and retirement facilities), dormitories, motels, hotels, transient lodgings and other residential uses; houses of worship; hospitals; libraries; schools; auditoriums; concert halls; outdoor theaters; nature and wildlife preserves, and parks.

Preuss Road bounds the site to the west. Across Preuss Road, a Standard Local Street containing 50 feet of public right-of-way, are more residential uses including a single-family home at 1905 S Preuss Road and a single-family home at 1907 S Preuss Road. An approximately 15-foot wide alley bounds the site to the east (the rear yard). To the east of the alley are more residential structures including a single-family home at 1905 S Shenandoah Street and a 10-unit multifamily structure at 1907 S Shenandoah Street. There are single-family residential uses directly adjacent to the site to the north and

south at 1902 and 1908 S Preuss Road, respectively. The closest residential use is located to the east at 1908 S Preuss Road, adjacent to the shared property line.

Approximately 260 feet from the Project site is an assisted living facility (Beverlywood Residential Facility). Located at 1920 S Robertson Boulevard (Blvd), the assisted living facility is separated from the Project site by a row of residential structures and a fifteen-foot (15-foot) alley.

Preuss Road is considered a "Local Street-Standard" roadway and is currently improved with a 50-foot ROW. The half-ROW on the Project's side of the centerline would be improved from the existing 25-foot half-ROW to a 30-foot half-ROW width as part of the Project in accordance with The Citywide General Plan Circulation System maps. The most recent 24-hour traffic count conducted for Preuss Road at the intersection of Preuss Road and Sawyer Street (approximately 140 feet from the Project site) shows 819 total vehicles driving north- and south-bound on Preuss Road between the hours of 00:00:00 and 23:59:00. Speed limits are not posted but are presumed to be 25 mph.

Robertson Boulevard (Blvd), a north- and south-bound Modified Avenue II sits approximately 390 feet to the west of the Project site. The most recent traffic count conducted for Robertson Blvd at the intersection of Robertson Blvd and Sawyer Street (approximately 425 feet from the Project site) shows 41,984 total vehicles driving north- and south-bound on Robertson Blvd between the hours of 00:00:00 and 23:59:00.

To identify existing noise conditions, five short-term (15-minute) noise levels were measured in the vicinity of the project site. Figure 1, Noise Measurement Location Map, depicts the locations of the noise measurements. The Project team consultant conducted the noise survey on January 29, 2024, between 3:16 PM and 4:41 PM. The Consultant calibrated and operated the sound measurement instrument according to the manufacturer's written specifications. At the measurement sites, the consultant placed the microphone at a height of approximately five feet above grade. As shown on Figure 1, Noise Measurement Location Map, the Consultant took the noise measurements near the closest noise-sensitive land uses: the single-family residential property to the north of the Project site located at 1902 S Preuss Road (NM1); the single-family residential property to the south of the Project site located at 1908 S Preuss Road (NM2); the assisted living facility (Beverlywood Residential Facility) located at 1920 S Robertson Blvd, approximately 260 feet from the Project site (NM3); the educational facility located at 1846 S Robertson Blvd (Gan-Yaffa Kindergarten), approximately 390 feet from the Project site (NM4); and the religious facility located at 1952 S Robertson Blvd (Friendship Circle); approximately 490 feet from the Project site (NM5). Table I, Existing Ambient Noise Levels, provides a summary of the ambient noise data. Ambient average noise levels (L_{EQ}) were between 70.2 and 86.1 dBA L_{EQ}. The dominant noise sources were from vehicles traveling along the adjacent roadways, construction activity, handheld lawn power tools, and car doors closing in off- and on-street parking spaces, and urban ambience (human conversation, car radios, etc.).



Figure 1 – Noise Measurement Locations

NOISE MEASUREMENT LOCATION	LOCATION	PRIMARY NOISE SOURCES	L_{EQ}	L_{MAX}	L_{MIN}
NM1	1902 S Preuss Road	• Traffic on adjacent roadways • Construction activity • Handheld lawn power tools	72.4	107.6	49
NM2	1908 S Preuss Road		70.2	105.1	45.9
NM3	1920 S Robertson Blvd (Beverlywood Residential Facility)		86.1	98	76.4

NM4	1846 S Robertson Blvd (Gan-Yaffa Kindergarten)	• Car doors closing in off- and on-street parking spaces • Urban ambience (human conversation, car radios, etc.)	82	96	72.7
NM5	1952 S Robertson Blvd (Friendship Circle)		78	104.4	53.6

Project Noise Impacts

Construction Noise Impacts

For this analysis, a noise impact is considered potentially significant if Project construction activities extended beyond ordinance time limits for construction or construction-related noise levels exceed the ordinance noise level standards unless technically infeasible to do so. The proposed Project consists of the construction of 12 (twelve), four-story small lot subdivision homes, each on their own small lot, with 24 (twenty-four) at-grade parking spaces and no subterranean levels. The Applicant expects construction of the Project to last approximately 12-18 months and require the use of heavy equipment. The Applicant anticipates that the construction phases for the Project would include demolition, site preparation, grading, building construction, paving, and architectural coating. During each construction phase there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of each activity.

Construction activities and associated noise would be temporary and be restricted to daytime hours pursuant to Los Angeles Municipal Code (LAMC) Section 41.40. and the Los Angeles CEQA Thresholds Guide. LAMC Sections 41.40. and 112.05 and the Los Angeles CEQA Thresholds Guide limit construction activities to the hours between 7:00 a.m. and 9:00 p.m. on weekdays, 8:00 a.m. and 6:00 p.m. on any Saturday, and prohibits construction noise generation at any time on Sundays and national holidays. The proposed Project would be in compliance with the time limitations placed upon construction noise generation by the relevant local regulatory policies.

The maximum noise level of construction equipment is regulated by LAMC Section 112.05 to 75 dB at 50 feet from the source; however, the LAMC indicates such restrictions do not apply where technically infeasible despite the use of mufflers, shields, sound barriers and/or noise reduction devices or techniques during the operation of the equipment.

Off-road Equipment

The City of Los Angeles limits construction activities to the hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 6:00 p.m. on any Saturday. Additionally, use of any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet from construction and industrial machinery is prohibited unless technically infeasible.

The exact construction schedule for the proposed development is not known at this time. Construction activities proposed for similar projects typically include grading and improvements, construction of the building shells, interior finishing, and landscaping. Construction equipment such as bulldozers, backhoes, loaders, and assorted other hand tools and professional grade equipment would likely be used.

In 2006, the Federal Highway Administration (FHWA) published the Roadway Construction Noise Model that includes a national database of construction equipment reference noise emissions levels. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power during a construction phase. The usage factor is a key input variable that is used to calculate the average Leq noise levels.

Table 4 identifies highest (L_{EQ}) noise levels associated with each type of equipment identified for use, then adjusts this noise level for distance to the closest sensitive receptor (NM 2, 1908 S Preuss Road) and the extent of equipment usage (usage factor). The table is organized by construction activity and equipment associated with each activity. All other sensitive uses would experience a lesser impact from construction noise; impacts on the nearest sensitive use are shown as a conservative analysis of the Project construction noise impacts.

Quantitatively, the primary noise prediction equation is expressed as follows for the hourly average noise level (Leq) at distance D between the source and receiver (dBA):

$Leq = L_{EQ}$ @ 50' – 20 log (D/50') + 10log (U.F%/100) – I.L.(bar)
Where:
L_{EQ} @ 50' is the published reference noise level at 50 feet
U.F.% is the usage factor for full power operation per hour
I.L.(bar) is the insertion loss for intervening barriers

Phase Name	Equipment	Usage Factor	dBA at 1908 Preuss Rd (no barrier)	dBA at 50 ft (no barrier)	dBA at 1908 Preuss Rd (with barrier)	dBA at 50 ft (with barrier)	Complies with <75 dBA @ 50 ft with barrier(s)?
Demolition	Backhoe	40%	87.6	73.6	77.6	63.6	Y
	Dozer	40%	91.7	77.7	81.7	67.7	Y
	Concrete Saw	20%	96.6	82.6	86.6	72.6	Y
	Total	**N/A**	**98.2**	**84.2**	**88.2**	**74.2**	**Y**
Site Preparation	Grader	40%	95.0	81.0	85.0	71.0	Y
	Backhoe	40%	87.6	73.6	77.6	63.6	Y
	Total	**N/A**	**95.1**	**81.7**	**85.7**	**71.7**	**Y**
Grading	Grader	40%	95.0	81.0	85.0	71.0	Y
	Dozer	40%	91.7	77.7	81.7	67.7	Y
	Backhoe	40%	87.6	73.6	77.6	63.6	Y
	Total	**N/A**	**97.2**	**83.2**	**87.2**	**73.2**	**Y**
Building Construction	Crane	16%	86.6	72.6	76.6	62.6	Y
	Forklift	20%	81.7	67.7	71.7	57.7	Y

	Backhoe	40%	87.6	73.6	77.6	63.6	Y
	Total	**N/A**	**90.7**	**76.7**	**80.7**	**66.7**	**Y**
Paving	Concrete Mixer	40%	88.8	74.8	78.8	64.8	Y
	Paver	50%	88.2	74.2	78.2	64.2	Y
	Roller	20%	87.0	73.0	77.0	63.0	Y
	Backhoe	40%	87.6	73.6	77.6	63.6	Y
	Total	**N/A**	**94.0**	**80.0**	**84.0**	**70.0**	**Y**
Architectural Coating	Air Compressor	40%	87.7	73.7	77.7	63.7	Y
	Total	**N/A**	**87.7**	**73.7**	**77.7**	**63.7**	**Y**

Table 4: Noise levels at nearest sensitive receptor by construction phase
Source: FHWA's Roadway Construction Noise Model, 2006

As shown in the table above, the Project's construction noise impacts would not exceed the significance threshold established by the LAMC with the use of best management practices, physical barriers at the perimeter of the project site, and mufflers for individual pieces of construction equipment.

On-Site Demolition

The site currently contains two single-family residential structures that will be demolished during the demolition phase of Project construction. As shown in Table 2 above, during this phase, off-road construction equipment expected to be used includes a backhoe, rubber-tired dozer, and concrete saw. This analysis assumes that each piece of equipment needed for this phase is being used simultaneously, as a conservative analysis postulation. In reality, equipment usage would vary based on the needs of the construction task at any given time.

The demolition phase is the loudest phase of construction. During this phase, noise levels at 1908 Preuss Road, the nearest sensitive receptor (NM 2), could reach levels of 88.2 dBA with the insertion of a construction barrier. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary and will occur only when heavy equipment operates at the closest property line. Interior noise levels would be around 63.2 dBA assuming closed windows and doors.

The L_{EQ} expected during the demolition phase could reach up to 74.2 dBA with the insertion of a construction barrier at a reference distance of 50 feet, which is below the threshold of exceeding 75 dBA at a distance of 50 feet.

Site Preparation

Site preparation is anticipated to require one day according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use is 10 feet from the property line. At this distance, operation of heavy equipment could create noise levels of up to 85.7 dBA with the insertion of a construction barrier when heavy equipment such as a grader or backhoe operates directly at the property line. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they

would be temporary and will occur only when heavy equipment operates at the closest property line. Interior noise levels would be around 60.7 dBA assuming closed windows and doors. The barrier placed at the property line would reduce noise by approximately -10 dBA.

On-Site Grading

Grading is anticipated to require two days according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use is 10 feet from the property line. At this distance, operation of heavy equipment could create noise levels of up to 87.2 dBA with the insertion of a construction barrier when heavy equipment such as a grader or dozer operates directly at the property line. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary and will occur only when heavy equipment operates at the closest property line. Interior noise levels would be around 62.2 dBA assuming closed windows and doors. The barrier placed at the property line would reduce noise by approximately -10 dBA.

Building Construction

Construction activities would require smaller, less noisy equipment than demolition and grading but would require a longer duration, approximately 100 days, according to CalEEMod output based on a default construction schedule for a project of this size. At the closest residence construction noise levels could be as high as 80.7 dBA L_{EQ} with the insertion of a construction barrier. With closed windows, the noise interior noise level would decrease to about 55.7 dBA L_{EQ}. The construction barrier would assist in blocking noise at the ground floor.

Paving

Paving is anticipated to require five days according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use is 10 feet from the property line. At this distance, operation of heavy equipment could create noise levels of up to 84 dBA with the insertion of a construction barrier when heavy equipment operates directly at the property line. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary as the Project design requires minimal paving. Interior noise levels would be around 59 dBA assuming closed windows and doors. The construction barrier would reduce noise by approximately -10 dBA.

Architectural Coating

Architectural coating is the quietest phase of Project development and is anticipated to require five days according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use, 10 feet from the property line, could experience noise levels of up to 77.7 dBA with the insertion of a construction barrier. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary as the Project design requires minimal paving. Interior noise levels would be around 52.7 dBA assuming closed windows and doors. The construction barrier

would reduce noise by approximately -10 dBA.

Operational Noise Impacts

Noise levels of up 70 dBA CNEL are "normally acceptable" for residential uses and levels of up to 75 dBA CNEL are considered "conditionally acceptable."

The interior residential noise standard is 45 dB CNEL. For typical wood-framed construction with stucco and gypsum board wall assemblies, the exterior-to-interior noise level reduction is as follows:

- Partly open windows – 12 dB
- Closed single-paned windows – 20 dB
- Closed dual-paned windows – 30 dB

Use of dual-paned windows is required by the California Building Code (CBC) for energy conservation in new construction. Interior standards will be met as long as occupants have the option to close their windows. Where window closure is needed to shut out noise, supplemental ventilation is required by the CBC with some specified gradation of fresh air. Central air conditioning would meet this requirement.

Operational Noise Impacts: Rooftop HVAC Equipment

Pursuant to LAMC Section 112.02, the Project would be considered to exceed operational noise ordinance standards if it would increase the ambient noise level on another property by more than 5 dBA. The Project does not propose to develop commercial, industrial, manufacturing, or institutional facilities that are associated with loud stationary noise sources. The Project would introduce new stationary noise sources in the form of Heating, Ventilation, and Air Conditioning (HVAC) units. It is assumed that the Project would include rooftop HVAC units for each of the 12 dwelling units for a total of 12 HVAC units. Based on noise levels for HVAC units similar to those expected to be used in the Project, each HVAC unit would produce a noise level of 68 dBA Leq at 3.3 ft.

This analysis assumes all 12 roof-mounted HVAC units are in simultaneous use as a conservative analysis postulation although actual HVAC use would depend on weather conditions and tenant occupancy. The addition of the reference noise levels for the 12 HVAC units would result in a composite reference noise level of 78.9 dBA at 3.3 feet, a value that is used to calculate noise levels at greater distances. Of the nearby sensitive land uses, the property which would experience the greatest level of noise from HVAC operation would be the single-family residence located at 1908 Preuss Road. Units G, H, and I are the nearest to1908 Preuss Road (with a composite reference noise level of 72.8 dBA) and have approximately 9 feet of horizontal distance and 28 feet of vertical distance from the nearest portion of the Project rooftop area in which HVAC units could potentially be placed. At these distances, noise levels from units G, H, and I would be reduced from 72.8 dBA to 41.2 dBA based on the equation for distance attenuation of a point source. In addition, the parapet and roofline would decrease noise levels by a further 10 dBA based on the Federal Transit Administration (FTA) methodology for calculating barrier insertion loss for a final noise level of 31.2 dBA. Units J, K, and L are located adjacent to the portion of 1908 Preuss Road's property that is not developed and would therefore not impact residents

inside their home.

The composite noise level of all of the rooftop HVAC systems operating simultaneously would be 68.9 feet at a distance of 3.3 feet. Given the approximately 9 feet of horizontal distance and 28 feet of vertical distance from the nearest portion of the Project rooftop area in which HVAC units could potentially be placed, the composite noise level experience by the nearest sensitive use would be 49.73 dBA from the exterior and approximately 24.73 dBA from the interior portions of any nearby sensitive use structures. Therefore, simultaneous operation of all 12 rooftop HVAC systems would not increase ambient noise levels beyond the significance threshold of 3 dBA CNEL.

Table 3 below shows the effects of the noise generated by the rooftop HVAC equipment on each nearby sensitive receptor. The average change in noise level for all receptors is 0 dBA. Generally, human detection of the change of a change in noise requires a change of +/-3dBA. Therefore, the impact of HVAC operational noise will not cause a potentially significant noise impact.

NOISE MEASUREMENT LOCATION	DISTANCE FROM PROJECT SITE	EXISTING L_{EQ}	L_{EQ} WITH HVAC UNITS[1]	L_{EQ} DIFFERENCE (EXISTING L_{EQ} - L_{EQ} WITH HVAC UNITS)
NM1	10 feet	72.4	72.4	0 dBA
NM2	10 feet	70.2	70.2	0 dBA
NM3	1920 S Robertson Blvd (Beverlywood Residential Facility)	86.1	86.1	0 dBA
NM4	1846 S Robertson Blvd (Gan-Yaffa Kindergarten)	82	82	0 dBA
NM5	1952 S Robertson Blvd (Friendship Circle)	78	78	0 dBA

Operational Noise Impacts: On-Site Traffic Noise Exposure

The Project is expected to generate 53 average daily trips. The addition of 53 vehicle trips to the existing 819 vehicles trips per day on Preuss Road would cause a noise level of 51 dBA at 15 feet (which accounts for the 15-foot front setback that most sensitive uses have from the vehicular right-of-way along Preuss Road) from the roadway, assuming all 53 trips take place within the same hour. The 51 dBA L_{EQ} noise level caused by the vehicle trips associated with the proposed Project represents a 0.1 dBA increase over the existing 70 dBA L_{EQ} noise level (for reference a doubling of traffic would create a +3 dBA increase). Project traffic noise impacts on Preuss Road will not exceed the +3 dBA CNEL noise significance threshold.

On-Site Human Activity

The Project plans to include a rooftop deck as private required, usable open space for each small lot home. AB 1307 (Wicks, 2023) was approved by California Governor Gavin Newsom on September 07, 2023 and took effect immediately as an urgency statute. AB 1307 specifies that the effects of noise generated by Project occupants and their guests on human beings is not a significant effect on the environment for residential projects for purposes of CEQA. Therefore, the noise levels generated by Project occupants on nearby residential uses are not considered as potentially significant environmental impacts of the Project.

Other Operational Noise Impacts

In addition to operational noise generated by on-site HVAC systems and traffic generation, other activities such as landscape maintenance, trash collection, and vehicles circulating into, out of, and within the on-site automobile facilities may also cause operational noises. However, these impacts are expected to be periodic, brief, and consistent with the noise impacts typically generated by activities within a multifamily zone. LAMC Section 112.01-112.05 regulates allowable noise levels in residential areas from sources such as radios, television sets, musical instruments, phonographs, amplification devices, air conditioning units, refrigeration units, heating devices, pumping devices, filtering equipment, powered equipment intended for repetitive use, powered equipment, and powered hand tools. The proposed Project will be subject to the regulations and penalties for violation. The project is not expected to result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Project Noise Impacts: Conclusion

As shown by this analysis, supra, and by the Noise Impact Analysis contained in Appendix F, the proposed 12-unit small lot subdivision Project is not expected to have a potentially significant impact on noise during its construction or operational phases.

c. Air Quality

The Project's potential air quality effects were evaluated by estimating the potential construction and operational emissions of criteria pollutants and comparing those levels to significance thresholds provided by the Southern California Air Quality

Management District (SCAQMD). The Project's emissions were estimated using the CalEEMod 2022.1.1.14 model provided by SCAQMD for the purposes of evaluating air quality impacts of proposed projects. The Air Quality Analysis prepared for this Project can be found in Appendix H.

Projects in the SCAQMD with daily emissions that exceed any of the emission thresholds provided in **Table 6, SCAQMD Daily Maximum Emissions Thresholds**, may be considered significant under CEQA guidelines.

Table 6, South Coast Air Quality Significance Thresholds

Pollutant	Construction	Operation
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
South Coast Air Quality Management District, SCAQMD Air Quality Significance Thresholds, Revision: March 2023.		

Construction activity emissions considered demolition of existing structures, site preparation, grading, building construction, paving, and architectural coating (including painting or other surface treatments). Following construction, emissions from operation of the Project would result from mobile sources (vehicle use), area sources (including on-site maintenance, landscaping, and use of natural gas), and off-site electricity generation to serve the project. **Table 7**, **Maximum Daily Emissions**, summarizes the Project's maximum daily emissions estimated by CalEEMod for short-term construction and long-term operations (model outputs provided in Appendix C).

Table 7, Maximum Daily Emissions

Daily Emissions(lbs/day)	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction						
Max. Daily Construction Emissions	1.548	30.48	18.62	0.116	10.24	4.385
SCAQMD Thresholds	75	100	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
Operations (lbs/day)						
Max. Daily Construction Emissions	3.823	0.585	9.490	0.022	1.409	0.989
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
Source: CalEEMod output, July 26, 2023. (a) Construction emissions reflect required compliance with SCAQMD Rule 403 for applying water during grading to reduce dust.						

As shown in Table 7, the Project would not exceed SCAQMD significance thresholds and would therefore not result in a significant effect relating to air quality.

Localized Significance Thresholds (LSTs) were developed to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. The LST methodology addresses specific emissions, namely oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM-10 and PM-2.5). LSTs represent the maximum emissions from a Project that are not expected to cause

or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and they are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

For the proposed Project, LST impacts were evaluated using SCAQMD screening table thresholds for a 1-acre site with a source-receptor distance of 25 meters, the most stringent parameter for which the screening tables provide thresholds. This evaluation is based on maximum daily on-site construction emissions that would occur during any phase of Project construction. Daily emissions would typically be lower than the reported maximum amounts. The table below shows the relevant threshold and the estimated peak daily on-site emissions for each pollutant during Project construction to establish the highest level of on-site emissions to be evaluated for LST impacts. As shown in Table 8, Project Related LST Evaluation, the Project's maximum daily on-site construction emissions would not exceed the relevant LST screening table thresholds for LST-related criteria pollutants, and impacts would be less than significant.

Table 8, Project Related LST Evaluation

1 acre/25 meter/Central Los Angeles County	**Project LST Emissions (lbs/day)**			
	NO_x	**CO**	**PM_{10}**	**$PM_{2.5}$**
LST Threshold	74	680	2	5
Peak On-site Daily Emissions	11.4	10.7	1.06	0.98
Significant Impact? Y/N	N	N	N	N
Source: CalEEMod output dated July 27, 2023. Maximum daily emissions reported for summer or winter season, whichever is greater. Includes application of water for dust suppression as required by SCAQMD Rule 403.				

Summary of Project Air Quality Impacts

Criteria Pollutants

The Clean Air Act requires the U.S. EPA to set National Ambient Air Quality Standards (NAAQS) for six criteria air contaminants: ozone, particulate matter, carbon monoxide, nitrogen dioxide, lead, and sulfur dioxide. It also permits states to adopt additional or more protective air quality standards if needed. California has set standards for certain pollutants. The table below summarizes the criteria pollutants regulated by the state of California.

Pollutant	Principal Health and Atmospheric Effects	Typical Sources
Ozone (O3)	High concentrations irritate lungs. Long-term exposure may cause lung tissue damage and cancer. Long-term exposure damages plant materials and reduces crop productivity. Precursor organic compounds include many known toxic air contaminants. Biogenic VOC may also contribute.	Low-altitude ozone is almost entirely formed from reactive organic gases/volatile organic compounds (ROG or VOC) and nitrogen oxides (NOx) in the presence of sunlight and heat. Common precursor emitters include motor vehicles and other internal combustion engines, solvent evaporation, boilers, furnaces, and industrial processes.
Respirable Particulate Matter (PM10)	Irritates eyes and respiratory tract. Decreases lung capacity. Associated with increased cancer and mortality. Contributes to haze and reduced visibility. Includes some toxic air contaminants. Many toxic and other aerosol and solid compounds are part of PM10.	Dust- and fume-producing industrial and agricultural operations; combustion smoke & vehicle exhaust; atmospheric chemical reactions; construction and other dust-producing activities; unpaved road dust and re-entrained paved road dust; natural sources.
Fine Particulate Matter (PM2.5)	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and produces surface soiling. Most diesel exhaust particulate matter – a toxic air contaminant – is in the PM2.5 size range. Many toxic and other aerosol and solid compounds are part of PM2.5.	Combustion including motor vehicles, other mobile sources, and industrial activities; residential and agricultural burning; also formed through atmospheric chemical and photochemical reactions involving other pollutants including NOx, sulfur oxides (SOx), ammonia, and ROG.
Carbon Monoxide (CO)	CO interferes with the transfer of oxygen to the blood and deprives sensitive tissues of oxygen. CO also is a minor precursor for photochemical ozone. Colorless, odorless.	Combustion sources, especially gasoline-powered engines and motor vehicles. CO is the traditional signature pollutant for on-road mobile sources at the local and neighborhood scale.
Nitrogen Dioxide (NO2)	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown. Contributes to acid rain & nitrate contamination of stormwater. Part of the "NOx" group of ozone precursors.	Motor vehicles and other mobile or portable engines, especially diesel; refineries; industrial operations.
Sulfur Dioxide (SO2)	Irritates respiratory tract; injures lung tissue. Can yellow plant leaves. Destructive to marble, iron, steel. Contributes to acid	Fuel combustion (especially coal and high-sulfur oil), chemical plants, sulfur recovery plants, metal processing; some

	rain. Limits visibility.	natural sources like active volcanoes. Limited contribution possible from heavy-duty diesel vehicles if ultra-low sulfur fuel not used.
Lead (Pb)	Disturbs gastrointestinal system. Causes anemia, kidney disease, and neuromuscular and neurological dysfunction. Also a toxic air contaminant and water pollutant.	Lead-based industrial processes like battery production and smelters. Lead paint, leaded gasoline. Aerially deposited lead from older gasoline use may exist in soils along major roads.
Visibility-Reducing Particles (VRP)	Reduces visibility. Produces haze. NOTE: not directly related to the Regional Haze program under the Federal Clean Air Act, which is oriented primarily toward visibility issues in National Parks and other "Class I" areas. However, some issues and measurement methods are similar.	See particulate matter above. May be related more to aerosols than to solid particles.
Sulfate	Premature mortality and respiratory effects. Contributes to acid rain. Some toxic air contaminants attach to sulfate aerosol particles.	Industrial processes, refineries and oil fields, mines, natural sources like volcanic areas, salt-covered dry lakes, and large sulfide rock areas.
Hydrogen Sulfide (H2S)	Colorless, flammable, poisonous. Respiratory irritant. Neurological damage and premature death. Headache, nausea. Strong odor.	Industrial processes such as: refineries and oil fields, asphalt plants, livestock operations, sewage treatment plants, and mines. Some natural sources like volcanic areas and hot springs.
Vinyl Chloride	Neurological effects, liver damage, cancer. Also considered a toxic air contaminant.	Industrial processes.
Table 9: State and Federal Criteria Air Pollutant Effects and Sources.		

Of the pollutants regulated by the state of California, those relevant to the construction and operation of the proposed infill residential Project include: Ozone (O_3, which is caused by the combination of ROG and NO_x), PM_{10}, $PM_{2.5}$, CO, NO_2, and SO_2. The analysis above finds that the project's ROG, NO_x), PM_{10}, $PM_{2.5}$, CO, NO_2, and SO_2 will not pass pre-established levels of significance as determined and monitored by the SCAQMD.

Greenhouse Gas Emissions

The term greenhouse gas (GHG) is used to describe atmospheric gases that absorb solar radiation and subsequently emit radiation in the thermal infrared region of the energy spectrum, trapping heat in the Earth's atmosphere. These gases include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and water vapor, among others. A growing body of research attributes long-term changes in temperature, precipitation, and other elements of Earth's climate to large increases in GHG emissions since the mid-nineteenth century, particularly from human activity related to fossil fuel combustion. Anthropogenic GHG emissions of particular interest include CO2, CH4, N2O, and fluorinated gases.

GHGs differ in how much heat each traps in the atmosphere (global warming potential, or GWP). CO_2 is the most important GHG, so amounts of other gases are expressed relative to CO_2, using a metric called "carbon dioxide equivalent" (CO_{2e}). The global warming potential of $CO_2$is assigned a value of 1, and the warming potential of other gases is assessed as multiples of CO_2. Of the potential GHG emissions named above, the one relevant to potentially significant project impacts is CO_2 from mobile emissions (i.e. construction vehicles, construction workers commuting to and from the site, and residential occupants traveling to and from the completed small lot homes). As demonstrated by the analysis above and found in the Air Quality Technical Memorandum attached in Appendix H, the project's CO_2 emissions are not expected to pass thresholds of significance established by the SCAQMD. Therefore, neither the Project's construction nor operation phases are expected to emit potentially significant levels of greenhouse gases.

Sensitive Receptors

Sensitive receptors are facilities that house or attract children, the elderly, and people with illnesses or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The Project would be located in an existing residential area on a site that is currently developed with a residential use.

The Air Quality Technical Memorandum attached in Appendix H analyzes the Project's air quality impacts on nearby receptors using the methodology and Localized Significance Thresholds (LSTs) established by the SCAQMD. The Project's expected LSTs are contained in Table 8 of this report. As shown, the Project's LSTs would not surpass the thresholds established by SCAMD screening criteria for a 1-acre site with a source-receptor distance of 25 meters, the most stringent parameter for which the screening tables provide thresholds.

The Project would be located in a residential area, which is considered to contain sensitive receptors. However, Project construction would be temporary and construction emissions would not exceed allowable amounts. Additionally, best management practices would be implemented on-site in compliance with building permits to further avoid impacts to sensitive receptors. Therefore, the Project would not be expected to significantly impact sensitive receptors in the vicinity of the Project.

Odors

According to the SCAQMD CEQA Air Quality Handbook, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The Project proposes the construction of a new

residential development, and best management practices would be implemented by the general contractor to avoid the release of odorous substances (e.g., paints and solvents) from the project site. On-site trash receptacles would have the potential to create adverse odors. Trash receptacles would be located and maintained in a manner that promotes odor control and no adverse odor impacts are anticipated from these types of land uses. Therefore, an effect on air quality would not be expected to result due to odors omitted from the Project site during construction or operation.

Conclusion of Project Air Quality Impacts

The Project would consist of residential development consistent with the existing use of the site, zoning and land use, and planning documents for the area. As analyzed above, the Project would be consistent with the SCAQMD's Air Quality Management Plan. Construction and operation of the Project would not be expected to result in significant impacts associated with air quality and is consistent with daily maximum emissions target set forth by the SCAQMD. Therefore, no mitigation measures are required for the Project. Best management practices would be implemented in accordance with building permits by the general contractor to ensure that impacts associated with air quality would not be caused by the Project.

d. Water Quality

The proposed infill development would develop townhouse/condominium style housing onto residential lots that currently contains two residential dwelling units. Existing utility lines would provide water supplies and wastewater treatment services. The Project would replace existing residential land uses with new, higher density residential uses, which would not significantly differ in potential water quality effects. The Project would be served by existing infrastructure including vertical laterals that connect to existing sewer main lines located on Preuss Drive (Pipe ID 51809039), maintained by the City Department of Public Works. The Project does not propose on-site groundwater extraction to serve future uses and does not propose on-site wastewater treatment. The Project would not be anticipated to generate, store, or dispose of substantial quantities of hazardous materials that could affect water quality.

Stormwater runoff currently leave the site by sheet flow and drains northeast on Preuss Road and the alley behind the property to Sawyer Street from 1904 Preuss Road and southwest on Preuss Road and the alley behind the property from 1906 Preuss Road. Storm water is conveyed to catch basins at the intersections of Sawyer Street and Holt Avenue, Guthrie Avenue and Holt Avenue, and Preuss Road and Cadillac Avenue. During the construction phase (including site preparation, excavation, and grading), City Ordinance No. 178,132 would require the preparation of a Stormwater Prevention Plan (SWPPP) to minimize erosion and sediment from leaving the site via storm water runoff through implementation of Best Management Practices (BMPs), such as silt fencing and/or sandbags to reduce the velocity of runoff leaving the site and filter stormwater to reduce erosion and situation offsite.

During operations, stormwater runoff generated by structures and hardscape surfaces would be required to comply with the City Low Impact Development (LID) Ordinance No. 181899 to manage the quality of stormwater runoff to reduce offsite runoff and improve water quality through infiltration, evapotranspiration, retention for on-site use, or a biofiltration system, which will be included in the final design plans to be reviewed during plan check. Runoff generated by hardscape would also be required to comply with City Ordinance No. 172,176 and No. 173,494, which specify Stormwater and

Urban runoff Pollution Control requirements, including the application of BMPs. Compliance with these applicable regulations would ensure the Project would not have a significant adverse effect relating to water quality.

e) The site can be adequately served by all required utilities and public services.

The Project site is located in an urbanized area of the City's West Adams-Baldwin Hills- Leimert Community Plan Area and consists of two parcels currently developed with two single- family residential structures served by existing utilities and public services. The Project would replace the two existing residences with 12 townhouse style units. The proposed Project would be served by the same utility and public service providers that serve the site and surrounding vicinity under existing conditions, including:

- Los Angeles Fire Department Station 58
- Los Angeles Police Department West Bureau
- City of Los Angeles Department of Public Works
- City of Los Angeles Department of Recreation and Parks

The Project would add a net increase of ten new dwelling units to the site, consistent with existing planning and zoning as discussed in Section II.a., on which utilities and public service agencies base their service and facility planning. The Project would be served by existing public service providers, is consistent with existing planning and zoning, and would not substantially increase demand for utilities or public service over existing conditions. Per the West Adams- Baldwin Hills-Leimert Community Plan, the average household size for single family homes in 2030 is 2.54 occupants. Rounding up, the project's 12 new dwelling units would be expected to provide housing for an estimated net 36 persons. The projected future population of the West Adams-Baldwin Hills-Leimert Community Plan Area for the year 2030 is 214,012, accommodating growth, such as the project's added population, that utilities and public service agencies use for planning purposes. As the increase in units would not be substantial and would be within the project City growth, the Project would be adequately served by required utilities and public services.

III. Consideration of Exceptions

Section 15300.2 of the CEQA Statutes and Guidelines provides a list of exceptions for consideration of a project as categorically exempt. The exceptions that apply to the project are listed and discussed below:

a) Location

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. The project site is not in a location subject to this consideration.
As the proposed Project is not defined as a Class 3, 4, 5, 6 or 11 projects, this exception is non-applicable. The Project site is in an urbanized area in the City of Los Angeles. The Project site is not located in a particularly sensitive environment and would not be located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

b) Cumulative Impacts

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.

This Project proposes an infill development of residential uses within an urban setting surrounded by existing residential and commercial uses. The Project's environmental effects regarding traffic, noise, and air quality would be less than significant, as discussed above. A cumulative impact analysis requires an evaluation of the potential similar projects in the immediate vicinity of the subject Project. This analysis uses a 500-foot radius as the catchment area for other area for similar projects to include in its cumulative impact analysis. The table below lists the other similar residential projects proposed or being constructed within 500 feet of the subject Project at the time of this report.

Projects within 500 Feet of Project Address	**Relationship to Site**	**Proposed Use**
1901 Preuss Road	194 ft northwest	5-unit residential building
8926 Sawyer Street	377 ft northwest	2-unit residential building and 3-unit residential building
1953 Preuss Road	498 ft southwest	6-unit small lot dwellings
Table 10: Nearby Projects		

All of the nearby projects listed in the table above have already been approved by the Los Angeles Department of City Planning, attained permits from the Department of Building and Safety, and are already in the framing stages of building construction.

b.1. Cumulative Impacts: Noise

Noise from construction activities for four total Projects within proximity to each other can contribute to a cumulative noise impact for receptors located in close proximity to all four construction sites. Of all the sensitive receptors in proximity to the four construction sites, the single-family residential use at 1905 Preuss Road will receive the greatest impact as it is located approximately 55 feet away from the property line of the Project site at 1901 Preuss Road, approximately 110 feet from the property line at 8926 Sawyer Street, approximately 490 feet from the property line at 1953 Preuss Road, and 50 feet from the property line of the proposed Project at 1904-1906 Preuss Road.

Figure 2 below shows the Project site (1904-1906 Preuss Road), the other project sites (1901 Preuss Road, 8926 Sawyer Street, and 1953 Preuss Road), and the nearest sensitive use (1905 Preuss Road).



Figure 2 – Sensitive Uses Near Project Sites

★ - Nearest Sensitive Use

Cumulative Impacts – Construction Noise

The three residential projects identified within the noise impact catchment area have already begun construction and, at the time of this report, are at least in the framing phases of building construction. The initial stages of construction for the subject Project (demolition and grading) will generate the highest level of noise. Grading activities are projected to take two days for the subject Project but are not projected to occur at the same time as the other nearby projects currently proposed within 500 feet. By the time the proposed Project breaks ground at the 1904-1906 Preuss Road site, the projects at 1901 Preuss Road, 8926 Sawyer Street, and 1953 Preuss Road will likely be fully built and operational or in the final stages of paving and architectural coating, which produce very little noise impact. Furthermore, these other projects are subject to the same LAMC construction noise standards that this Project and all development projects are subject to as discussed in the Noise Impact Analysis (see Appendix F). Therefore, it is not expected that the cumulative noise impacts of the Projects' construction phases will cause a potentially significant impact.

Cumulative Impacts – Operational Noise

The Noise Impact Analysis analyzes the cumulative noise impacts of the residential Projects at 1901 Preuss Road, 8926 Sawyer Street, 1953 Preuss Road, and the subject site by analyzing the noise impacts of the added rooftop HVAC equipment

and the added vehicle trips from the projects collectively below.

Cumulative Impacts – Operational Noise from HVAC Equipment

Pursuant to LAMC Section 112.02, the projects would be considered to exceed operational noise ordinance standards if it would increase the ambient noise level on another property by more than 5 dBA.

None of the Projects within 500 feet of the site at 1904-1906 Preuss Road propose to develop commercial, industrial, manufacturing, or institutional facilities that are associated with loud stationary noise sources. The projects would introduce new stationary noise sources in the form of Heating, Ventilation, and Air Conditioning (HVAC) units. It is assumed that each project would include rooftop HVAC units for each of their dwelling units. Based on noise levels for HVAC units similar to those expected to be used in the projects, each HVAC unit would produce a noise level of 68 dBA Leq at 3.3 ft.

This analysis assumes all roof-mounted HVAC units are in simultaneous use as a conservative analysis postulation although actual HVAC use would depend on weather conditions and tenant occupancy. The project at 1901 Preuss Road is the construction of a 5-unit condominium building. The project at 8926 Sawyer Street is the construction of a 5-unit multifamily residential building. The project at 1953 Preuss Road is the construction of a 6 small lot homes. Addition of the reference noise levels for the 5 HVAC units at 1901 Preuss Road would result in a composite reference noise level of 75 dBA at 3.3 feet, a value that is used to calculate noise levels at greater distances. Addition of the reference noise levels for the 5 HVAC units at 8926 Sawyer Street would also result in a composite reference noise level of 75 dBA at 3.3 feet. Addition of the reference noise levels for the 6 HVAC units at 1953 Preuss Road would also result in a composite reference noise level of 75.8 dBA at 3.3 feet. And addition of the reference noise levels for the 12 HVAC units at 1904-1906 Preuss Road would also result in a composite reference noise level of 78.9 dBA at 3.3 feet.

Of the nearby sensitive land uses, the property which would experience the greatest level of noise from HVAC operation would be the single-family residence located at 1905 Preuss Road. The project at 1901 Preuss Road is located approximately 55 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise impact of 50.56 dBA, which would be reduced to 40.56 dBA by the required line-of-sight barrier for rooftop mechanical equipment. The project at 8926 Sawyer Street is located approximately 110 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise impact of 44.54 dBA, which would be reduced to 34.54 dBA by the required line-of-sight barrier for rooftop mechanical equipment. The project at 1953 Preuss Road is located approximately 490 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise impact of 32.4 dBA, which would be reduced to 22.4 dBA by the required line-of-sight barrier for rooftop mechanical equipment. The project at 1904-1906 Preuss Road is located approximately 50 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise level of 55.29 dBA, which would be reduced to 45.29 dBA by the required line-of-sight barrier for rooftop mechanical equipment.

Using the neighborhood ambient noise level of 68.3 dBA established within the

Community Plan EIR, the addition o each project's HVAC noise impacts would result in a total ambient noise level of 68.3 dBA, an increase of 0 decibels.

Therefore, simultaneous operation of all of the HVAC systems for projects within 500 feet would not increase ambient noise levels beyond the significance threshold of 3 dBA CNEL.

Cumulative Impacts – Operational Noise from Traffic

As stated above, the subject Project at 1904-1906 Preuss Road is expected to generate 53 average daily trips (ADT). The current single-family residential uses generate a collective 15 ADT. Therefore, the Project is projected to add 38 net ADT to Preuss Road. The project at 1901Preuss Road is expected to generate 22 ADT. The current single-family residential use generates 7 ADT. Therefore, the Project is projected to add 15 net ADT to Preuss Road. The project at 8926 Sawyer Street is expected to generate 25 ADT. The current single-family residential use generates 7 ADT. Therefore, the Project is projected to add 18 net ADT to Preuss Road. The project at 1953Preuss Road is expected to generate 26 ADT. The current two-family residential use generates 10 ADT. Therefore, the Project is projected to add 16 net ADT to Preuss Road. Combined, the expected cumulative traffic increase from all four Projects is 87 ADT, which results in a cumulative noise impact of 56.6 dBA. Preuss Road is a Local Street that currently carries 819 vehicles trips per day. The addition of 87 vehicle trips to the existing neighborhood ambient noise level of 68.2 dBA would not result in an increased ambient noise level (for reference a doubling of traffic would create a +3 dBA increase).

Therefore, the cumulative traffic noise impacts on Preuss Road will not exceed the +3 dBA CNEL noise significance threshold.

Summary: Cumulative Impacts of Noise

Construction Noise Impacts

Neither construction of the proposed Project alone, nor in combination with other project sites included in this analysis are expected to cause potentially significant noise impacts.

Construction activities from project development may exceed noise levels allowed by Section 112.05 of the Municipal Code at the nearest off-site sensitive uses. This can be mitigated by required compliance with all applicable regulatory measures. Compliance with City of Los Angeles Noise Standards requires that:

- Construction activities are limited to the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on any Saturday. Construction is not permitted on any national holiday or on any Sunday.
- Construction vehicles and equipment (fixed or mobile) shall be equipped with properly operating and maintained mufflers.
- Backup audible warning devices shall be replaced with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.
- Any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at receptor is prohibited unless no means exist to reduce such noise below 75 dBA.

- Material stockpiles and/or vehicle staging areas shall be located as far as practical from dwelling units.

Operational Noise Impacts

Neither noise generated from the HVAC units placed on the Project's rooftop nor from the traffic added to nearby roadways are expected to exceed pre-determined ambient noise significance thresholds.

b.2. Cumulative Impacts: Traffic

The Project and the related residential projects included in this cumulative impacts analysis would have a significant impact if they would conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)(1), relating to Vehicle Miles Traveled (VMT). CEQA Guidelines Section 15064.3(b)(1) applies to land use projects and states, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact." Both of the following City of Los Angeles Transportation Assessment Guidelines (TAG) screening criteria must be met in order to require further analysis of a land use project's VMT contribution: the land use project would both generate a net increase of 250 or more daily vehicle trips and the Project would generate a net increase in daily VMT.

In order to determine if similar projects in the vicinity would cause a potentially significant traffic impact, a basic run of the City of Los Angeles VMT Calculator was performed. The VMT Calculator determined that the project at 1901 Preuss Road would generate 15 net average daily trips (ADT). The project at 8926 Sawyer Street would generate 18 net ADT. The project at 1953 Preuss Road would generate 16 net ADT. In total, all four of the Projects included in the cumulative impacts analysis (including the subject Project) would generate 87 ADT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the similar nearby Projects would not result in a significant effect relating to transportation, and further analysis of the Project's VMT contribution would not be warranted.

b.3. Cumulative Impacts: Air Quality

The Air Quality Analysis (see Appendix H) shows that the subject Project at 1904-1906 Preuss Road would result in the construction and operational emissions shown below in Table 10. Shown in Table 11 below are the projected operational air quality emissions for the other three projects included in the cumulative impact analysis, modeled using CalEEMod emissions modeling software. Importantly, because the construction phase of the subject Project will not overlap with the construction phases of the other three projects, only operational emissions are included in this analysis. Finally, Table 12 shows the combined emissions for all four Projects. CalEEMod output sheets for all of the projects included in this cumulative impacts analysis are included in Appendix H.

Table 10, Maximum Daily Emissions for 1904-1906 Preuss Road

Daily Emissions(lbs/day)	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction						
Max. Daily Construction Emissions	1.548	30.48	18.62	0.116	10.24	4.385
SCAQMD Thresholds	75	100	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
Operations (lbs/day)						
Max. Daily Construction Emissions	3.823	0.585	9.490	0.022	1.409	0.989
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
Source: CalEEMod output, July 26, 2023. (a) Construction emissions reflect required compliance with SCAQMD Rule 403 for applying water during grading to reduce dust.						

Table 11 - Maximum Daily Emissions for Nearby Similar Projects						
1901 Preuss Road - Operations (lbs/day)						
Daily Emissions(lbs/day)	**ROG**	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Max. Daily Operational Emissions	1.7	0.25	4.02	0.01	0.59	0.41
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
8926 Sawyer Street - Operations (lbs/day)						
Daily Emissions(lbs/day)	**ROG**	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Max. Daily Operational Emissions	1.6	4.02	4.02	0.01	0.59	0.41
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
1953 Preuss Road - Operations (lbs/day)						
Daily Emissions(lbs/day)	**ROG**	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Max. Daily Operational Emissions	1.92	0.30	4.83	0.01	0.70	0.49
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
Source: CalEEMod output, February 29, 2024						

Table 12 - Maximum Daily Emissions – Combined						
Daily Emissions(lbs/day)	**ROG**	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Operations (lbs/day)						
Max. Daily Operational Emissions	9.043	5.155	22.36	0.052	3.289	2.299
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N

As shown above, the Projects neither separately nor combined would cause significant air quality emission impacts. A summary of each CalEEMod output for the three additional projects considered in this cumulative impacts analysis are included as Appendix H.

b.4. Cumulative Impacts: Water

None of the projects included in the cumulative impact analysis are expected to have a potentially significant impact on water quality.

Cumulative Impacts: Summary

According to the Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS or Plan) Demographics & Growth Forecast, the population of the City of Los Angeles in 2012 was 3,845,500 with 1,325,500 households. Based on this data, the City's average household size is approximately three (3) persons per dwelling unit, and therefore, the project's 12 new townhouse style units would provide housing for an estimated 36 persons. The proposed removal of the two existing multi-family residential units from the site would result in a net increase of 10 dwelling units and approximately 30 additional persons residing within the site, which would represent an increase of less than 0.004 percent in the City's housing and population totals for the year 2012.

When combined with the other similar projects within 500 feet, the total projected population increase would be 69 people (23 net new units with 3 persons in each) which is about .009% of the projected population increase for the area.

SCAG projects the City's future population and housing supply for the year 2040 in the 2016 RTP/SCS to increase by 763,900 and 364,800, respectively, over the 2012 estimates. As such, the project's net increase of 30 persons and 10 residential units on the site would represent less than 0.02 percent increase of the projected increases of population and .01 percent of the projected City increases of housing over that time period. The Project's net increases of a small fraction of one percent of the projected growth in housing and population for the City would have a less than cumulatively considerable contribution to projected growth in the City and any associated population related impacts such as increases in demand for municipal services that would arise from other foreseeable development. In addition, the Project site is located within an urbanized area and is already developed with existing residential uses, and would not have any significant impacts, as evaluated in this Categorical Exemption analysis.

Therefore, the proposed development of a 12-unit small lot subdivision and removal of two single-family residences and the development of the other three small residential projects would not be expected to result in a cumulatively considerable contribution to impacts involving other past, present, or future projects in the area.

c) Significant Effect

The 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 construction and operation of 11 four-story townhouse style and one three-story townhouse style single-family dwellings surrounded by existing residential uses would not have a significant effect on the environment due to unusual circumstances. As discussed in Section II, the Project would not have a significant effect on the environment, and there are no unusual site conditions or issues at the site location that would warrant further environmental analysis.

In addition to the environmental resources discussed in Section II, a geotechnical report was completed for the Project due to the property's location within the Alquist-Priolo Zone, which identifies zones around active faults in order to limit construction within and near active faults. According to the report, while the site is identified within the Alquist-Priolo Zone, no active trace of the fault is located on the site (Schick Geotechnical Inc. 2023). The proposed structures are feasible from a soils engineering standpoint, and the project would incorporate recommended materials and design features for safety. Therefore, a significant

effect would not be anticipated as a result of any geological features of the Project site.

d) Scenic Highways

The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway.

There are no designated state scenic highways located within the project vicinity (Caltrans 2018). According to the Mobility Plan 2035, the site is not located on or visible from any designated boulevards within the City of Los Angeles (Los Angeles Department of City Planning, 2016). Therefore, the Project would not result in an impacts to scenic resources within an officially designated state scenic highway.

e) Hazardous Waste Sites

The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government code section 65962.5, as being affected by hazardous wastes for clean-up problems.

The Project is not located within a site which is included in any list compiled pursuant to Section 65962.5 of the Government Code, commonly referred to as the Cortese List. The site is not listed on the California Department of Toxic Substances Control maintained EnviroStor online data management system for tracking cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues and is not listed on the State Water Resources Control Board GeoTracker online data management system for tracking sites that require cleanup, such as Leaking Underground Storage Tanks (LUSTs) (Department of Toxic Substances Control 2023; State Water Resources Control Board 2023). The South Coast Air Quality Management District (SCAQMD) Rule 1403 regulates the removal and disposal of asbestos containing materials, and the Occupational Safety and Health Administration (OSHA) requirements provides safety requirements regarding removal of lead- based paint. Therefore, the Project is not identified as a hazardous waste site and would not be in conflict with this exception for a Class 32 In-Fill Development Categorical Exemption.

e) Historical Resources

The project may cause a substantial adverse change in the significance of an historical resource.

The Project site was not identified on Historic Places LA, the Los Angeles Historic Resources Inventory, or in the City's Zone Information and Map Access System (ZIMAS) as a Los Angeles Historical Cultural Monument, Los Angeles Historic Preservation Overlay Zone, National Register of Historic Places, Potential Historic Multi-Family Resident, Existing or Potential Residential Historic District or National Historic Landmark (Los Angeles City Planning 2023a; Los Angeles City Planning 2023b; City of Los Angeles 2023). Based on Historic Places LA, the ZIMAS database and site plans, the Project would not cause a substantial adverse change in the significance of a historical resource.

IV. Conclusion

Based on the above information and attached documentation, this analysis demonstrates

that development of the Project would be consistent with the criteria for a Class 32 Categorical Exemption under CEQA Statute Section 15332.

References

California Department of Fish and Wildlife. 2023. *California Natural Diversity Database.* Accessed: July 1, 2023. Available: https://apps.wildlife.ca.gov/bios6/Default.aspx?tool=cnddbqv

California Department of Transportation (Caltrans). 2018. *California State Scenic Highway System Map*. Accessed: July 1, 2023. Available: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

City of Los Angeles. 2023. *ZIMAS*. Accessed: June 29, 2023. Available: https://zimas.lacity.org

Southern California Association of Governments. 2024. *High Quality Transit Area Map*. Accessed: February 29, 2024. Available: https://gisdata-scag.opendata.arcgis.com/datasets/SCAG::high-quality-transit-areas-hqta-2045-scag-region/about

Department of Toxic Substances Control. 2023. *EnviroStor*. Accessed: July 3, 2023. Available: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=1904+preuss+road

Los Angeles Bureau of Engineering. 2023. *Navigate LA*. Accessed: July 7, 2023. Available: https://navigatela.lacity.org/navigatela/

Los Angeles City Planning. 2023b. *Historic Places LA*. Accessed: July 3, 2023. Available: http://historicplacesla.org/map

Los Angeles City Planning. 2023c. *SurveyLA Results: West Adams - Baldwin Hills – Leimert.* Accessed: July 3, 2023. Available: https://planning.lacity.org/preservation-design/survey-la-results-west-adams-baldwin-hills-leimert

Los Angeles Department of City Planning. 2016. *Mobility Plan 2035*. Accessed: July 5, 2023. Available: https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf

Los Angeles Department of City Planning. 2016. *West Adams-Baldwin Hills-Leimert Community Plan*. Accessed: July 1, 2023. Available: https://planning.lacity.org/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf

Los Angeles Department of Transportation, VMT Calculator 1.4, model run July 25, 2023.

Schick Geotechnical Inc. 2023. *ADDENDUM SOILS ENGINEERING EXPLORATION - Proposed Twelve Structures Lots 24 Tract 12110, and Lot 44, TR1250 1904 and 1906 South Preuss Road Los Angeles, California 90034*.

Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy (2016 RTP/SCS or Plan) Demographics & Growth Forecast Appendix, Adopted April 2016. Accessed: July 14, 2023. Available: https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs.pdf?1606005557

South Coast Air Quality Management District. 2023. *South Coast AQMD Air Quality Significance Thresholds*. Accessed: July 5, 2023. Available: http://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25

State Water Resources Control Board. 2023. *GeoTracker*. Accessed: July 3, 2023. Available: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1904+preuss+road

Appendices

Appendix A – VMT Calculator Output Data Sheets, dated July 25, 2023
Appendix B – Muffler and Barrier Specification Sheets

Appendix C – CalEEMod Output Data Sheets, dated July 27, 2023
Appendix D - LA Department of Transportation Traffic Volume Counts
Appendix E - Tree Report by Certified Arborist
Appendix F – Noise Impact Analysis
Appendix G – CalEEMod Output Data Sheets for Projects in Cumulative Impact Analysis
Appendix H – Air Quality Technical Memorandum

Appendix A

VMT Calculator Output Data Sheets for Proposed Project at 1904-1906 Preuss Road

Prepared August 16, 2023

Department of City Planning Case No. CPC-2023-6115-DB-HCA

REFERRAL FORMS:

TRANSPORTATION STUDY ASSESSMENT

DEPARTMENT OF TRANSPORTATION - REFERRAL FORM

RELATED CODE SECTION: Los Angeles Municipal Code Section 16.05 and various code sections.

PURPOSE: The Department of Transportation (LADOT) Referral Form serves as an initial assessment to determine whether a project requires a Transportation Assessment.

GENERAL INFORMATION

- Administrative: Prior to the submittal of a referral form with LADOT, a Planning case must have been filed with Los Angeles City Planning.
- All new school projects, including by-right projects, must contact LADOT for an assessment of the school's proposed drop-off/pick-up scheme and to determine if any traffic controls, school warning and speed limit signs, school crosswalk and pavement markings, passenger loading zones and school bus loading zones are needed.
- Unless exempted, projects located within a transportation specific plan area may be required to pay a traffic impact assessment fee regardless of the need to prepare a transportation assessment.
- Pursuant to LAMC Section 19.15, a review fee payable to LADOT may be required to process this form. The applicant should contact the appropriate LADOT Development Services Office to arrange payment.
- LADOT's Transportation Assessment Guidelines, VMT Calculator, and VMT Calculator User Guide can be found at **http://ladot.lacity.org**.
- A transportation study is not needed for the following project applications:
    - Ministerial / by-right projects
    - Discretionary projects limited to a request for change in hours of operation
    - Tenant improvement within an existing shopping center for change of tenants
    - Any project only installing a parking lot or parking structure
    - Time extension
    - Single family home (unless part of a subdivision)
- This Referral Form is not intended to address the project's site access plan, driveway dimensions and location, internal circulation elements, dedication and widening, and other issues. These items require separate review and approval by LADOT.

SPECIAL REQUIREMENTS

When submitting this referral form to LADOT, include the completed documents listed below.

☐ Copy of Department of City Planning Application (CP-7771.1).

☐ Copy of a fully dimensioned site plan showing all existing and proposed structures, parking and loading areas, driveways, as well as on-site and off-site circulation.

☐ If filing for purposes of Site Plan Review, a copy of the Site Plan Review Supplemental Application.

☐ Copy of project-specific VMT Calculator analysis results.

TO BE VERIFIED BY PLANNING STAFF PRIOR TO LADOT REVIEW

LADOT DEVELOPMENT SERVICES DIVISION OFFICES: Please route this form for processing to the appropriate LADOT Development Review Office as follows (see this map for geographical reference):

Metro	**West LA**	**Valley**
213-972-8482	*213-485-1062*	*818-374-4699*
100 S. Main St, 9th Floor	7166 W. Manchester Blvd	6262 Van Nuys Blvd, 3rd Floor
Los Angeles, CA 90012	Los Angeles, CA 90045	Van Nuys, CA 91401

1. PROJECT INFORMATION

Case Number: CPC-2023-6115-DB-HCA, VTT-84089-SL-HCA

Address: 1904-1906 South Preuss Road

Project Description: Subdivision of two lots for the construction of a 12-unit small lot dev. and requesting a DB incentive and waiver

Seeking Existing Use Credit (will be calculated by LADOT): Yes _____ No _____ Not sure ✔

Applicant Name: Marc & Risa Dauer, Preuss Development, LLC

Applicant E-mail: docdauer@me.com Applicant Phone: _____

Planning Staff Initials: DW **Date:** 12/01/23

2. PROJECT REFERRAL TABLE

	Land Use (list all)	**Size / Unit**	**Daily Trips**[1]
Proposed[1]	Townhomes/Small Lot Homes	11	48
	Multi-family Affordable Housing	1	4
	Total trips[1]*:*		

a. Does the proposed project involve a discretionary action? **Yes** ☑ **No** ☐

b. Would the proposed project generate 250 or more daily vehicle trips[2]? **Yes** ☐ **No** ☑

c. If the project is replacing an existing number of residential units with a smaller number of residential units, is the proposed project located within one-half mile of a heavy rail, light rail, or bus rapid transit station[3]? **Yes** ☐ **No** ☑

If **YES** to **a.** and **b.** or **c.**, or to **all** of the above, the Project must be referred to LADOT for further assessment.

Verified by: Planning Staff Name: David Woon Phone: (213)978-1368

Signature: David Woon Date: 12/01/23

[1] Qualifying Existing Use to be determined by LADOT staff on following page, per LADOT's Transportation Assessment Guidelines.

[2] To calculate the project's total daily trips, use the VMT Calculator. Under 'Project Information', enter the project address, land use type, and intensity of all proposed land uses. Select the '+' icon to enter each land use. After you enter the information, copy the 'Daily Vehicle Trips' number into the total trips in this table. Do not consider any existing use information for screening purposes. For additional questions, consult LADOT's VMT Calculator User Guide and the LADOT Transportation Assessment Guidelines (available on the LADOT website).

[3] Relevant transit lines include: Metro Red, Purple, Blue, Green, Gold, Expo, Orange, and Silver line stations; and Metrolink stations.

TO BE COMPLETED BY LADOT

3. PROJECT INFORMATION

	Land Use (list all)	**Size / Unit**	**Daily Trips**
Proposed	Townhouse DU	11	
	Affordable Housing DU	1	
	Total new trips:		53
Existing	Single Family Dwelling	2	
	Total existing trips:		15
	Net Increase / Decrease (+ or -)		38

a. Is the project a single retail use that is less than 50,000 square feet? **Yes** ☐ **No** ☒
b. Would the project generate a net increase of 250 or more daily vehicle trips? **Yes** ☐ **No** ☒
c. Would the project generate a net increase of 500 or more daily vehicle trips? **Yes** ☐ **No** ☒
d. Would the project result in a net increase in daily VMT? **Yes** ☐ **No** ☒
e. If the project is replacing an existing number of residential units with a smaller number of residential units, is the proposed project located within one-half mile of a heavy rail, light rail, or bus rapid transit station? **Yes** ☐ **No** ☒

f. Does the project trigger Site Plan Review (LAMC 16.05)? **Yes** ☐ **No** ☐

g. Project size:
- **i.** Would the project generate a net increase of 1,000 or more daily vehicle trips? **Yes** ☐ **No** ☒
- **ii.** Is the project's frontage 250 linear feet or more along a street classified as an Avenue or Boulevard per the City's General Plan? **Yes** ☐ **No** ☒
- **iii.** Is the project's building frontage encompassing an entire block along a street classified as an Avenue or Boulevard per the City's General Plan? **Yes** ☐ **No** ☒

VMT Analysis (CEQA Review)
If **YES** to **a.** and **NO** to **e.** a VMT analysis is **NOT** required.
If **YES** to both **b.** and **d.**; or to **e.** a VMT analysis **is** required.

Access, Safety, and Circulation Assessment (Corrective Conditions)
If **YES** to **c.**, a project access, safety, and circulation evaluation may be required.
If **YES** to **f.** and either **g.i.**, **g.ii.**, or **g.iii.**, an access assessment may be required.

LADOT Comments:

Please note that this form is not intended to address the prcject's site access plan, driveway dimensions and location, internal circulation elements, dedication and widening, and other issues. These items require separate review and approval by LADOT. Qualifying Existing Use to be determined per LADOT's Transportation Assessment Guidelines.

4. Specific Plan with Trip Fee or TDM Requirements: **Yes** ☐ **No** ☒

Fee Calculation Estimate: _____

VMT Analysis Required (Question b. satisfied): **Yes** ☐ **No** ☒

Access, Safety, and Circulation Evaluation Required (Question c. satisfied): **Yes** ☐ **No** ☒

Access Assessment Required (Question c., f., and either g.i., g.ii. or g.iii satisfied): **Yes** ☐ **No** ☒

Prepared by DOT Staff Name: Eileen Hunt Phone: 213-972-8481

Signature: _____ Date: 5/24/24

CITY OF LOS ANGELES VMT CALCULATOR Version 1.4

Project Screening Criteria: Is this project required to conduct a vehicle miles traveled analysis?

Project Information

Project: 1904-1906 PREUSS RD VTT-84089-SL

Scenario:

Address: 1904 S PREUSS ROAD, 90034



Is the project replacing an existing number of residential units with a smaller number of residential units AND is located within one-half mile of a fixed-rail or fixed-guideway transit station?

○ Yes ◉ No

Existing Land Use

Land Use Type	Value	Unit
Housing | Single Family	2	DU

☐ Click here to add a single custom land use type (will be included in the above list)

Proposed Project Land Use

Land Use Type	Value	Unit
Housing | Affordable Housing - Family	1	DU
Housing | Townhouse	11	DU
Housing | Affordable Housing - Family	1	DU

☐ Click here to add a single custom land use type (will be included in the above list)

Project Screening Summary

Existing Land Use	Proposed Project
15 Daily Vehicle Trips	53 Daily Vehicle Trips
106 Daily VMT	367 Daily VMT

Tier 1 Screening Criteria

Project will have less residential units compared to existing residential units & is within one-half mile of a fixed-rail station. ☐

Tier 2 Screening Criteria

The net increase in daily trips < 250 trips	38 Net Daily Trips
The net increase in daily VMT ≤ 0	261 Net Daily VMT
The proposed project consists of only retail land uses ≤ 50,000 square feet total.	0.000 ksf

The proposed project is not required to perform VMT analysis.

Measuring the Miles

5/24/2024

CITY OF LOS ANGELES VMT CALCULATOR Version 1.4

Project Screening Criteria: Is this project required to conduct a vehicle miles traveled analysis?

Project Information

Project: 1904-1906 Preuss Road

Scenario: 12 Townhouse Units

Address: 1904 S PREUSS ROAD, 90034



Is the project replacing an existing number of residential units with a smaller number of residential units AND is located within one-half mile of a fixed-rail or fixed-guideway transit

○ Yes ○ No

Existing Land Use

Land Use Type	Value	Unit
Housing | Single Family	2	DU
Housing | Single Family	2	DU

☐ Click here to add a single custom land use type (will be included in the above list)

Proposed Project Land Use

Land Use Type	Value	Unit
Housing | Townhouse	12	DU
Housing | Townhouse	12	DU

☐ Click here to add a single custom land use type (will be included in the above list)

Project Screening Summary

Existing Land Use	Proposed
15 Daily Vehicle Trips	53 Daily Vehicle Trips
106 Daily VMT	367 Daily VMT

Tier 1 Screening Criteria

Project will have less residential units compared to existing residential units & is within one-half mile of a fixed-rail station. ☐

Tier 2 Screening Criteria

The net increase in daily trips < 250 trips	38 Net Daily Trips
The net increase in daily VMT ≤ 0	261 Net Daily VMT
The proposed project consists of only retail land uses ≤ 50,000 square feet total.	0.000 ksf

The proposed project is not required to perform VMT analysis.

Measuring the Miles

CITY OF LOS ANGELES VMT CALCULATOR Version 1.4

Project Information

Project: 1904-1906 Preuss Road

Scenario: 12 Townhouse Units

Address: 1904 S PREUSS ROAD, 90034



Proposed Project Land Use Type	Value	Unit
Housing | Townhouse	12	DU

TDM Strategies

Select each section to show individual strategies

Use ☑ to denote if the TDM strategy is part of the proposed project or is a mitigation strategy

	Proposed Project	With Mitigation
Max Home Based TDM Achieved?	**No**	**No**
Max Work Based TDM Achieved?	**No**	**No**

- **A** Parking
- **B** Transit
- **C** Education & Encouragement
- **D** Commute Trip Reductions
- **E** Shared Mobility
- **F** Bicycle Infrastructure

  Implement/Improve On-street Bicycle Facility — ☐ Proposed Prj ☐ Mitigation — Select Proposed Prj or Mitigation to include this strategy

  Include Bike Parking Per LAMC — ☐ Proposed Prj ☐ Mitigation — Select Proposed Prj or Mitigation to include this strategy

  Include Secure Bike Parking and Showers — ☐ Proposed Prj ☐ Mitigation — Select Proposed Prj or Mitigation to include this strategy
- **G** Neighborhood Enhancement

Analysis Results

Proposed Project	With Mitigation
47 Daily Vehicle Trips	**47** Daily Vehicle Trips
320 Daily VMT	**320** Daily VMT
N/A Household VMT per Capita	**N/A** Household VMT per Capita
N/A Work VMT per Employee	**N/A** Work VMT per Employee

Significant VMT Impact?

Proposed Project	With Mitigation
Household: N/A Threshold = 6.0 15% Below APC	**Household: N/A** Threshold = 6.0 15% Below APC
Work: N/A Threshold = 11.6 15% Below APC	**Work: N/A** Threshold = 11.6 15% Below APC

Measuring the Miles

CITY OF LOS ANGELES VMT CALCULATOR

Report 1: Project & Analysis Overview

Date: August 9, 2023
Project Name: 1904-1906 Preuss Road
Project Scenario: 12 Townhouse Units
Project Address: 1904 S PREUSS ROAD, 90034

Version 1.4

Project Information			
Land Use Type		**Value**	**Units**
Housing	*Single Family*	*0*	*DU*
	Multi Family	*0*	*DU*
	Townhouse	12	DU
	Hotel	*0*	*Rooms*
	Motel	*0*	*Rooms*
Affordable Housing	*Family*	*0*	*DU*
	Senior	*0*	*DU*
	Special Needs	*0*	*DU*
	Permanent Supportive	*0*	*DU*
Retail	*General Retail*	*0.000*	*ksf*
	Furniture Store	*0.000*	*ksf*
	Pharmacy/Drugstore	*0.000*	*ksf*
	Supermarket	*0.000*	*ksf*
	Bank	*0.000*	*ksf*
	Health Club	*0.000*	*ksf*
	High-Turnover Sit-Down Restaurant	*0.000*	*ksf*
	Fast-Food Restaurant	*0.000*	*ksf*
	Quality Restaurant	*0.000*	*ksf*
	Auto Repair	*0.000*	*ksf*
	Home Improvement	*0.000*	*ksf*
	Free-Standing Discount	*0.000*	*ksf*
	Movie Theater	*0*	*Seats*
Office	*General Office*	*0.000*	*ksf*
	Medical Office	*0.000*	*ksf*
Industrial	*Light Industrial*	*0.000*	*ksf*
	Manufacturing	*0.000*	*ksf*
	Warehousing/Self-Storage	*0.000*	*ksf*
School	*University*	*0*	*Students*
	High School	*0*	*Students*
	Middle School	*0*	*Students*
	Elementary	*0*	*Students*
	Private School (K-12)	*0*	*Students*
Other		*0*	*Trips*

CITY OF LOS ANGELES VMT CALCULATOR

Report 1: Project & Analysis Overview

Date: August 9, 2023
Project Name: 1904-1906 Preuss Road
Project Scenario: 12 Townhouse Units
Project Address: 1904 S PREUSS ROAD, 90034

Version 1.4

Analysis Results			
Total Employees: N/A Total Population: N/A			
Proposed Project		***With Mitigation***	
47	**Daily Vehicle Trips**	**N/A**	**Daily Vehicle Trips**
N/A	**Daily VMT**	**N/A**	**Daily VMT**
N/A	**Household VMT per Capita**	**N/A**	**Household VMT per Capita**
N/A	**Work VMT per Employee**	**N/A**	**Work VMT per Employee**

Significant VMT Impact?			
APC: South Los Angeles			
Impact Threshold: 15% Below APC Average Household = 6.0 Work = 11.6			
Proposed Project		***With Mitigation***	
VMT Threshold	**Impact**	**VMT Threshold**	**Impact**
Household > 6.0 Work > 11.6	N/A N/A	Household > 6.0 Work > 11.6	N/A N/A

TDM Strategy Inputs

Strategy Type		Description	Proposed Project	Mitigations
Parking	Reduce parking supply	City code parking provision (spaces)	100	100
		Actual parking provision (spaces)	24	24
	Unbundle parking	*Monthly cost for parking ($)*	*$0*	*$0*
	Parking cash-out	*Employees eligible (%)*	*0%*	*0%*
	Price workplace parking	*Daily parking charge ($)*	*$0.00*	*$0.00*
		Employees subject to priced parking (%)	*0%*	*0%*
	Residential area parking permits	*Cost of annual permit ($)*	*$0*	*$0*

(cont. on following page)

TDM Strategy Inputs, Cont.

Strategy Type		Description	Proposed Project	Mitigations
Transit	Reduce transit headways	Reduction in headways (increase in frequency) (%)	0%	0%
		Existing transit mode share (as a percent of total daily trips) (%)	0%	0%
		Lines within project site improved (<50%, >=50%)	0	0
	Implement neighborhood shuttle	Degree of implementation (low, medium, high)	0	0
		Employees and residents eligible (%)	0%	0%
	Transit subsidies	Employees and residents eligible (%)	0%	0%
		Amount of transit subsidy per passenger (daily equivalent) ($)	$0.00	$0.00
Education & Encouragement	Voluntary travel behavior change program	Employees and residents participating (%)	0%	0%
	Promotions and marketing	Employees and residents participating (%)	0%	0%

(cont. on following page)

TDM Strategy Inputs, Cont.

Strategy Type		Description	Proposed Project	Mitigations
Commute Trip Reductions	*Required commute trip reduction program*	*Employees participating (%)*	*0%*	*0%*
	Alternative Work Schedules and Telecommute	*Employees participating (%)*	*0%*	*0%*
		Type of program	*0*	*0*
	Employer sponsored vanpool or shuttle	*Degree of implementation (low, medium, high)*	*0*	*0*
		Employees eligible (%)	*0%*	*0%*
		Employer size (small, medium, large)	*0*	*0*
	Ride-share program	*Employees eligible (%)*	*0%*	*0%*
Shared Mobility	*Car share*	*Car share project setting (Urban, Suburban, All Other)*	*0*	*0*
	Bike share	*Within 600 feet of existing bike share station - OR- implementing new bike share station (Yes/No)*	*0*	*0*
	School carpool program	*Level of implementation (Low, Medium, High)*	*0*	*0*

(cont. on following page)

TDM Strategy Inputs, Cont.

Strategy Type		Description	Proposed Project	Mitigations
Bicycle Infrastructure	*Implement/Improve on-street bicycle facility*	*Provide bicycle facility along site (Yes/No)*	*0*	*0*
	Include Bike parking per LAMC	*Meets City Bike Parking Code (Yes/No)*	*0*	*0*
	Include secure bike parking and showers	*Includes indoor bike parking/lockers, showers, & repair station (Yes/No)*	*0*	*0*
Neighborhood Enhancement	*Trajfic calming improvements*	*Streets with trajfic calming improvements (%)*	*0%*	*0%*
		Intersections with trajfic calming improvements (%)	*0%*	*0%*
	Pedestrian network improvements	*Included (within prcject and connecting cjf-site/within prcject only)*	*0*	*0*

CITY OF LOS ANGELES VMT CALCULATOR

Report 3: TDM Outputs

Date: August 9, 2023
Project Name: 1904-1906 Preuss Road
Project Scenario: 12 Townhouse Units
Project Address: 1904 S PREUSS ROAD, 90034

Version 1.4

TDM Adjustments by Trip Purpose & Strategy

Place type: Compact Infill

		Home Based Work Production		*Home Based Work Attraction*		*Home Based Other Production*		*Home Based Other Attraction*		*Non-Home Based Other Production*		*Non-Home Based Other Attraction*		*Source*
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
Parking	Reduce parking supply	13%	13%	13%	13%	13%	13%	13%	13%	13%	13%	13%	13%	TDM Strategy Appendix, Parking sections 1 - 5
	Unbundle parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Parking cash-out	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Price workplace parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Residential area parking permits	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
Transit	Reduce transit headways	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Transit sections 1 - 3
	Implement neighborhood shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Transit subsidies	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Education & Encouragement	Voluntary travel behavior change program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Education & Encouragement sections 1 - 2
	Promotions and marketing	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Commute Trip Reductions	Required commute trip reduction program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Commute Trip Reductions sections 1 - 4
	Alternative Work Schedules and Telecommute Program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Employer sponsored vanpool or shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Ride-share program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Shared Mobility	Car-share	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	TDM Strategy Appendix, Shared Mobility sections 1 - 3
	Bike share	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	School carpool program	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

TDM Adjustments by Trip Purpose & Strategy, Cont.

Place type: Compact Infill

		Home Based Work Production		*Home Based Work Attraction*		*Home Based Other Production*		*Home Based Other Attraction*		*Non-Home Based Other Production*		*Non-Home Based Other Attraction*		*Source*
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
Bicycle Infrastructure	Implement/ Improve on-street bicycle facility	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	TDM Strategy Appendix, Bicycle Infrastructure sections 1 - 3
	Include Bike parking per LAMC	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	
	Include secure bike parking and showers	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	
Neighborhood Enhancement	Traffic calming improvements	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	TDM Strategy Appendix, Neighborhood Enhancement sections 1 - 2
	Pedestrian network improvements	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	

Final Combined & Maximum TDM Effect

	Home Based Work Production		*Home Based Work Attraction*		*Home Based Other Production*		*Home Based Other Attraction*		*Non-Home Based Other Production*		*Non-Home Based Other Attraction*	
	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated
COMBINED TOTAL	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*
MAX. TDM EFFECT	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*	*13%*

= Minimum (X%, 1-[(1-A)*(1-B)…])
where X%=

PLACE	*urban*	*75%*
TYPE	compact infill	*40%*
MAX:	*suburban center*	*20%*
	suburban	*15%*

Note: (1-[(1-A)*(1-B)…]) reflects the dampened combined effectiveness of TDM Strategies (e.g., A, B,…). See the TDM Strategy Appendix (*Transportation Assessment Guidelines Attachment G)* for further discussion of dampening.

CITY OF LOS ANGELES VMT CALCULATOR

Report 4: MXD Methodology

Date: August 9, 2023
Project Name: 1904-1906 Preuss Road
Project Scenario: 12 Townhouse Units
Project Address: 1904 S PREUSS ROAD, 90034

Version 1.4

MXD Methodology - Project Without TDM

	Unadjusted Trips	MXD Adjustment	MXD Trips	Average Trip Length	Unadjusted VMT	MXD VMT
Home Based Work Production	10	-20.0%	8	N/A	N/A	N/A
Home Based Other Production	29	-34.5%	19	N/A	N/A	N/A
Non-Home Based Other Production	13	0.0%	13	N/A	N/A	N/A
Home-Based Work Attraction	0	0.0%	0	N/A	N/A	N/A
Home-Based Other Attraction	14	-28.6%	10	N/A	N/A	N/A
Non-Home Based Other Attraction	3	0.0%	3	N/A	N/A	N/A

MXD Methodology with TDM Measures

	Proposed Project			*Project with Mitigation Measures*		
	TDM Adjustment	Project Trips	Project VMT	TDM Adjustment	Mitigated Trips	Mitigated VMT
Home Based Work Production	N/A	N/A	N/A	N/A	N/A	N/A
Home Based Other Production	N/A	N/A	N/A	N/A	N/A	N/A
Non-Home Based Other Production	N/A	N/A	N/A	N/A	N/A	N/A
Home-Based Work Attraction	N/A	N/A	N/A	N/A	N/A	N/A
Home-Based Other Attraction	N/A	N/A	N/A	N/A	N/A	N/A
Non-Home Based Other Attraction	N/A	N/A	N/A	N/A	N/A	N/A

MXD VMT Methodology Per Capita & Per Employee

Total Population: N/A
Total Employees: N/A
APC: South Los Angeles

	Proposed Project	*Project with Mitigation Measures*
Total Home Based Production VMT	**N/A**	**N/A**
Total Home Based Work Attraction VMT	**N/A**	**N/A**
Total Home Based VMT Per Capita	**N/A**	**N/A**
Total Work Based VMT Per Employee	**N/A**	**N/A**

VMT Calculator User Agreement

The Los Angeles Department of Transportation (LADOT), in partnership with the Department of City Planning and Fehr & Peers, has developed the City of Los Angeles Vehicle Miles Traveled (VMT) Calculator to estimate project-specific daily household VMT per capita and daily work VMT per employee for land use development projects. This application, the VMT Calculator, has been provided to You, the User, to assess vehicle miles traveled (VMT) outcomes of land use projects within the City of Los Angeles. The term "City" as used below shall refer to the City of Los Angeles. The terms "City" and "Fehr & Peers" as used below shall include their respective affiliates, subconsultants, employees, and representatives.

The City is pleased to be able to provide this information to the public. The City believes that the public is most effectively served when they are provided access to the technical tools that inform the public review process of private and public land use investments. However, in using the VMT Calculator, You agree to be bound by this VMT Calculator User Agreement (this Agreement).

VMT Calculator Application for the City of Los Angeles. The City's consultant calibrated the VMT Calculator's parameters in 2018 to estimate travel patterns of locations in the City, and validated those outcomes against empirical data. However, this calibration process is limited to locations within the City, and practitioners applying the VMT Calculator outside of the City boundaries should not apply these estimates without further calibration and validation of travel patterns to verify the VMT Calculator's accuracy in estimating VMT in such other locations.

Limited License to Use. This Agreement gives You a limited, non-transferrable, non-assignable, and non-exclusive license to use and execute a copy of the VMT Calculator on a computer system owned, leased or otherwise controlled by You in Your own facilities, as set out below, provided You do not use the VMT Calculator in an unauthorized manner, and that You do not republish, copy, distribute, reverse-engineer, modify, decompile, disassemble, transfer, or sell any part of the VMT Calculator, and provided that You know and follow the terms of this Agreement. Your failure to follow the terms of this Agreement shall automatically terminate this license and Your right to use the VMT Calculator.

Ownership. You understand and acknowledge that the City owns the VMT Calculator, and shall continue to own it through Your use of it, and that no transfer of ownership of any kind is intended in allowing You to use the VMT Calculator.

Warranty Disclaimer. In spite of the efforts of the City and Fehr & Peers, some information on the VMT Calculator may not be accurate. The VMT Calculator, OUTPUTS AND ASSOCIATED DATA ARE PROVIDED "as is" WITHOUT WARRANTY OF ANY KIND, whether expressed, implied, statutory, or otherwise including but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

Limitation of Liability. It is understood that the VMT Calculator is provided without charge. Neither the City nor Fehr & Peers can be responsible or liable for any information derived from its use, or for any delays, inaccuracies, incompleteness, errors or omissions arising out of your use of the VMT Calculator or with respect to the material contained in the VMT Calculator. You understand and agree that Your sole remedy against the City or Fehr & Peers for loss or damage caused by any defect or failure of the

VMT Calculator, regardless of the form of action, whether in contract, tort, including negligence, strict liability or otherwise, shall be the repair or replacement of the VMT Calculator to the extent feasible as determined solely by the City. In no event shall the City or Fehr & Peers be responsible to You or anyone else for, or have liability for any special, indirect, incidental or consequential damages (including, without limitation, damages for loss of business profits or changes to businesses costs) or lost data or downtime, however caused, and on any theory of liability from the use of, or the inability to use, the VMT Calculator, whether the data, and/or formulas contained in the VMT Calculator are provided by the City or Fehr & Peers, or another third party, even if the City or Fehr & Peers have been advised of the possibility of such damages.

This Agreement and License shall be governed by the laws of the State of California without regard to their conflicts of law provisions, and shall be effective as of the date set forth below and, unless terminated in accordance with the above or extended by written amendment to this Agreement, shall terminate on the earlier of the date that You are not making use of the VMT Calculator or one year after the beginning of Your use of the VMT Calculator.

By using the VMT Calculator, You hereby waive and release all claims, responsibilities, liabilities, actions, damages, costs, and losses, known and unknown, against the City and Fehr & Peers for Your use of the VMT Calculator.

Before making decisions using the information provided in this application, contact City LADOT staff to confirm the validity of the data provided.

Print and sign below, and submit to LADOT along with the transportation assessment Memorandum of Understanding (MOU).

You, the User

By: _____

Print Name: _____

Title: _____

Company: _____

Address: _____

Phone: _____

Email Address: _____

Date: _____

Appendix B

Muffler and Barrier Specification Sheets for Proposed Project at 1904-1906 Preuss Road

Department of City Planning Case No. CPC-2023-6115-DB-HCA

Acoustical Surfaces, Inc.

SOUNDPROOFING, ACOUSTICS, NOISE & VIBRATION CONTROL SPECIALISTS

123 Columbia Court North • Suite 201 • Chaska, MN 55318

(952) 448-5300 • Fax (952) 448-2613 • (800) 448-0121

Email: sales@acousticalsurfaces.com

Visit our Website: www.acousticalsurfaces.com

We Identify and S.T.O.P. Your Noise Problems



Echo Barrier™

The Industry's First Reusable, Indoor/ Outdoor Noise Barrier/Absorber

- Superior acoustic performance
- Industrial durability
- Simple and quick installation system
- Lightweight for easy handling
- Unique roll-up design for compact storage and transportation
- Double or triple up for noise 'hot spots'
- Ability to add branding or messages
- Range of accessories available
- Weatherproof – absorbs sound but not water
- Fire retardant
- 1 person can do the job of 2 or 3 people



Why is it all too often we see construction sites with fencing but no regard for sound issues created from the construction that is taking place? This is due to the fact that there has not been an efficient means of treating this type of noise that was cost effective ***until now.***

Echo Barrier temporary fencing is a reusable, outdoor noise barrier. Designed to fit on all types of temporary fencing. Echo Barrier absorbs sound while remaining quick to install, light to carry and tough to last.

BENEFITS: Echo Barrier can help reduce noise complaints, enhance your company reputation, extend site operating hours, reduce project timescales & costs, and improve working conditions.

APPLICATIONS: Echo Barrier works great for construction & demolition sites; rail maintenance & replacement; music, sports and other public events; road construction; utility/maintenance sites; loading and unloading areas; outdoor gun ranges.

DIMENSIONS: 6.56' × 4.49'.

WEIGHT: 13 lbs.

ACOUSTIC PERFORMANCE: 10-20dB noise reduction (greater if barrier is doubled up).

INSTALLATION: The Echo Barrier is easily installed using our quick hook system and specially designed elastic ties.

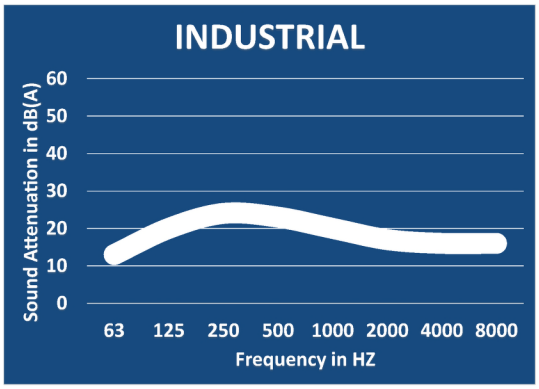
Echo Barrier Transmission Loss Field Data							
	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz
Single Layer	6	12	16	23	28	30	30
Double Layer	7	19	24	28	32	31	32

NETT TECHNOLOGIES INC.
www.nettinc.com sales@nettinc.com +1 (905) 672-5453

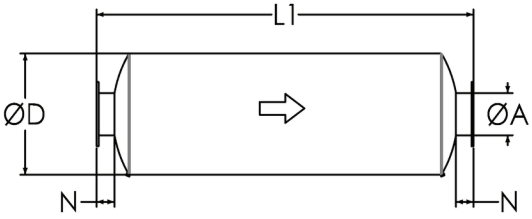
Industrial Grade Silencers

Model NTIN-C (Cylindrical), 15-20 dBA

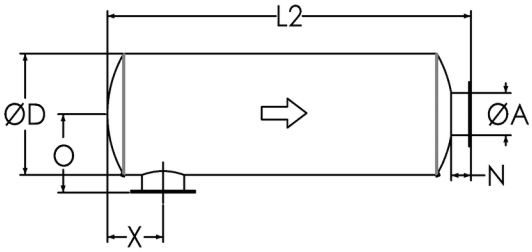
TYPICAL ATTENUATION CURVE



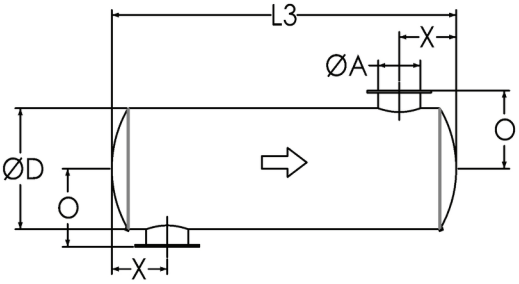
TYPICAL CONFIGURATIONS



END IN END OUT (EI-EO)



SIDE IN END OUT (SI-EO)



SIDE IN SIDE OUT (SI-SO)

Nett Technologies' Industrial Grade Silencers are designed to achieve maximum performance with the least amount of backpressure.
The silencers are Reactive Silencers and are typically used for reciprocating or positive displacement engines where noise level regulations are low.

FEATURES & BENEFITS

- Over 25 years of excellence in manufacturing noise and emission control solutions
- Compact modular designs providing ease of installations, less weight and less foot-print
- Responsive lead time for both standard and custom designs to meet your needs
- Customized engineered systems solutions to meet challenging integration and engine requirements

Contact Nett Technologies with your projects design requirements and specifications for optimized noise control solutions.

OPTIONS

- Versatile connections including ANSI pattern flanges, NPT, slip-on, engine flange, schedule 40 and others
- Aluminized Steel, Stainless Steel 304 or 316 construction
- Horizontal or vertical mounting brackets and lifting lugs

ACCESSORIES

- Hardware Kits
- Flexible connectors and expansion joints
- Elbows
- Thimbles
- Raincaps
- Thermal insulation: integrated or with thermal insulation blankets
- Please see our accessories catalog for a complete listing

PRODUCT DIMENSIONS (in)

Model*	A	D	L1	L2	L3	X**	X	N	O
	Outlet	Dia	EI-EO	SI-EO	SI-SO	Min	Max	Nipple	O
NTIN-C1	1	4	20	18	16	3	7	2	4
NTIN-C1.5	1.5	6	22	20	18	3	8	2	5
NTIN-C2	2	6	22	19	16	3	8	3	6
NTIN-C2.5	2.5	6	24	21	18	4	9	3	6
NTIN-C3	3	8	26	23	20	5	10	3	7
NTIN-C3.5	3.5	9	28	25	22	5	11	3	8
NTIN-C4	4	10	32	29	26	5	12	3	8
NTIN-C5	5	12	36	33	30	6	14	3	9
NTIN-C6	6	14	40	36	32	7	16	4	11
NTIN-C8	8	16	50	46	42	8	21	4	12
NTIN-C10	10	20	52	48	44	11	21	4	14
NTIN-C12	12	24	62	58	54	12	26	4	16
NTIN-C14	14	30	74	69	64	15	31	5	20
NTIN-C16	16	36	82	77	72	18	35	5	23
NTIN-C18	18	40	94	89	84	18	42	5	25
NTIN-C20	20	40	110	105	100	19	52	5	25
NTIN-C22	22	48	118	113	108	22	56	5	29
NTIN-C24	24	48	130	125	120	24	62	5	29

* Other models and custom designs are available upon request. Dimensions subject to change without notice. All silencers are equipped with drain ports on inlet side. The silencer is all welded construction and coated with high heat black paint for maximum durability.

** Standard inlet/outlet position.

Appendix C

CalEEMod Output Data Sheets, dated July 27, 2023 for Proposed Project at 1904-1906 Preuss Road

Department of City Planning Case No. CPC-2023-6115-DB-HCA

1904-1906 Preuss Road Detailed Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

1.2. Land Use Types

1.3. User-Selected Emission Reduction Measures by Emissions Sector

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

2.2. Construction Emissions by Year, Unmitigated

2.4. Operations Emissions Compared Against Thresholds

2.5. Operations Emissions by Sector, Unmitigated

3. Construction Emissions Details

3.1. Demolition (2024) - Unmitigated

3.3. Site Preparation (2024) - Unmitigated

3.5. Grading (2024) - Unmitigated

3.7. Building Construction (2024) - Unmitigated

3.9. Building Construction (2025) - Unmitigated

3.11. Paving (2025) - Unmitigated

3.13. Architectural Coating (2025) - Unmitigated

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

4.3. Area Emissions by Source

4.3.2. Unmitigated

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

5. Activity Data

5.1. Construction Schedule

5.2. Off-Road Equipment

5.2.1. Unmitigated

5.3. Construction Vehicles

5.3.1. Unmitigated

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

5.5. Architectural Coatings

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

5.6.2. Construction Earthmoving Control Strategies

5.7. Construction Paving

5.8. Construction Electricity Consumption and Emissions Factors

5.9. Operational Mobile Sources

5.9.1. Unmitigated

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

5.10.3. Landscape Equipment

5.11. Operational Energy Consumption

5.11.1. Unmitigated

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

5.13. Operational Waste Generation

5.13.1. Unmitigated

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

5.16.2. Process Boilers

5.17. User Defined

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

5.18.2. Sequestration

5.18.2.1. Unmitigated

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

7.2. Healthy Places Index Scores

7.3. Overall Health & Equity Scores

7.4. Health & Equity Measures

7.5. Evaluation Scorecard

7.6. Health & Equity Custom Measures

8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	1904-1906 Preuss Road
Construction Start Date	7/25/2024
Operational Year	2025
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.70
Precipitation (days)	19.6
Location	1904 Preuss Rd, Los Angeles, CA 90034, USA
County	Los Angeles-South Coast
City	Los Angeles
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	4330
EDFZ	16
Electric Utility	Los Angeles Department of Water & Power
Gas Utility	Southern California Gas
App Version	2022.1.1.14

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description

Condo/Townhouse	12.0	Dwelling Unit	0.40	12,720	1,020	—	36.0	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.61	1.55	30.5	18.6	0.12	0.72	9.52	10.2	0.68	3.70	4.38	—	17,048	17,048	0.89	2.46	35.4	17,839
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.71	16.1	5.70	7.55	0.01	0.26	0.23	0.42	0.24	0.05	0.26	—	1,462	1,462	0.06	0.02	0.02	1,469
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.23	0.23	1.88	2.37	< 0.005	0.08	0.09	0.17	0.07	0.03	0.10	—	524	524	0.02	0.02	0.16	530
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.04	0.04	0.34	0.43	< 0.005	0.01	0.02	0.03	0.01	0.01	0.02	—	86.7	86.7	< 0.005	< 0.005	0.03	87.8

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	2.61	1.55	30.5	18.6	0.12	0.72	9.52	10.2	0.68	3.70	4.38	—	17,048	17,048	0.89	2.46	35.4	17,839
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	0.71	0.60	5.70	7.55	0.01	0.26	0.12	0.38	0.24	0.03	0.26	—	1,462	1,462	0.06	0.02	0.02	1,469
2025	0.69	16.1	5.23	7.47	0.01	0.22	0.23	0.42	0.20	0.05	0.23	—	1,459	1,459	0.06	0.02	0.02	1,466
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	0.23	0.19	1.88	2.37	< 0.005	0.08	0.09	0.17	0.07	0.03	0.10	—	524	524	0.02	0.02	0.16	530
2025	0.01	0.23	0.08	0.12	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	19.5	19.5	< 0.005	< 0.005	0.01	19.6
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	0.04	0.03	0.34	0.43	< 0.005	0.01	0.02	0.03	0.01	0.01	0.02	—	86.7	86.7	< 0.005	< 0.005	0.03	87.8
2025	< 0.005	0.04	0.02	0.02	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	3.22	3.22	< 0.005	< 0.005	< 0.005	3.24

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.91	3.82	0.57	9.49	0.02	0.87	0.54	1.41	0.85	0.14	0.99	118	1,024	1,142	0.95	0.03	2.35	1,178
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.84	3.76	0.59	8.61	0.02	0.87	0.54	1.41	0.85	0.14	0.99	118	997	1,115	0.96	0.03	0.15	1,149
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unmit.	0.61	0.84	0.33	3.19	0.01	0.07	0.49	0.55	0.07	0.12	0.19	13.4	742	756	0.64	0.03	0.97	781
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.11	0.15	0.06	0.58	< 0.005	0.01	0.09	0.10	0.01	0.02	0.03	2.22	123	125	0.11	< 0.005	0.16	129

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.36	0.33	0.24	2.68	0.01	< 0.005	0.54	0.55	< 0.005	0.14	0.14	—	616	616	0.03	0.02	2.26	626
Area	3.54	3.49	0.26	6.78	0.02	0.86	—	0.86	0.84	—	0.84	112	217	329	0.34	< 0.005	—	339
Energy	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Water	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Waste	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09
Total	3.91	3.82	0.57	9.49	0.02	0.87	0.54	1.41	0.85	0.14	0.99	118	1,024	1,142	0.95	0.03	2.35	1,178
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.36	0.32	0.26	2.48	0.01	< 0.005	0.54	0.55	< 0.005	0.14	0.14	—	590	590	0.03	0.03	0.06	599
Area	3.48	3.43	0.25	6.10	0.02	0.86	—	0.86	0.84	—	0.84	112	215	327	0.34	< 0.005	—	337
Energy	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Water	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Waste	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09
Total	3.84	3.76	0.59	8.61	0.02	0.87	0.54	1.41	0.85	0.14	0.99	118	997	1,115	0.96	0.03	0.15	1,149

Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.32	0.29	0.24	2.28	0.01	< 0.005	0.49	0.49	< 0.005	0.12	0.13	—	534	534	0.03	0.02	0.87	543
Area	0.28	0.55	0.02	0.88	< 0.005	0.06	—	0.06	0.06	—	0.06	7.70	16.0	23.7	0.02	< 0.005	—	24.3
Energy	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	186	186	0.01	< 0.005	—	187
Water	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Waste	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09
Total	0.61	0.84	0.33	3.19	0.01	0.07	0.49	0.55	0.07	0.12	0.19	13.4	742	756	0.64	0.03	0.97	781
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.06	0.05	0.04	0.42	< 0.005	< 0.005	0.09	0.09	< 0.005	0.02	0.02	—	88.5	88.5	< 0.005	< 0.005	0.14	89.9
Area	0.05	0.10	< 0.005	0.16	< 0.005	0.01	—	0.01	0.01	—	0.01	1.27	2.64	3.92	< 0.005	< 0.005	—	4.03
Energy	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	30.8	30.8	< 0.005	< 0.005	—	30.9
Water	—	—	—	—	—	—	—	—	—	—	—	0.14	0.98	1.12	0.01	< 0.005	—	1.60
Waste	—	—	—	—	—	—	—	—	—	—	—	0.80	0.00	0.80	0.08	0.00	—	2.81
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.02	0.02
Total	0.11	0.15	0.06	0.58	< 0.005	0.01	0.09	0.10	0.01	0.02	0.03	2.22	123	125	0.11	< 0.005	0.16	129

3. Construction Emissions Details

3.1. Demolition (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.61	0.51	4.69	5.79	0.01	0.19	—	0.19	0.17	—	0.17	—	852	852	0.03	0.01	—	855

Demolitio	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.01	0.13	0.16	< 0.005	0.01	—	0.01	< 0.005	—	< 0.005	—	23.3	23.3	< 0.005	< 0.005	—	23.4
Demolitio n	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	3.87	3.87	< 0.005	< 0.005	—	3.88
Demolitio n	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.04	0.05	0.75	0.00	0.00	0.13	0.13	0.00	0.03	0.03	—	141	141	0.01	< 0.005	0.56	143
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.72	3.72	< 0.005	< 0.005	0.01	3.77
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.62	0.62	< 0.005	< 0.005	< 0.005	0.62
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.3. Site Preparation (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.60	0.50	4.60	5.56	0.01	0.24	—	0.24	0.22	—	0.22	—	858	858	0.03	0.01	—	861
Dust From Material Movemen	—	—	—	—	—	—	0.53	0.53	—	0.06	0.06	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.35	2.35	< 0.005	< 0.005	—	2.36

Dust From Material Movemen:	—	—	—	—	—	—	< 0.005	< 0.005	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.39	0.39	< 0.005	< 0.005	—	0.39
Dust From Material Movemen:	—	—	—	—	—	—	< 0.005	< 0.005	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.38	0.00	0.00	0.07	0.07	0.00	0.02	0.02	—	70.6	70.6	< 0.005	< 0.005	0.28	71.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.19	0.19	< 0.005	< 0.005	< 0.005	0.19
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.03	0.03	< 0.005	< 0.005	< 0.005	0.03
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.41	1.19	11.4	10.7	0.02	0.53	—	0.53	0.49	—	0.49	—	1,713	1,713	0.07	0.01	—	1,719
Dust From Material Movemen:	—	—	—	—	—	—	5.41	5.41	—	2.58	2.58	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.06	0.06	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	9.39	9.39	< 0.005	< 0.005	—	9.42
Dust From Material Movemen:	—	—	—	—	—	—	0.03	0.03	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.55	1.55	< 0.005	< 0.005	—	1.56

Dust From Material Movemen:	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.03	0.04	0.57	0.00	0.00	0.10	0.10	0.00	0.02	0.02	—	106	106	< 0.005	< 0.005	0.42	107
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	1.16	0.33	19.1	7.33	0.10	0.19	4.00	4.20	0.19	1.10	1.29	—	15,229	15,229	0.82	2.44	35.0	16,012
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.56	0.56	< 0.005	< 0.005	< 0.005	0.57
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.01	< 0.005	0.11	0.04	< 0.005	< 0.005	0.02	0.02	< 0.005	0.01	0.01	—	83.5	83.5	< 0.005	0.01	0.08	87.6
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.09	0.09	< 0.005	< 0.005	< 0.005	0.09
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	13.8	13.8	< 0.005	< 0.005	0.01	14.5

3.7. Building Construction (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.67	0.56	5.60	6.98	0.01	0.26	—	0.26	0.23	—	0.23	—	1,305	1,305	0.05	0.01	—	1,309
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.67	0.56	5.60	6.98	0.01	0.26	—	0.26	0.23	—	0.23	—	1,305	1,305	0.05	0.01	—	1,309
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.18	0.15	1.53	1.91	< 0.005	0.07	—	0.07	0.06	—	0.06	—	357	357	0.01	< 0.005	—	359
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.28	0.35	< 0.005	0.01	—	0.01	0.01	—	0.01	—	59.2	59.2	< 0.005	< 0.005	—	59.4
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.04	0.65	0.00	0.00	0.11	0.11	0.00	0.03	0.03	—	122	122	0.01	< 0.005	0.48	124
Vendor	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	41.4	41.4	< 0.005	0.01	0.11	43.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.05	0.55	0.00	0.00	0.11	0.11	0.00	0.03	0.03	—	116	116	0.01	< 0.005	0.01	117
Vendor	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	41.4	41.4	< 0.005	0.01	< 0.005	43.1
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.16	0.00	0.00	0.03	0.03	0.00	0.01	0.01	—	32.1	32.1	< 0.005	< 0.005	0.06	32.6
Vendor	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	11.3	11.3	< 0.005	< 0.005	0.01	11.8
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.32	5.32	< 0.005	< 0.005	0.01	5.40
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	1.88	1.88	< 0.005	< 0.005	< 0.005	1.96
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.62	0.52	5.14	6.94	0.01	0.22	—	0.22	0.20	—	0.20	—	1,305	1,305	0.05	0.01	—	1,309
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.55	2.55	< 0.005	< 0.005	—	2.56
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.42	0.42	< 0.005	< 0.005	—	0.42
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.04	0.51	0.00	0.00	0.11	0.11	0.00	0.03	0.03	—	113	113	0.01	< 0.005	0.01	115
Vendor	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	40.7	40.7	< 0.005	0.01	< 0.005	42.5
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.22	0.22	< 0.005	< 0.005	< 0.005	0.23
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	0.08	0.08	< 0.005	< 0.005	< 0.005	0.08
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.04	0.04	< 0.005	< 0.005	< 0.005	0.04
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	0.01	0.01	< 0.005	< 0.005	< 0.005	0.01
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Paving (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.61	0.51	4.37	5.31	0.01	0.19	—	0.19	0.18	—	0.18	—	823	823	0.03	0.01	—	826
Paving	—	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.06	0.07	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	11.3	11.3	< 0.005	< 0.005	—	11.3
Paving	—	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.87	1.87	< 0.005	< 0.005	—	1.87
Paving	—	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.08	1.03	0.00	0.00	0.23	0.23	0.00	0.05	0.05	—	229	229	0.01	0.01	0.02	232
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.19	3.19	< 0.005	< 0.005	0.01	3.23
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.53	0.53	< 0.005	< 0.005	< 0.005	0.53
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Architectural Coating (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.13	0.88	1.14	< 0.005	0.03	—	0.03	0.03	—	0.03	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	—	15.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.83	1.83	< 0.005	< 0.005	—	1.84
Architectural Coatings	—	0.22	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.30	0.30	< 0.005	< 0.005	—	0.30
Architectural Coatings	—	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.10	0.00	0.00	0.02	0.02	0.00	0.01	0.01	—	22.6	22.6	< 0.005	< 0.005	< 0.005	22.9
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.31	0.31	< 0.005	< 0.005	< 0.005	0.32
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.05	0.05	< 0.005	< 0.005	< 0.005	0.05
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	0.36	0.33	0.24	2.68	0.01	< 0.005	0.54	0.55	< 0.005	0.14	0.14	—	616	616	0.03	0.02	2.26	626
Total	0.36	0.33	0.24	2.68	0.01	< 0.005	0.54	0.55	< 0.005	0.14	0.14	—	616	616	0.03	0.02	2.26	626
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	0.36	0.32	0.26	2.48	0.01	< 0.005	0.54	0.55	< 0.005	0.14	0.14	—	590	590	0.03	0.03	0.06	599
Total	0.36	0.32	0.26	2.48	0.01	< 0.005	0.54	0.55	< 0.005	0.14	0.14	—	590	590	0.03	0.03	0.06	599
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	0.06	0.05	0.04	0.42	< 0.005	< 0.005	0.09	0.09	< 0.005	0.02	0.02	—	88.5	88.5	< 0.005	< 0.005	0.14	89.9

Total	0.06	0.05	0.04	0.42	< 0.005	< 0.005	0.09	0.09	< 0.005	0.02	0.02	—	88.5	88.5	< 0.005	< 0.005	0.14	89.9

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	89.6	89.6	0.01	< 0.005	—	90.0
Total	—	—	—	—	—	—	—	—	—	—	—	—	89.6	89.6	0.01	< 0.005	—	90.0
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	89.6	89.6	0.01	< 0.005	—	90.0
Total	—	—	—	—	—	—	—	—	—	—	—	—	89.6	89.6	0.01	< 0.005	—	90.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	14.8	14.8	< 0.005	< 0.005	—	14.9
Total	—	—	—	—	—	—	—	—	—	—	—	—	14.8	14.8	< 0.005	< 0.005	—	14.9

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.3	96.3	0.01	< 0.005	—	96.6
Total	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.3	96.3	0.01	< 0.005	—	96.6
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.3	96.3	0.01	< 0.005	—	96.6
Total	0.01	< 0.005	0.08	0.03	< 0.005	0.01	—	0.01	0.01	—	0.01	—	96.3	96.3	0.01	< 0.005	—	96.6
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	15.9	15.9	< 0.005	< 0.005	—	16.0
Total	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	15.9	15.9	< 0.005	< 0.005	—	16.0

4.3. Area Emissions by Source

4.3.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	3.48	3.13	0.25	6.10	0.02	0.86	—	0.86	0.84	—	0.84	112	215	327	0.34	< 0.005	—	337
Consumer Products	—	0.27	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.06	0.06	0.01	0.68	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.82	1.82	< 0.005	< 0.005	—	1.83
Total	3.54	3.49	0.26	6.78	0.02	0.86	—	0.86	0.84	—	0.84	112	217	329	0.34	< 0.005	—	339
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	3.48	3.13	0.25	6.10	0.02	0.86	—	0.86	0.84	—	0.84	112	215	327	0.34	< 0.005	—	337
Consumer Products	—	0.27	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	3.48	3.43	0.25	6.10	0.02	0.86	—	0.86	0.84	—	0.84	112	215	327	0.34	< 0.005	—	337
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	0.04	0.04	< 0.005	0.08	< 0.005	0.01	—	0.01	0.01	—	0.01	1.27	2.44	3.71	< 0.005	< 0.005	—	3.82
Consumer Products	—	0.05	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	—	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.01	0.01	< 0.005	0.08	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.21	0.21	< 0.005	< 0.005	—	0.21
Total	0.05	0.10	< 0.005	0.16	< 0.005	0.01	—	0.01	0.01	—	0.01	1.27	2.64	3.92	< 0.005	< 0.005	—	4.03

4.4. Water Emissions by Land Use

4.4.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Total	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Total	—	—	—	—	—	—	—	—	—	—	—	0.86	5.93	6.79	0.09	< 0.005	—	9.64
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	0.14	0.98	1.12	0.01	< 0.005	—	1.60
Total	—	—	—	—	—	—	—	—	—	—	—	0.14	0.98	1.12	0.01	< 0.005	—	1.60

4.5. Waste Emissions by Land Use

4.5.2. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Total	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Total	—	—	—	—	—	—	—	—	—	—	—	4.85	0.00	4.85	0.48	0.00	—	17.0
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	0.80	0.00	0.80	0.08	0.00	—	2.81
Total	—	—	—	—	—	—	—	—	—	—	—	0.80	0.00	0.80	0.08	0.00	—	2.81

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.09	0.09
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.02	0.02
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.02	0.02

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	7/25/2024	8/8/2024	5.00	10.0	—
Site Preparation	Site Preparation	8/9/2024	8/10/2024	5.00	1.00	—
Grading	Grading	8/11/2024	8/13/2024	5.00	2.00	—
Building Construction	Building Construction	8/14/2024	1/1/2025	5.00	100	—
Paving	Paving	1/2/2025	1/9/2025	5.00	5.00	—
Architectural Coating	Architectural Coating	1/10/2025	1/17/2025	5.00	5.00	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Tractors/Loaders/Backhoes	Diesel	Average	2.00	6.00	84.0	0.37
Demolition	Rubber Tired Dozers	Diesel	Average	1.00	1.00	367	0.40
Demolition	Concrete/Industrial Saws	Diesel	Average	1.00	8.00	33.0	0.73
Site Preparation	Graders	Diesel	Average	1.00	8.00	148	0.41
Site Preparation	Tractors/Loaders/Backhoes	Diesel	Average	1.00	8.00	84.0	0.37
Grading	Graders	Diesel	Average	1.00	6.00	148	0.41
Grading	Rubber Tired Dozers	Diesel	Average	1.00	6.00	367	0.40
Grading	Tractors/Loaders/Backhoes	Diesel	Average	1.00	7.00	84.0	0.37
Building Construction	Cranes	Diesel	Average	1.00	4.00	367	0.29
Building Construction	Forklifts	Diesel	Average	2.00	6.00	82.0	0.20
Building Construction	Tractors/Loaders/Backhoes	Diesel	Average	2.00	8.00	84.0	0.37
Paving	Tractors/Loaders/Backhoes	Diesel	Average	1.00	7.00	84.0	0.37
Paving	Cement and Mortar Mixers	Diesel	Average	4.00	6.00	10.0	0.56
Paving	Pavers	Diesel	Average	1.00	7.00	81.0	0.42
Paving	Rollers	Diesel	Average	1.00	7.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Average	1.00	6.00	37.0	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	10.0	18.5	LDA,LDT1,LDT2
Demolition	Vendor	—	10.2	HHDT,MHDT
Demolition	Hauling	0.00	20.0	HHDT
Demolition	Onsite truck	—	—	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	5.00	18.5	LDA,LDT1,LDT2
Site Preparation	Vendor	—	10.2	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Grading	—	—	—	—
Grading	Worker	7.50	18.5	LDA,LDT1,LDT2
Grading	Vendor	—	10.2	HHDT,MHDT
Grading	Hauling	216	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	8.64	18.5	LDA,LDT1,LDT2
Building Construction	Vendor	1.28	10.2	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	17.5	18.5	LDA,LDT1,LDT2
Paving	Vendor	—	10.2	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	—	—	—	—

Architectural Coating	Worker	1.73	18.5	LDA,LDT1,LDT2
Architectural Coating	Vendor	—	10.2	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	25,758	8,586	0.00	0.00	—

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Cubic Yards)	Material Exported (Cubic Yards)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	—	—
Site Preparation	0.00	0.00	0.50	0.00	—
Grading	0.00	3,454	1.50	0.00	—
Paving	0.00	0.00	0.00	0.00	—

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt
Condo/Townhouse	—	0%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2024	0.00	690	0.05	0.01
2025	0.00	690	0.05	0.01

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Condo/Townhouse	87.8	97.7	75.4	31,924	688	765	590	249,939

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

Hearth Type	Unmitigated (number)
Condo/Townhouse	—
Wood Fireplaces	1
Gas Fireplaces	10
Propane Fireplaces	0
Electric Fireplaces	0
No Fireplaces	1

Conventional Wood Stoves	0
Catalytic Wood Stoves	1
Non-Catalytic Wood Stoves	1
Pellet Wood Stoves	0

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
25758	8,586	0.00	0.00	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	250

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Condo/Townhouse	47,369	690	0.0489	0.0069	300,444

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Condo/Townhouse	447,286	17,484

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Condo/Townhouse	8.99	—

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Condo/Townhouse	Average room A/C & Other residential A/C and heat pumps	R-410A	2,088	< 0.005	2.50	2.50	10.0
Condo/Townhouse	Household refrigerators and/or freezers	R-134a	1,430	0.12	0.60	0.00	1.00

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type
—	—

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	5.68	annual days of extreme heat
Extreme Precipitation	5.50	annual days with precipitation above 20 mm
Sea Level Rise	0.00	meters of inundation depth
Wildfire	0.00	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider different increments of sea level rise coupled with extreme storm events. Users may select from four model simulations to view the range in potential inundation depth for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 50 meters (m) by 50 m, or about 164 feet (ft) by 164 ft.
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	1	1	2
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	48.5
AQ-PM	67.0
AQ-DPM	36.0

Drinking Water	92.5
Lead Risk Housing	63.0
Pesticides	0.00
Toxic Releases	77.3
Traffic	70.8
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	31.5
Haz Waste Facilities/Generators	20.3
Impaired Water Bodies	0.00
Solid Waste	0.00
Sensitive Population	—
Asthma	16.2
Cardio-vascular	17.7
Low Birth Weights	92.8
Socioeconomic Factor Indicators	—
Education	52.5
Housing	91.2
Linguistic	33.3
Poverty	66.9
Unemployment	17.1

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	32.09290389

Employed	58.62953933
Median HI	33.7482356
Education	—
Bachelor's or higher	70.06287694
High school enrollment	100
Preschool enrollment	95.7141024
Transportation	—
Auto Access	19.90247658
Active commuting	87.33478763
Social	—
2-parent households	11.62581804
Voting	54.48479405
Neighborhood	—
Alcohol availability	10.12447068
Park access	81.35506224
Retail density	87.07814706
Supermarket access	59.88707815
Tree canopy	60.7596561
Housing	—
Homeownership	8.250994482
Housing habitability	14.61568074
Low-inc homeowner severe housing cost burden	14.65417683
Low-inc renter severe housing cost burden	35.76286411
Uncrowded housing	31.74643911
Health Outcomes	—
Insured adults	17.56704735
Arthritis	84.5

Asthma ER Admissions	82.8
High Blood Pressure	72.3
Cancer (excluding skin)	80.0
Asthma	34.7
Coronary Heart Disease	79.3
Chronic Obstructive Pulmonary Disease	56.7
Diagnosed Diabetes	57.0
Life Expectancy at Birth	35.6
Cognitively Disabled	22.1
Physically Disabled	32.1
Heart Attack ER Admissions	73.3
Mental Health Not Good	34.0
Chronic Kidney Disease	73.0
Obesity	27.8
Pedestrian Injuries	19.6
Physical Health Not Good	39.9
Stroke	58.2
Health Risk Behaviors	—
Binge Drinking	36.9
Current Smoker	35.6
No Leisure Time for Physical Activity	49.0
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	95.8
Elderly	28.2
English Speaking	36.4

Foreign-born	79.3
Outdoor Workers	98.2
Climate Change Adaptive Capacity	—
Impervious Surface Cover	9.3
Traffic Density	87.2
Traffic Access	87.4
Other Indices	—
Hardship	63.2
Other Decision Support	—
2016 Voting	21.1

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	48.0
Healthy Places Index Score for Project Location (b)	47.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

7.6. Health & Equity Custom Measures

No Health & Equity Custom Measures created.

8. User Changes to Default Data

Screen	Justification
Land Use	per construction plans

Appendix D

LA Department of Transportation Traffic Volume Counts for Proposed Project at 1904-1906 Preuss Road

Department of City Planning Case No. CPC-2023-6115-DB-HCA

24 Hours Traffic Volume

City of Los Angeles

Department of Transportation

Counter	ARMANDO
Date	07/29/14
Start Time	12 AM

Location	**PREUSS RD AT SAWYER ST**	**Day of Week**	TUEDAY	**Prepared**	07/30/14
Direction	N/S STREET	**DOT District**	HOLLYWOOD	**By**	AMS
Serial Number	RD23081 D	**Weather**	CLEAR		

	NORTHBOUND or WESTBOUND					SOUTHBOUND or EASTBOUND					
Time	1ST QTR	2ND QTR	3RD QTR	4TH QTR	HOUR TOTAL	1ST QTR	2ND QTR	3RD QTR	4TH QTR	HOUR TOTAL	**TOTAL**
12 AM	0	0	1	0	1	1	0	0	1	2	3
1 AM	0	0	1	0	1	0	0	0	2	2	3
2 AM	1	0	0	1	2	0	0	0	0	0	2
3 AM	0	0	0	1	1	0	0	0	0	0	1
4 AM	0	1	0	1	2	0	1	0	0	1	3
5 AM	0	2	0	1	3	0	1	0	1	2	5
6 AM	3	3	0	0	6	4	1	1	1	7	13
7 AM	2	3	1	8	14	3	3	2	8	16	30
8 AM	4	7	9	13	33	4	5	10	15	34	67
9 AM	13	11	10	8	42	14	19	10	10	53	95
10 AM	8	5	12	7	32	10	4	3	9	26	58
11 AM	11	3	12	2	28	8	3	5	7	23	51
12 NN	9	3	6	3	21	17	11	9	4	41	62
1 PM	7	9	6	6	28	11	7	10	13	41	69
2 PM	8	3	1	3	15	8	4	8	5	25	40
3 PM	8	4	4	8	24	7	8	5	8	28	52
4 PM	6	4	6	5	21	12	3	2	11	28	49
5 PM	4	6	2	2	14	6	6	3	7	22	36
6 PM	6	3	3	5	17	8	5	8	8	29	46
7 PM	5	5	4	4	18	6	7	8	6	27	45
8 PM	4	3	4	7	18	2	4	6	4	16	34
9 PM	3	4	2	1	10	5	3	12	4	24	34
10 PM	2	4	1	0	7	3	3	1	1	8	15
11 PM	0	1	0	2	3	1	2	0	0	3	6

FIRST 12-HOURS PEAK QUARTER COUNT	**13**	8 AM	4TH	**19**	9 AM	2ND
LAST 12-HOURS PEAK QUARTER COUNT	**9**	12 NN	1ST	**17**	12 NN	1ST
24 HOUR VEHICLES TOTAL		361			458	**819**
TOTAL VEHICLES STANDARD DEVIATION (STD)	[+,-]	11.62		[+,-]	14.81	25.80

PEAK HOURS VOLUME

	NORTH or WEST BOUND			SOUTH or EAST BOUND			BOTH DIRECTIONS		
	PEAK HOUR		VEHICLE VOLUME	PEAK HOUR		VEHICLE VOLUME	PEAK HOUR		VEHICLE VOLUME
First 12H Peak	9 AM		42	9 AM		53	9 AM		**95**
Last 12H Peak	1 PM		28	12 NN		41	1 PM		**69**
First 12H Peak STD		[+,-]	14.84		[+,-]	16.31		[+,-]	30.92
Last 12H Peak STD		[+,-]	6.81		[+,-]	10.83		[+,-]	17.02

Prepared by NDS/ATD

VOLUME

Robertson Blvd N/O Sawyer St

Day: Thursday
Date: 8/13/2015

City: Los Angeles
Project #: CA15_5233_215

DAILY TOTALS	NB	SB	EB	WB	Total
	20,956	21,028	0	0	41,984

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
00:00	56		104				160		12:00	254		312				566	
00:15	49		76				125		12:15	273		329				602	
00:30	66		58				124		12:30	275		323				598	
00:45	43	214	70	308			113	522	12:45	281	1083	334	1298			615	2381
01:00	40		45				85		13:00	264		338				602	
01:15	30		53				83		13:15	311		309				620	
01:30	22		36				58		13:30	310		309				619	
01:45	29	121	29	163			58	284	13:45	315	1200	316	1272			631	2472
02:00	18		35				53		14:00	333		338				671	
02:15	23		35				58		14:15	311		322				633	
02:30	19		35				54		14:30	304		320				624	
02:45	19	79	17	122			36	201	14:45	324	1272	305	1285			629	2557
03:00	16		18				34		15:00	296		332				628	
03:15	12		18				30		15:15	302		359				661	
03:30	25		10				35		15:30	306		372				678	
03:45	26	79	18	64			44	143	15:45	287	1191	357	1420			644	2611
04:00	26		12				38		16:00	276		359				635	
04:15	30		15				45		16:15	299		402				701	
04:30	62		21				83		16:30	295		417				712	
04:45	65	183	21	69			86	252	16:45	305	1175	397	1575			702	2750
05:00	81		23				104		17:00	346		423				769	
05:15	104		34				138		17:15	313		440				753	
05:30	147		41				188		17:30	355		405				760	
05:45	169	501	44	142			213	643	17:45	333	1347	402	1670			735	3017
06:00	143		65				208		18:00	358		337				695	
06:15	165		78				243		18:15	329		421				750	
06:30	172		124				296		18:30	360		404				764	
06:45	188	668	111	378			299	1046	18:45	440	1487	361	1523			801	3010
07:00	208		155				363		19:00	373		299				672	
07:15	262		166				428		19:15	344		297				641	
07:30	301		210				511		19:30	333		282				615	
07:45	353	1124	237	768			590	1892	19:45	283	1333	308	1186			591	2519
08:00	362		285				647		20:00	233		278				511	
08:15	354		301				655		20:15	240		266				506	
08:30	374		321				695		20:30	199		221				420	
08:45	427	1517	326	1233			753	2750	20:45	213	885	233	998			446	1883
09:00	389		311				700		21:00	202		197				399	
09:15	367		371				738		21:15	170		201				371	
09:30	333		331				664		21:30	166		190				356	
09:45	380	1469	288	1301			668	2770	21:45	175	713	189	777			364	1490
10:00	329		288				617		22:00	166		197				363	
10:15	303		307				610		22:15	161		166				327	
10:30	286		310				596		22:30	135		144				279	
10:45	273	1191	291	1196			564	2387	22:45	130	592	155	662			285	1254
11:00	275		279				554		23:00	125		149				274	
11:15	264		279				543		23:15	109		123				232	
11:30	300		300				600		23:30	96		112				208	
11:45	286	1125	291	1149			577	2274	23:45	77	407	85	469			162	876
TOTALS		8271		6893				15164	TOTALS		12685		14135				26820
SPLIT %		54.5%		45.5%				36.1%	SPLIT %		47.3%		52.7%				63.9%

DAILY TOTALS	NB	SB	EB	WB	Total
	20,956	21,028	0	0	41,984

AM Peak Hour	08:30	08:45						08:30	PM Peak Hour	18:30	16:30							17:00
AM Pk Volume	1557	1339						2886	PM Pk Volume	1517	1677							3017
Pk Hr Factor	0.912	0.902						0.958	Pk Hr Factor	0.862	0.953							0.981
7 - 9 Volume	2641	2001	0	0				4642	4 - 6 Volume	2522	3245	0	0					5767
7 - 9 Peak Hour	08:00	08:00						08:00	4 - 6 Peak Hour	17:00	16:30							17:00
7 - 9 Pk Volume	1517	1233	0	0				2750	4 - 6 Pk Volume	1347	1677	0	0					3017
Pk Hr Factor	0.888	0.946	0.000	0.000				0.913	Pk Hr Factor	0.949	0.953	0.000	0.000					0.981

Appendix E

Tree Report by Certified Arborist for Proposed Project at 1904-1906 Preuss Road

Prepared January 12, 2023

Department of City Planning Case No. CPC-2023-6115-DB-HCA

TREE REPORT

PREPARED FOR

Marc Dauer

2313 Duxbury Circle

Los Angeles, CA 90034

PROPERTY

1904-1906 S Preuss Rd.

Los Angeles, CA 90034

CONTACT

Billy Diep, Breakform Design

310.322.3700

billy.d@breakformdesign.com

January 12, 2023

PREPARED BY

LISA SMITH, **THE TREE RESOURCE ®**

REGISTERED CONSULTING ARBORIST #464

ISA BOARD CERTIFIED MASTER ARBORIST #WE3782B

ISA TREE RISK ASSESSOR QUALIFIED - INSTRUCTOR

MEMBER OF AMERICAN SOCIETY OF CONSULTING ARBORISTS

P.O. BOX 49314, LOS ANGELES, CA 90049

T 310-663-2290 **E** lisa@thetreeresource.com

TABLE OF CONTENTS

SUMMARY 3

ASSIGNMENT 5

LIMITATIONS 5

TREE CHARACTERISTICS AND SITE CONDITIONS 5

IMPACT ANALYSIS AND SPECIFIC RECOMMENDATIONS 5

APPENDIX A –TREE LOCATION MAP 6

APPENDIX B - PHOTOGRAPHS 7

APPENDIX C – SUMMARY OF FIELD INSPECTION 10

APPENDIX D – SUMMARY OF DATA 12

GENERAL RECOMMENDATIONS

New Tree Planting 14

Tree Maintenance and Pruning 15

Diseases and Insects, Grade Changes, Inspection 17

ASSUMPTIONS AND LIMITING CONDITIONS 18

TREE REPORT

1904-1906 S Preuss Rd.
Los Angeles, CA 90034

SUMMARY

PROJECT OVERVIEW	
Site Address	**1904-1906 S Preuss Rd., Los Angeles, CA 90034**
Location and/or Specific Plan	**Beverlywood Vicinity**
Project Description	**Subdivision of 2 lots into 12 new single family residential small lot subdivisions (11 units and 1 affordable unit).**
Number of Protected Trees on Site	**0**
Number of Recommended Removals	**0**
Date of Site Visit	**09/22/2022**

This Tree Report was prepared at the request of the property owner, Marc Dauer, who is preparing to build new multi unit housing on this property. The subject property is located in the Beverlywood Vicinity area of Los Angeles. It is currently developed with single family residences which the owner is preparing to demolish and will subdivide the two lots into twelve new single family residential small lot subdivisions (11 units and 1 affordable unit).

PROTECTED TREES, URBAN FORESTRY DIVISION

This property is under the jurisdiction of the City of Los Angeles and guided by the Native Tree Protection Ordinance No. 186873. **Protected Trees** are defined by this ordinance as oaks (*Quercus* sp.) indigenous to California but excluding the scrub oak (*Quercus dumosa*); Southern California black walnut (*Juglans californica var. californica*); Western sycamore (*Platanus racemosa*) and California bay laurel (*Umbellularia californica*) trees with a diameter at breast height (DBH) of four inches (4") or greater. **Protected Shrubs** are defined as Mexican elderberry (*Sambucus mexicana*); Toyon (*Heteromeles arbutifolia*) which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the shrub.

There are NO trees or shrubs on this property that would be considered protected within the City of Los Angeles Native Tree Protection Ordinance.

NEIGHBOR TREES

I have also inspected the neighboring properties to confirm there are no protected tree species that are adjacent to the construction zone, or in areas of impact.

CITY OF LOS ANGELES STREET TREES, URBAN FORESTRY DIVISION

There are no trees located in the parkway perimeter that are considered **City of Los Angeles Street Trees.**

NON-PROTECTED SIGNIFICANT TREES, DEPARTMENT OF CITY PLANNING

The Department of City Planning requires the identification of the location, size, type and condition of all existing trees on the site with a DBH of 8 inches (8") or greater. These trees will be identified as **Non-Protected Significant Trees.**

At this time, I observed thirteen (13) **Non-Protected Significant Trees** on the property. These trees will be impacted by construction and are recommended for removal and replacement to the satisfaction of the City of Los Angeles Department of City Planning.

ASSIGNMENT

The Assignment included:

- Field Observation and Inventory of Trees on Site
- Photographs of the subject trees are included in Appendix B
- Evaluation of potential construction impacts
- Matrix of proposed tree removals and trees to remain

LIMITS OF THE ASSIGNMENT

The field inspection was a visual, grade level tree assessment. No special tools or equipment were used. No tree risk assessments were performed. My site examination and the information in this report is limited to the date and time the inspection occurred. The information in this report is limited to the condition of the trees at the time of my inspection.

TREE CHARACTERISTICS AND SITE CONDITIONS

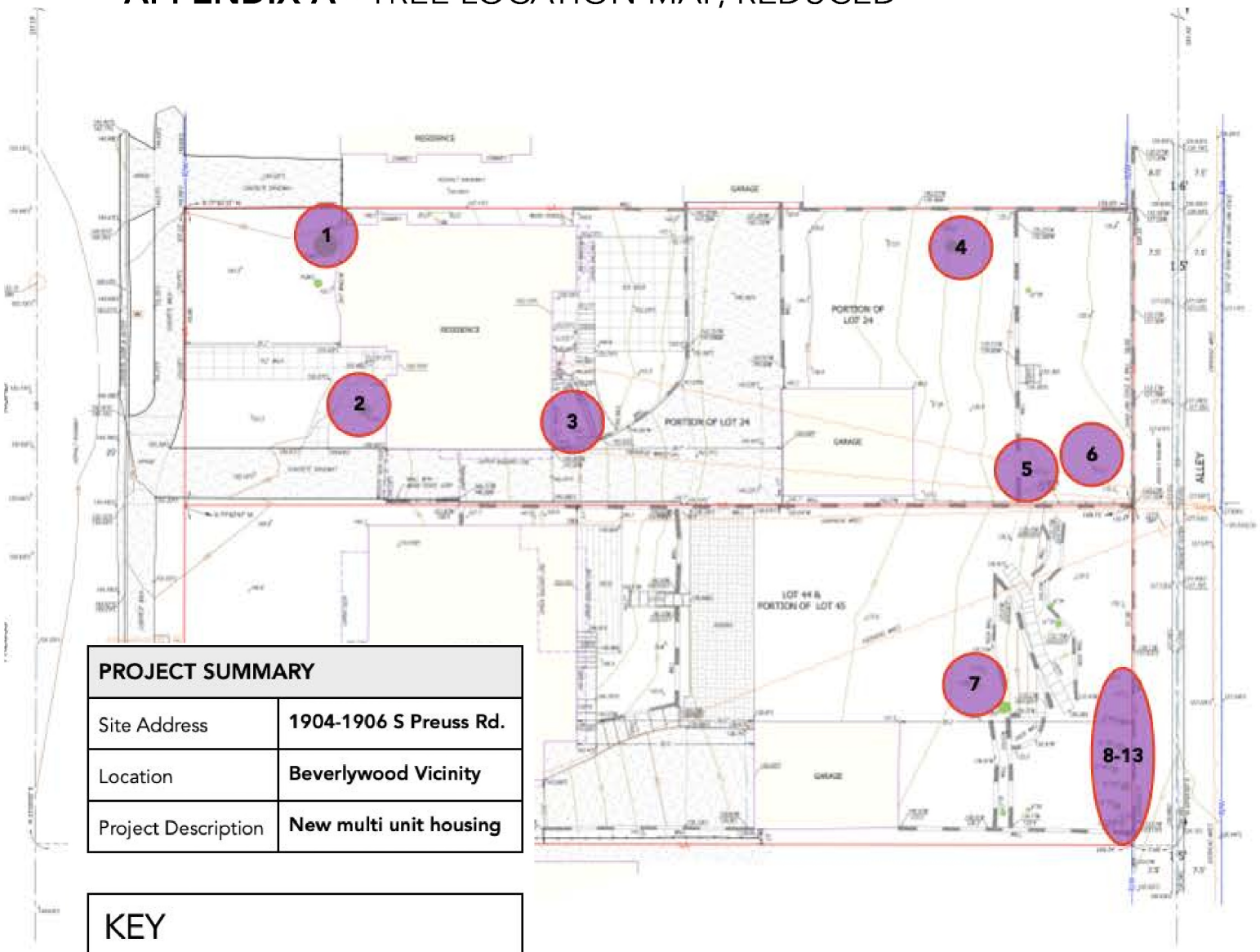
Detailed information with respect to size, condition, species and recommendations are included in the Summary of Field Inspections in Appendix C. The trees are numbered on the Tree Location Map in Appendix A.

IMPACT ANALYSIS AND SPECIFIC RECOMMENDATIONS

NON-PROTECTED TREES

Thirteen (13) Non-Protected Significant Trees are in the direct footprint of the new construction and are recommended for removal.

APPENDIX A - TREE LOCATION MAP, REDUCED



PROJECT SUMMARY	
Site Address	**1904-1906 S Preuss Rd.**
Location	**Beverlywood Vicinity**
Project Description	**New multi unit housing**

KEY

Non-Protected Significant Tree

Tree recommended for removal

SUMMARY OF REPLACEMENT

NON-SIGNIFICANT TREES, 8" DBH + REPLACED 1:1

APPENDIX B - PHOTOGRAPHS



PHOTO 1 - Shows some of the non-protected trees on site that are recommended for removal.

APPENDIX B - PHOTOGRAPHS



PHOTO 2 - Shows some of the non-protected trees on site that are recommended for removal.

APPENDIX B - PHOTOGRAPHS



PHOTO 3 - Shows some of the non-protected trees on site that are recommended for removal.

APPENDIX C - SUMMARY OF FIELD INSPECTION

Rating Code: A = Excellent, B = Good, C = Fair, D = Poor, E = Nearly Dead, F = Dead

Tree #	Species	Status	DBH (")	Height (')	Spread (')	Summary of Condition	Retain or Remove
1	King Palm *Archontophoenix cunninghamiana*	Non-Protected	10, 5	20	10	C	Remove
2	King Palm *Archontophoenix cunninghamiana*	Non-Protected	10, 8, 7, 4	30	15	C	Remove
3	King Palm *Archontophoenix cunninghamiana*	Non-Protected	8	30	10	C	Remove
4	Mexican Fan Palm *Washingtonia robusta*	Non-Protected	12	30	5	C	Remove
5	Citrus sp.	Non-Protected	6	8	8	C	Remove
6	Citrus sp.	Non-Protected	6	8	8	C	Remove
7	Crepe Myrtle *Robinia pseudoacacia*	Non-Protected	8	15	10	D	Remove
8	Weeping Fig *Ficus benjamina*	Non-Protected	14	35	15	C	Remove
9	Weeping Fig *Ficus benjamina*	Non-Protected	14	35	15	C	Remove
10	Weeping Fig *Ficus benjamina*	Non-Protected	12	35	15	C	Remove
11	Weeping Fig *Ficus benjamina*	Non-Protected	18	35	15	C	Remove
12	Weeping Fig *Ficus benjamina*	Non-Protected	16	35	15	C	Remove
13	Weeping Fig *Ficus benjamina*	Non-Protected	12	35	15	C	Remove

APPENDIX D - SUMMARY OF DATA

Table 2. Schedule of Proposed Removals

RECOMMENDATION

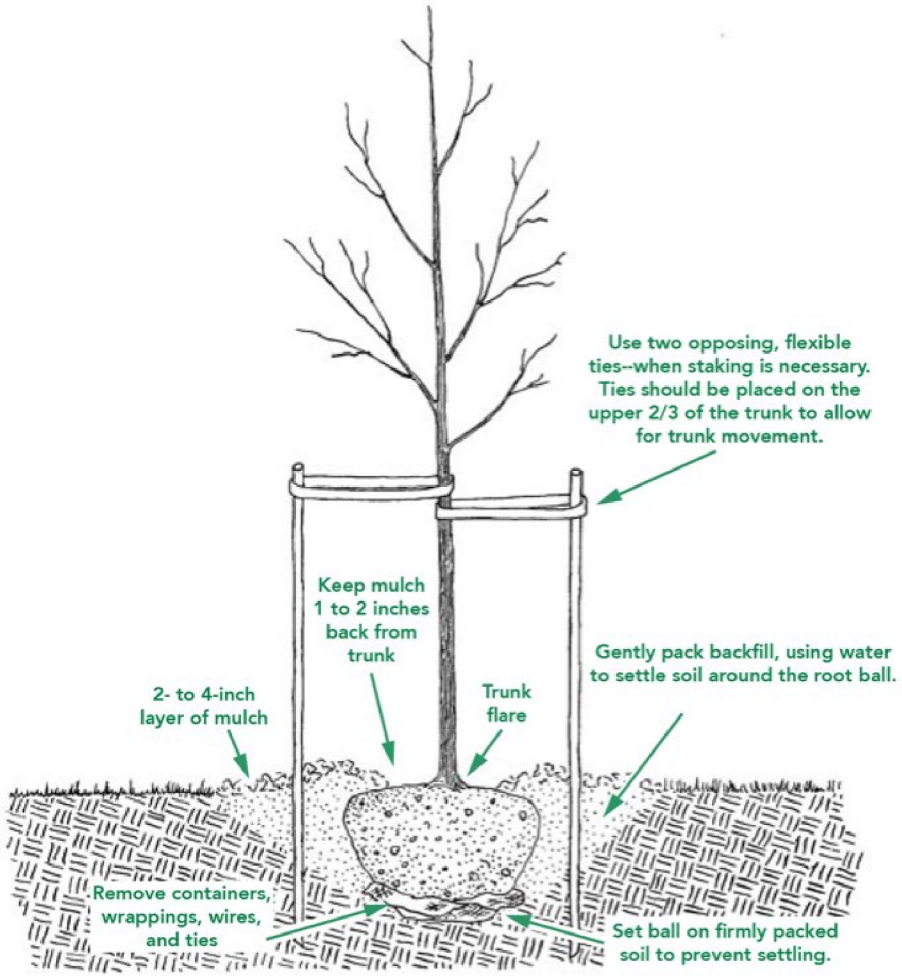
Tree #	Species	Status	Condition	Retain or Remove	Reason for Removal
1	King Palm Archontophoenix cunninghamiana	Non-Protected	Fair	Remove	Construction Impact
2	King Palm Archontophoenix cunninghamiana	Non-Protected	Fair	Remove	Construction Impact
3	King Palm Archontophoenix cunninghamiana	Non-Protected	Fair	Remove	Construction Impact
4	Mexican Fan Palm Washingtonia robusta	Non-Protected	Fair	Remove	Construction Impact
5	Citrus sp.	Non-Protected	Fair	Remove	Construction Impact
6	Citrus sp.	Non-Protected	Fair	Remove	Construction Impact
7	Crepe Myrtle Robinia pseudoacacia	Non-Protected	Poor	Remove	Construction Impact
8	Weeping Fig Ficus benjamina	Non-Protected	Fair	Remove	Construction Impact
9	Weeping Fig Ficus benjamina	Non-Protected	Fair	Remove	Construction Impact
10	Weeping Fig Ficus benjamina	Non-Protected	Fair	Remove	Construction Impact
11	Weeping Fig Ficus benjamina	Non-Protected	Fair	Remove	Construction Impact
12	Weeping Fig Ficus benjamina	Non-Protected	Fair	Remove	Construction Impact
13	Weeping Fig Ficus benjamina	Non-Protected	Fair	Remove	Construction Impact

APPENDIX D - SUMMARY OF DATA

Table 3. Summary of Replacement

	Existing Trees to Be Removed	Trees to be Planted in Replacement
NON-PROTECTED SIGNIFICANT TREES 8" + DBH Replaced 1:1	13	13
TOTAL	13	13

NEW TREE PLANTING



The ideal time to plant trees and shrubs is during the dormant season, in the fall after leaf drop or early spring before budbreak. Weather conditions are cool and allow plants to establish roots in the new location before spring rains and summer heat stimulate new top growth. Before you begin planting your tree, be sure you have had all underground utilities located prior to digging.

If the tree you are planting is balled or bare root, it is important to understand that its root system has been reduced by 90 to 95 percent of its original size during transplanting. As a result of the trauma caused by the digging process, trees commonly exhibit what is known as transplant shock. Containerized trees may also experience transplant shock, particularly if they have circling roots that must be cut. Transplant shock is indicated by slow growth and reduced vigor following transplanting. Proper site preparation before and during planting coupled with good follow-up care reduces the amount of time the plant experiences transplant shock and allows the tree to quickly establish in its new location. Carefully follow nine simple steps, and you can significantly reduce the stress placed on the plant at the time of planting.

NEW TREE PLANTING, continued

1. Dig a shallow, broad planting hole. Make the hole wide, as much as three times the diameter of the root ball but only as deep as the root ball. It is important to make the hole wide because the roots on the newly establishing tree must push through surrounding soil in order to establish. On most planting sites in new developments, the existing soils have been compacted and are unsuitable for healthy root growth. Breaking up the soil in a large area around the tree provides the newly emerging roots room to expand into loose soil to hasten establishment.

2. Identify the trunk flare. The trunk flare is where the roots spread at the base of the tree. This point should be partially visible after the tree has been planted (see diagram). If the trunk flare is not partially visible, you may have to remove some soil from the top of the root ball. Find it so you can determine how deep the hole needs for proper planting.

3. Remove tree container for containerized trees. Carefully cutting down the sides of the container may make this easier. Inspect the root ball for circling roots and cut or remove them. Expose the trunk flare, if necessary.

4. Place the tree at the proper height. Before placing the tree in the hole, check to see that the hole has been dug to the proper depth and no more. The majority of the roots on the newly planted tree will develop in the top 12 inches of soil. If the tree is planted too deeply, new roots will have difficulty developing because of a lack of oxygen. It is better to plant the tree a little high, 1-2 inches above the base of the trunk flare, than to plant it at or below the original growing level. This planting level will allow for some settling.

5. Straighten the tree in the hole. Before you begin backfilling, have someone view the tree from several directions to confirm that the tree is straight. Once you begin backfilling, it is difficult to reposition the tree.

6. Fill the hole gently but firmly. Fill the hole about one-third full and gently but firmly pack the soil around the base of the root ball. Be careful not to damage the trunk or roots in the process. Fill the remainder of the hole, taking care to firmly pack soil to eliminate air pockets that may cause roots to dry out. To avoid this problem, add the soil a few inches at a time and settle with water. Continue this process until the hole is filled and the tree is firmly planted. It is not recommended to apply fertilizer at time of planting.

7. Stake the tree, if necessary. If the tree is grown properly at the nursery, staking for support will not be necessary in most home landscape situations. Studies have shown that trees establish more quickly and develop stronger trunk and root systems if they are not staked at the time of planting. However, protective staking may be required on sites where lawn mower damage, vandalism, or windy conditions are concerns. If staking is necessary for support, there are three methods to choose among: staking, guying, and ball stabilizing. One of the most common methods is staking. With this method, two stakes used in conjunction with a wide, flexible tie material on the lower half of the tree will hold the tree upright, provide flexibility, and minimize injury to the trunk (see diagram). Remove support staking and ties after the first year of growth.

8. Mulch the base of the tree. Mulch is simply organic matter applied to the area at the base of the tree. It acts as a blanket to hold moisture, it moderates soil temperature extremes, and it reduces competition from grass and weeds. A 2- to 3-inch layer is ideal. More than 3 inches may cause a problem with oxygen and moisture levels. When placing mulch, be sure that the actual trunk of the tree is not covered. Doing so may cause decay of the living bark at the base of the tree. A mulch-free area, 1 to 2 inches wide at the base of the tree, is sufficient to avoid moist bark conditions and prevent decay.

TREE MAINTENANCE AND PRUNING

Some trees do not generally require pruning. The occasional removal of dead twigs or wood is typical. Occasionally a tree has a defect or structural condition that would benefit from pruning. Any pruning activity should be performed under the guidance of a certified arborist or tree expert.

Because each cut has the potential to change the growth of the tree, no branch should be removed without a reason. Common reasons for pruning are to remove dead branches, to remove crowded or rubbing limbs, and to eliminate hazards. Trees may also be pruned to increase light and air penetration to the inside of the tree's crown or to the landscape below. In most cases, mature trees are pruned as a corrective or preventive measure.

Routine thinning does not necessarily improve the health of a tree. Trees produce a dense crown of leaves to manufacture the sugar used as energy for growth and development. Removal of foliage through pruning can reduce growth and stored energy reserves. Heavy pruning can be a significant health stress for the tree.

Yet if people and trees are to coexist in an urban or suburban environment, then we sometimes have to modify the trees. City environments do not mimic natural forest conditions. Safety is a major concern. Also, we want trees to complement other landscape plantings and lawns. Proper pruning, with an understanding of tree biology, can maintain good tree health and structure while enhancing the aesthetic and economic values of our landscapes.

Pruning Techniques – From the I.S.A. Guideline

Specific types of pruning may be necessary to maintain a mature tree in a healthy, safe, and attractive condition.

Cleaning is the removal of dead, dying, diseased, crowded, weakly attached, and low- vigor branches from the crown of a tree.

Thinning is the selective removal of branches to increase light penetration and air movement through the crown. Thinning opens the foliage of a tree, reduces weight on heavy limbs, and helps retain the tree's natural shape.

Raising removes the lower branches from a tree to provide clearance for buildings, vehicles, pedestrians, and vistas.

Reduction reduces the size of a tree, often for clearance for utility lines. Reducing the height or spread of a tree is best accomplished by pruning back the leaders and branch terminals to lateral branches that are large enough to assume the terminal roles (at least one-third the diameter of the cut stem). Compared to topping, reduction helps maintain the form and structural integrity of the tree.

TREE MAINTENANCE AND PRUNING, continued

How Much Should Be Pruned?

Mature trees should require little routine pruning. A widely accepted rule of thumb is never to remove more than one-quarter of a tree's leaf-bearing crown. In a mature tree, pruning even that much could have negative effects. Removing even a single, large- diameter limb can create a wound that the tree may not be able to close. The older and larger a tree becomes, the less energy it has in reserve to close wounds and defend against decay or insect attack. Pruning of mature trees is usually limited to removal of dead or potentially hazardous limbs.

Wound Dressings

Wound dressings were once thought to accelerate wound closure, protect against insects and diseases, and reduce decay. However, research has shown that dressings do not reduce decay or speed closure and rarely prevent insect or disease infestations. Most experts recommend that wound dressings not be used.

DISEASES AND INSECTS

Continual observation and monitoring of your tree can alert you to any abnormal changes. Some indicators are: excessive leaf drop, leaf discoloration, sap oozing from the trunk and bark with unusual cracks. Should you observe any changes, you should contact a Tree specialist or Certified Arborist to review the tree and provide specific recommendations. Trees are susceptible to hundreds of pests, many of which are typical and may not cause enough harm to warrant the use of chemicals. However, diseases and insects may be indication of further stress that should be identified by a professional.

GRADE CHANGES

The growing conditions and soil level of trees are subject to detrimental stress should they be changed during the course of construction. Raising the grade at the base of a tree trunk can have long-term negative consequences. This grade level should be maintained throughout the protected zone. This will also help in maintaining the drainage in which the tree has become accustomed.

INSPECTION

The property owner should establish an inspection calendar based on the recommendation provided by the tree specialist. This calendar of inspections can be determined based on several factors: the maturity of the tree, location of tree in proximity to high-use areas vs. low-use area, history of the tree, prior failures, external factors (such as construction activity) and the perceived value of the tree to the homeowner.

Assumptions and Limiting Conditions

No warranty is made, expressed or implied, that problems or deficiencies of the trees or the property will not occur in the future, from any cause. The Consultant shall not be responsible for damages or injuries caused by any tree defects, and assumes no responsibility for the correction of defects or tree related problems.

The owner of the trees may choose to accept or disregard the recommendations of the Consultant, or seek additional advice to determine if a tree meets the owner's risk abatement standards.

The Consulting Arborist has no past, present or future interest in the removal or retaining of any tree. Opinions contained herein are the independent and objective judgments of the consultant relating to circumstances and observations made on the subject site.

The recommendations contained in this report are the opinions of the Consulting Arborist at the time of inspection. These opinions are based on the knowledge, experience, and education of the Consultant. The field inspection was a visual, grade level tree assessment.

The Consulting Arborist shall not be required to give testimony, perform site monitoring, provide further documentation, be deposed, or to attend any meeting without subsequent contractual arrangements for this additional employment, including payment of additional fees for such services as described by the Consultant.

The Consultant assumes no responsibility for verification of ownership or locations of property lines, or for results of any actions or recommendations based on inaccurate information.

This Arborist report may not be reproduced without the express permission of the Consulting Arborist and the client to whom the report was issued. Any change or alteration to this report invalidates the entire report.

Should you have any further questions regarding this property, please contact me at (310) 663-2290.

Respectfully submitted,





Lisa Smith

Registered Consulting Arborist #464
ISA Board Certified Master Arborist #WE3782B
ISA Tree Risk Assessor Qualified- Instructor
American Society of Consulting Arborists, Member

Appendix F

Noise Impact Analysis for Proposed Project at 1904-1906 Preuss Road

Prepared February 23, 2024

Department of City Planning Case No. CPC-2023-6115-DB-HCA

Noise Effects

Audible Noise Changes – Studies have shown that the smallest perceptible change in sound level for a person with normal hearing sensitivity is approximately 3 dBA. A change of at least 5 dBA is readily perceptible to a person with normal hearing sensitivity. A 10 dBA increase is subjectively heard as a doubling in loudness.

Noise levels decrease as the distance from the noise source to the receiver increases. Noise generated by a stationary noise source, or point source, will decrease by approximately 6 dBA over hard surfaces (e.g., reflective surfaces such as parking lots or smooth bodies of water) and 7.5 dBA over soft surfaces (e.g., absorptive surfaces such as soft dirt, grass, or scattered bushes and trees) for each doubling of the distance. For example, if a noise source produces a noise level of 89 DBA and a reference distance of 50 feet, then the noise level would be 83 DBA at a distance of 100 feet from the noise source, 77 DBA at a distance of 200 feet., and so on. Noise generated by a mobile source will decrease by approximately 3 dBA over hard services and 4.8 dBA over soft services for each doubling of the distance.

Noise is most audible when there is a direct line-of-sight. Solid barriers such as walls, berms, or buildings that break the line-of-sight between the source and the receiver greatly reduced noise levels from the source, since sound can only reach the receiver by bending over the top of the barrier. However, if a barrier is not solid, high, or long enough to break the line-of-sight from the source to the receiver, its effectiveness is greatly reduced.

Regulatory Frameworks

State

Department of Health Services – The Department of Health Services, Environmental Health Division, has published the Guidelines for Noise and Land Use Compatibility (the State Guidelines) which recommend guidelines for local governments to use when setting standards for human exposure to noise and preparing noise elements for general plans. The State Guidelines, which is illustrated in Table 4.12-1, indicates that residential land use and other noise sensitive receptors generally should be located in areas where outdoor ambient noise levels do not exceed 65 to 70 dBA.

According to the State Guidelines, an exterior noise level of 60 dBA is considered to be a "normally acceptable" noise level for single-family, duplex, and mobile homes involving normal, conventional construction, without any special noise insulation requirements. Exterior noise levels up to 65 DBA are typically considered "normally acceptable" for multifamily units and transient lodging without any special noise insulation requirements. Between these values and 70 dBA exterior noise levels are typically considered "conditionally acceptable" and residential construction should only occur after a detailed analysis of noise reduction requirements is made and needed noise attenuation features are included in the project design. Exterior noise attenuation features include, but are not limited to, setbacks that place structures outside the conditionally acceptable noise contour and orientation.

California Code of Regulations (CCR) – Title 24 of the CCR codifies Sound Transmission Control requirements, which establishes uniform minimum noise Insulation performance standards for new hotels, motels, dormitories, apartment houses, and dwellings other than detached single family dwellings. Specifically, Title 24 states that interior noise levels attributable to exterior

sources shall not exceed 45 DBA in any habitable room of new multifamily dwellings. Dwellings are to be designed so that interior noise levels will meet this standard for at least 10 years from the time of building permit application.

Department of Housing and Community Development – The Department of Housing and Community Development advises that new residential units should not be exposed to outdoor ambient noise levels in excess of 65 dBA and, if necessary, sufficient noise insulation must be provided to reduce interior ambient noise levels to 45 dBA. Within a 65 dBA exterior noise environment, interior noise levels are typically reduced to acceptable levels (to at least 45 dBA) through conventional construction, but with closed windows and fresh air supply systems or air conditioning.

Community Noise Exposure
CNEL, dB

Land Use	**Normally Acceptable1**	**Conditionally Acceptable2**	**Normally Unacceptable3**	**Clearly Unacceptable4**
Single Family, Duplex, Mobile Homes	50-60	55-70	70-75	Above 70
Multi-Family Homes	50-65	60-70	70-75	Above 70
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-70	60-70	70-80	Above 80
Transient Lodging- Motels, Hotels	50-65	60-70	70-80	Above 80
Auditoriums, Concert Halls, Amphitheaters	-	50-70	-	Above 65
Sports Arena, Outdoor Spectator Sports	-	50-75	-	Above 70
Playgrounds, Neighborhood Parks	50-70	-	67-75	Above 72
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50-75	-	70-80	Above 80
Office Buildings, Business and Professional Commercial	50-70	67-77	Above 75	-
Industrial, Manufacturing, Utilities, Agriculture	50-75	70-80	Above 75	-

Source: California Department of Health Services, as referenced in the 2006 City of Los Angeles L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles.
Notes:
1 Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
2 Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
3 Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
4 Clearly Unacceptable: New construction or development should generally not be undertaken.

Local

Los Angeles Municipal Code (LAMC) - City of Los Angeles has a comprehensive set of regulations concerning the generation of control of noise that could adversely affect people and noise sensitive land uses that are located in four different chapters of the code – the Zoning Ordinance (Chapter I), the General Welfare (Chapter IV), Building Code (Chapter IX), and Noise Regulation (Chapter XI).

Regarding construction, Section 41.40. (Noise Due to Construction, Excavation Work – When Prohibited) in Chapter IV (Public Welfare) of the LAMC indicates that no construction or repair work shall be performed between the hours of 9:00 PM and 7:00 AM, since such activities would generate loud noises and disturb persons occupying the sleeping quarters in any adjacent dwelling, hotel, apartment or other place of residence. No person, other than an individual homeowner engaged in the repair or construction of his/her single-family dwelling, shall perform any construction or repair work of any kind, or perform such work within 500 feet of land so occupied before 8:00 AM or after 6:00 PM on any Saturday or on a federal holiday, or at any time on Sunday. Under certain conditions, the City may grant a waiver to allow limited construction activities to occur outside the limits described above.

LAMC Section 91.106.4.8, in the Building Code (L AMC Chapter IX) requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the sites, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

Chapter XI (Noise Regulation) of the LAMC addresses sources of noise other than construction activities. Chapter XI is intended to prohibit unnecessary, excessive, and annoying noises from all sources within the city. A noise level increase from certain regulated noise sources of 5 dBA over the existing or presumed ambient noise level at an adjacent property line is considered a violation of the noise regulations. The 5 dBA increase above ambient is applicable to City regulated noise sources (e.g., mechanical equipment – LAMC Section 112.02), and it is applicable anytime of the day. The LAMC states that the baseline ambient noise shall be the actual measured ambient noise level or the City's presumed ambient noise level, whichever is greater. The actual ambient noise level is the measured noise levels averaged over a period of at least 15 minutes. The LAMC indicates that in cases where the actual measured ambient conditions are not known, the City's presumed noise levels should be used. The presumed ambient noise levels are in section 111.03. (Minimum Ambient Noise Level) of the LAMC.

ZONE	PRESUMED AMBIENT NOISE LEVEL (dB(A))	
	DAY	NIGHT
A1, A2, RA, RE, RS, RD, RW1, RW2, R1, R2, R3, R4, and R5	50	40
P, PB, CR, C1, C1.5, C2, C4, C5, and CM	60	55
M1, MR1, and MR2	60	55
M2 and M3	65	65
Source: LAMC 111.03 In this chart, daytime levels are to be used from 7:00 a.m. to 10:00 p.m. and nighttime levels from 10:00 p.m. to 7:00 a.m.		

To account for people's increased tolerance for short-duration noise events, the LAMC provides a 5 dBA allowance for noise sources occurring more than 5 minutes but less than 15 minutes in any one-hour period (for a total of 10 DBA above the ambient), and an additional 5 dBA allowance (total of 15 dBA above the ambient) for noise sources occurring 5 minutes or less in any one hour periods. These additional allowances for short-duration noise sources are applicable to noise sources occurring between the hours of 7:00 AM and 10:00 PM (daytime hours). Furthermore, LAMC provides a reduction of 5 dBA for steady, high-pitched noise or repeated impulsive noise. The LAMC defines impulsive noise as sound of short duration, usually less than one second, with an abrupt onset and rapid decay. By way of example, in the LAMC, impulsive sound includes explosions, musical bass, drum beats, or the discharge of firearms.

LAMC Section 112.02 (Air Conditioning, Refrigeration, Heating, Pumping, Filtering Equipment) requires that any heating, ventilation, or air conditioning (HVAC) system within any zone of the City not cause an increase in ambient noise levels on any other occupied property or if a condominium, apartment house, or attached business, within any adjoining unit to exceed the ambient noise level by more than 5 dBA.

Section 112.05 (Maximum Noise Level of Powered Equipment or Powered Hand Tools) of the LAMC specifies the maximum noise level of powered equipment or powered hand tools. Any powered equipment or hand tool that produces a maximum noise level exceeding 75 DBA at a distance of 50 feet is prohibited. However, this noise limitation does not apply where compliance is technically infeasible. Technically infeasible means the above noise limitation cannot be met despite the use of mufflers, shields, sound barriers, and or any other noise reduction device or techniques during the operation of equipment.

Building Code

City of Los Angeles Building Sound Insulation Regulations – With the development of inexpensive insulation materials, air conditioning, and improved noise reduction techniques, it became economically feasible to design buildings that provide effective insulation from outside noise as well as from weather conditions. It has been estimated that standard insulation, window sealing efficiency, and other energy conservation measures reduce exterior-to-interior noise by approximately 15 dBA. Such a reduction generally is adequate to reduce interior noise from outside sources, including street noise, to an acceptable level. Building setbacks and orientation also reduce noise impacts.

Sound transmission control requirements are included in the International Building Code (IBC), which are the basis for the 2016 California Building Code (CBC) CBC states noise insulation standards (CBC Title 24, Section 1207.4). The standards require that intrusive noise not exceed 45 dBA in any habitable room and has been incorporated into the City of Los Angeles Building Code (LAMC Section 91).

The City of Los Angeles Building Code guides building construction. The insulation provisions are intended to mitigate interior noise from outside sources, as well as sound between structural units. The provisions vary according to the intended use of the building, e.g., residential, commercial, and industrial. The regulations are intended to achieve a maximum interior sound level equal to or less than the ambient noise level standard for a particular zone, as set forth in the city's noise ordinance.

Community Plan

West Adams – Baldwin Hills – Leimert Community Plan EIR, Existing – A series of exterior daytime sound measurements were taken on September 21, 2010 to characterize existing conditions in the West Adams – Baldwin Hills – Leimert Community Plan Area. The monitoring occurred between 11:00 AM and 2:00 PM. Sound measurements were taken using a SoundPro DL Sound Level calibrated before and after the measurements. Noise monitoring locations are shown in Figure 4.12-2. Table 4.12-4 shows that the existing ambient noise level within the Project vicinity were measured at 68.2 dBA L_{EQ}. The major source of noise was from automobiles.

The Community Plan monitoring location nearest the project site is outlined in red on Table 4.12-4. Located at Cadillac Ave and Bedford Street, 1,500 feet from the Project site, the noise monitoring location shows an existing ambient noise level of 8.2 dBA L_{EQ}.

West Adams – Baldwin Hills – Leimert Community Plan EIR, Construction Noise Mitigation Measures – N1: As a condition of approval for any Discretionary or "Active Change Area Project", as defined in Section 3.4 of the Project Description, the City shall require all contractors to include the following best management practices in contract specifications:

- Construction haul truck and materials delivery traffic shall avoid residential areas whenever feasible. If no alternatives are available, truck traffic shall be routed on streets with the fewest residences.
- The construction contractor shall locate construction staging areas away from sensitive uses.
- When construction activities are located in close proximity to noise-sensitive land uses, noise barriers (e.g., temporary walls or piles of excavated material) shall be constructed between activities and noise sensitive uses.
- Impact pile drivers shall be avoided where possible in noise-sensitive areas. Drilled piles or the use of a sonic vibratory pile driver are quieter alternatives that shall be utilized where geological conditions permit their use. Noise shrouds shall be used when necessary to reduce noise of pile drilling/driving.
- Construction equipment shall be equipped with mufflers that comply with manufacturers' requirements.
- The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible.

The proposed Project will comply with all measures from the Community Plan named above.



LEGEND: West Adams CPA (#) Noise Monitoring Locations

1. Crenshaw Blvd between 66th and 67th Streets
2. Slauson Avenue at 2nd Street
3. Martin Luther King Jr. Blvd at Leimert Blvd
4. Don Diablo Drive at Don Arellanas Drive
5. Slauson Avenue at 2nd Street
6. Martin Luther King Jr. Blvd at Leimert Blvd
7. Washington Blvd between Harcourt and Palm Grove Avenues
8. Cadillac Avenue at Bedford Street

SOURCE: ESRI and TAHA, 2012.

APPROX. SCALE N 0 2,400 4,800 FEET

taha 2010-074

West Adams New Community Plan Environmental Impact Report

CITY OF LOS ANGELES

FIGURE 4.12-2

NOISE MONITORING LOCATIONS

Figure 4.12-2: West Adams – Baldwin Hills - Leimert Community Plan EIR Noise Monitoring Locations
★ - Approximate Location of Project Site

TABLE 4.12-4: EXISTING NOISE LEVELS	
Noise Monitoring Location	**Sound Level (dBA, L_{eq})**
Crenshaw Boulevard between 66th and 67th Streets	72.2
Slauson Avenue at 2nd Street	65.6
Martin Luther King at Leimert Boulevards	71.7
Don Diablo at Don Arellanes Drives	51.2
Crenshaw Boulevard between Coliseum Street and Rodeo Road	69.9
La Brea Avenue and Roseland Street	75.5
Washington Boulevard between Harcourt Avenue and Palm Grove Avenue	70.3
Cadillac Avenue and Bedford Street	68.2
SOURCE: TAHA, 2012.	

Source: West Adams – Baldwin Hills - Leimert Community Plan EIR Noise Levels
The monitoring location nearest the project site are outlined in red.

Project Background

The Project site is located at 1904-1906 S Preuss Road on two contiguous lots within the City of Los Angeles. The site is currently occupied by two structures which consist of a single-family dwelling on each lot as well as 13 non-protected significant trees. The Project proposes construction of 12 (twelve), four-story small lot subdivision homes, each on their own small lot, with 24 (twenty-four) at-grade parking spaces, two spaces assigned to each small lot home (no subterranean parking is part of this Project). The total size of the Project site is 16,774.98 square feet. Setbacks for the project include a 10-foot front yard (to the west), a 15.2-foot rear yard, and 5-foot side yards.

Existing Conditions

Surrounding Sensitive Uses

The City's Noise Element defines the following land uses as noise-sensitive receptors: single-family and multi-unit dwellings, long-term care facilities (including convalescent and retirement facilities), dormitories, motels, hotels, transient lodgings and other residential uses; houses of worship; hospitals; libraries; schools; auditoriums; concert halls; outdoor theaters; nature and wildlife preserves, and parks.

Preuss Road bounds the site to the west. Across Preuss Road, a Standard Local Street containing 50 feet of public right-of-way, are more residential uses including a single-family home at 1905 S Preuss Road and a single-family home at 1907 S Preuss Road. An approximately 15-foot wide alley bounds the site to the east (the rear yard). To the east of the alley are more residential structures including a single-family home at 1905 S Shenandoah Street and a 10-unit multifamily structure at 1907 S Shenandoah Street. There are single-family residential uses directly adjacent to the site to the north and south at 1902 and 1908 S Preuss Road, respectively. The closest residential use is located to the east at 1908 S Preuss Road, adjacent to the shared property line.

Approximately 260 feet from the Project site is an assisted living facility (Beverlywood Residential Facility). Located at 1920 S Robertson Blvd, the assisted living facility is separated from the Project site by a row of residential structures and a fifteen-foot (15-foot) alley.

Preuss Road is considered a "Local Street-Standard" roadway and is currently improved with a 50-foot ROW. The half-ROW on the Project's side of the centerline would be improved from the existing 25-foot half-ROW to a 30-foot half-ROW width as part of the Project in accordance with

The Citywide General Plan Circulation System maps. The most recent 24-hour traffic count conducted for Preuss Road at the intersection of Preuss Road and Sawyer Street (approximately 140 feet from the Project site) shows 819 total vehicles driving north- and south-bound on Preuss Road between the hours of 00:00:00 and 23:59:00. Speed limits are not posted but are presumed to be 25 mph.

Robertson Boulevard (Blvd), a north- and south-bound Modified Avenue II sits approximately 390 feet to the west of the Project site. The most recent traffic count conducted for Robertson Blvd at the intersection of Robertson Blvd and Sawyer Street (approximately 425 feet from the Project site) shows 41,984 total vehicles driving north- and south-bound on Robertson Blvd between the hours of 00:00:00 and 23:59:00.

To identify existing noise conditions, five short-term (15-minute) noise levels were measured in the vicinity of the project site. Figure 1, Noise Measurement Location Map, depicts the locations of the noise measurements. The Project team consultant conducted the noise survey on January 29, 2024, between 3:16 PM and 4:41 PM. The consultant calibrated and operated the sound measurement instrument according to the manufacturer's written specifications. At the measurement sites, the consultant placed the microphone at a height of approximately five feet above grade. As shown on Figure 1, Noise Measurement Location Map, the Consultant took the noise measurements near the closest noise-sensitive land uses: the single-family residential property to the north of the Project site located at 1902 S Preuss Road (NM1); the single-family residential property to the south of the Project site located at 1908 S Preuss Road (NM2); the assisted living facility (Beverlywood Residential Facility) located at 1920 S Robertson Blvd, approximately 260 feet from the Project site (NM3); the educational facility located at 1846 S Robertson Blvd (Gan-Yaffa Kindergarten), approximately 390 feet from the Project site (NM4); and the religious facility located at 1952 S Robertson Blvd (Friendship Circle); approximately 490 feet from the Project site (NM5). Table I, Existing Ambient Noise Levels, provides a summary of the ambient noise data. Ambient average noise levels (L_{EQ}) were between 70.2 and 86.1 dBA L_{EQ}. The dominant noise sources were from vehicles traveling along the adjacent roadways, construction activity, handheld lawn power tools, and car doors closing in off- and on-street parking spaces, and urban ambience (human conversation, car radios, etc.).



Figure 1 – Noise Measurement Locations

NOISE MEASUREMENT LOCATION	LOCATION	PRIMARY NOISE SOURCES	L_{EQ}	L_{MAX}	L_{MIN}
NM1	1902 S Preuss Road	• Traffic on adjacent roadways	72.4	107.6	49
NM2	1908 S Preuss Road	• Construction activity	70.2	105.1	45.9
NM3	1920 S Robertson Blvd (Beverlywood Residential Facility)	• Handheld lawn power tools • Car doors closing in off- and on-street parking spaces • Urban ambience (human conversation, car radios, etc.)	86.1	98	76.4
NM4	1846 S Robertson Blvd (Gan-		82	96	72.7

	Yaffa Kindergarten)				
NM5	1952 S Robertson Blvd (Friendship Circle)		78	104.4	53.6

Table 1 – Existing Ambient Noise Levels

Project Noise Impacts

Construction Noise Impacts

For this analysis, a noise impact is considered potentially significant if Project construction activities extended beyond ordinance time limits for construction or construction-related noise levels exceed the ordinance noise level standards unless technically infeasible to do so. The proposed Project consists of the construction of 12 (twelve), four-story small lot subdivision homes, each on their own small lot, with 24 (twenty-four) at-grade parking spaces and no subterranean levels. The Applicant expects construction of the Project to last approximately 12-18 months and require the use of heavy equipment. The Applicant anticipates that the construction phases for the Project would include demolition, site preparation, grading, building construction, paving, and architectural coating. During each construction phase there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of each activity.

Construction activities and associated noise would be temporary and be restricted to daytime hours pursuant to Los Angeles Municipal Code (LAMC) Section 41.40. The maximum noise level of construction equipment is regulated by LAMC Section 112.05 to 75 dB at 50 feet from the source; however, the LAMC indicates such restrictions do not apply where technically infeasible despite the use of mufflers, shields, sound barriers and/or other noise reduction devices or techniques during the operation of the equipment.

Off-road Equipment

The City of Los Angeles limits construction activities to the hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 6:00 p.m. on any Saturday. Additionally, use of any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet from construction and industrial machinery is prohibited unless technically infeasible.

The exact construction schedule for the proposed development is not known at this time. Construction activities proposed for similar projects typically include grading and improvements, construction of the building shells, interior finishing, and landscaping. Construction equipment such as bulldozers, backhoes, loaders, and assorted other hand tools and professional grade equipment would likely be used.

In 2006, the Federal Highway Administration (FHWA) published the Roadway Construction Noise Model that includes a national database of construction equipment reference noise emissions levels. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power during a construction phase. The usage factor is a key input variable that is used to calculate the average Leq noise levels.

Table 2 identifies highest (L_{EQ}) noise levels associated with each type of equipment identified for use, then adjusts this noise level for distance to the closest sensitive receptor and the extent of equipment usage (usage factor). The table is organized by construction activity and equipment associated with each activity.

Quantitatively, the primary noise prediction equation is expressed as follows for the hourly average noise level (Leq) at distance D between the source and receiver (dBA):

Leq = L_{EQ} @ 50' – 20 log (D/50') + 10log (U.F%/100) – I.L.(bar)
Where:
L_{EQ} @ 50' is the published reference noise level at 50 feet
U.F.% is the usage factor for full power operation per hour
I.L.(bar) is the insertion loss for intervening barriers

Phase Name	Equipment	Usage Factor	dBA at 1908 Preuss Rd (no barrier)	dBA at 50 ft (no barrier)	dBA at 1908 Preuss Rd (with barrier)	dBA at 50 ft (with barrier)
Demolition	Backhoe	40%	87.6	73.6	77.6	63.6
	Dozer	40%	91.7	77.7	81.7	67.7
	Concrete Saw	20%	96.6	82.6	86.6	72.6
	Total	**N/A**	**98.2**	**84.2**	**88.2**	**74.2**
Site Preparation	Grader	40%	95.0	81.0	85.0	71.0
	Backhoe	40%	87.6	73.6	77.6	63.6
	Total	**N/A**	**95.1**	**81.7**	**85.7**	**71.7**
Grading	Grader	40%	95.0	81.0	85.0	71.0
	Dozer	40%	91.7	77.7	81.7	67.7
	Backhoe	40%	87.6	73.6	77.6	63.6
	Total	**N/A**	**97.2**	**83.2**	**87.2**	**73.2**
Building Construction	Crane	16%	86.6	72.6	76.6	62.6
	Forklift	20%	81.7	67.7	71.7	57.7
	Backhoe	40%	87.6	73.6	77.6	63.6
	Total	**N/A**	**90.7**	**76.7**	**80.7**	**66.7**
Paving	Concrete Mixer	40%	88.8	74.8	78.8	64.8
	Paver	50%	88.2	74.2	78.2	64.2
	Roller	20%	87.0	73.0	77.0	63.0
	Backhoe	40%	87.6	73.6	77.6	63.6
	Total	**N/A**	**94.0**	**80.0**	**84.0**	**70.0**
Architectural Coating	Air Compressor	40%	87.7	73.7	77.7	63.7
	Total	**N/A**	**87.7**	**73.7**	**77.7**	**63.7**

Table 2: Noise levels at nearest sensitive receptor by construction phase
Source: FHWA's Roadway Construction Noise Model, 2006

On-Site Demolition

The site currently contains two single-family residential structures that will be demolished during the demolition phase of Project construction. As shown in Table 2 above, during this phase, off-road

construction equipment expected to be used includes a backhoe, rubber-tired dozer, and concrete saw. This analysis assumes that each piece of equipment needed for this phase is being used simultaneously, as a worst-case scenario. In reality, equipment usage would vary based on the needs of the construction task at any given time.

The demolition phase is the loudest phase of construction. During this phase, noise levels at 1908 Preuss Road, the nearest sensitive receptor, could reach levels of 88.2 dBA with the insertion of a construction barrier. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary and will occur only when heavy equipment operates at the closest property line. Interior noise levels would be around 63.2 dBA assuming closed windows and doors.

The L_{EQ} expected during the demolition phase could reach up to 74.2 dBA with the insertion of a construction barrier at a reference distance of 50 feet, which is below the threshold of exceeding 75 dBA at a distance of 50 feet.

Site Preparation

Site preparation is anticipated to require one day according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use is 10 feet from the property line. At this distance, operation of heavy equipment could create noise levels of up to 85.7 dBA with the insertion of a construction barrier when heavy equipment such as a grader or backhoe operates directly at the property line. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary and will occur only when heavy equipment operates at the closest property line. Interior noise levels would be around 60.7 dBA assuming closed windows and doors. The barrier placed at the property line would reduce noise by approximately -10 dBA.

On-Site Grading

Grading is anticipated to require two days according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use is 10 feet from the property line. At this distance, operation of heavy equipment could create noise levels of up to 87.2 dBA with the insertion of a construction barrier when heavy equipment such as a grader or dozer operates directly at the property line. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary and will occur only when heavy equipment operates at the closest property line. Interior noise levels would be around 62.2 dBA assuming closed windows and doors. The barrier placed at the property line would reduce noise by approximately -10 dBA.

Building Construction

Construction activities would require smaller, less noisy equipment than demolition and grading but would require a longer duration, approximately 100 days, according to CalEEMod output based on a default construction schedule for a project of this size. At the closest residence construction noise levels could be as high as 80.7 dBA L_{EQ} with the insertion of a construction barrier. With closed windows, the noise interior noise level would decrease to about 55.7 dBA L_{EQ}. The construction barrier would assist in blocking noise at the ground floor.

Paving

Paving is anticipated to require five days according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use is 10 feet from the property line. At this distance, operation of heavy equipment could create noise levels of up to 84 dBA with the insertion of a construction barrier when heavy equipment operates directly at the property line. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary as the Project design requires minimal paving. Interior noise levels would be around 59 dBA assuming closed windows and doors. The construction barrier would reduce noise by approximately -10 dBA.

Architectural Coating

Architectural coating is the quietest phase of Project development and is anticipated to require five days according to CalEEMod output based on a default construction schedule for a project of this size. The closest sensitive off-site use, 10 feet from the property line, could experience noise levels of up to 77.7 dBA with the insertion of a construction barrier. Interior noise levels would be approximately 25 dBA lower assuming closed windows. Although noise levels would be noticeable, they would be temporary as the Project design requires minimal paving. Interior noise levels would be around 52.7 dBA assuming closed windows and doors. The construction barrier would reduce noise by approximately -10 dBA.

Operational Noise Impacts

Noise levels of up 70 dBA CNEL are "normally acceptable" for residential uses and levels of up to 75 dBA CNEL are considered "conditionally acceptable."

As stated, Preuss Road near the site currently carries approximately 819 total vehicles per day. The Project is projected to add 53 total vehicle trips per day to Preuss Road (per the LADOT VMT Calculator included in the project file). The current residential uses that occupy the project site contribute an estimated 15 daily vehicle trips. Therefore, the proposed Project would add 38 net daily vehicle trips to Preuss Road, which translates to a total of 51 dBA. Therefore, traffic related noise will not require noise protection to meet the 70 dB CNEL exterior noise standard.

The interior residential noise standard is 45 dB CNEL. For typical wood-framed construction with stucco and gypsum board wall assemblies, the exterior-to-interior noise level reduction is as follows:

- Partly open windows – 12 dB
- Closed single-paned windows – 20 dB
- Closed dual-paned windows – 30 dB

Use of dual-paned windows is required by the California Building Code (CBC) for energy conservation in new construction. Interior standards will be met as long as occupants have the option to close their windows. Where window closure is needed to shut out noise, supplemental ventilation is required by the CBC with some specified gradation of fresh air. Central air conditioning would meet this requirement.

Rooftop HVAC Equipment

Pursuant to LAMC Section 112.02, the project would be considered to exceed operational noise ordinance standards if it would increase the ambient noise level on another property by more than 5 dBA.

This project does not propose to develop commercial, industrial, manufacturing, or institutional facilities that are associated with loud stationary noise sources. The project would introduce new stationary noise sources in the form of Heating, Ventilation, and Air Conditioning (HVAC) units. It is assumed that the project would include rooftop HVAC units for each of the 12 dwelling units for a total of 12 HVAC units. Based on noise levels for HVAC units similar to those expected to be used in the project, each HVAC unit would produce a noise level of 68 dBA Leq at 3.3 ft.

This analysis assumes all 12 roof-mounted HVAC units are in simultaneous use as a "worst- case" scenario although actual HVAC use would depend on weather conditions and tenant occupancy. Addition of the reference noise levels for the 12 HVAC units would result in a composite reference noise level of 78.9 dBA at 3.3 feet, a value that is used to calculate noise levels at greater distances. Of the nearby sensitive land uses, the property which would experience the greatest level of noise from HVAC operation would be the single-family residence to the south of 1906 Preuss Road at 1908 Preuss Road. Units G, H, and I are the nearest to1908 Preuss Road (with a composite reference noise level of 72.8 dBA) and have approximately 9 feet of horizontal distance and 28 feet of vertical distance from the nearest portion of the project rooftop area in which HVAC units could potentially be placed. At these distances, noise levels from units G, H, and I would be reduced from 72.8 dBA to 41.2 dBAbased on the equation for distance attenuation of a point source. In addition, the parapet and roofline would decrease noise levels by a further 10 dBA based on the Federal Transit Administration (FTA) methodology for calculating barrier insertion loss for a final noise level of 31.2 dBA. Units J, K, and L are located adjacent to the portion of 1908 Preuss Road's property that is not developed and would therefore not impact residents inside their home.

The composite noise level of all of the rooftop HVAC systems operating simultaneously would be 68.9 feet at a distance of 3.3 feet. Given the approximately 9 feet of horizontal distance and 28 feet of vertical distance from the nearest portion of the project rooftop area in which HVAC units could potentially be placed, the composite noise level experience by the nearest sensitive use would be 49.73 dBA from the exterior and approximately 24.73 dBA from the interior portions of any nearby sensitive use structures. Therefore, simultaneous operation of the all twelve rooftop HVAC systems would not increase ambient noise levels beyond the significance threshold of 3 dBA CNEL.

Table 3 below shows the effects of the noise generated by the rooftop HVAC equipment on each nearby sensitive receptor. The average change in noise level for all receptors is 0 dBA. Generally, human detection of the change of a change in noise requires a change of +/-3dBA. Therefore, the impact of HVAC operational noise will not cause a potentially significant noise impact.

NOISE MEASUREMENT LOCATION	DISTANCE FROM PROJECT SITE	EXISTING L_{EQ}	L_{EQ} WITH HVAC UNITS[1]	L_{EQ} DIFFERENCE (EXISTING L_{EQ} - L_{EQ} WITH HVAC UNITS)
NM1	10 feet	72.4	72.4	0 dBA
NM2	10 feet	70.2	70.2	0 dBA

NM3	1920 S Robertson Blvd (Beverlywood Residential Facility)	86.1	86.1	0 dBA
NM4	1846 S Robertson Blvd (Gan-Yaffa Kindergarten)	82	82	0 dBA
NM5	1952 S Robertson Blvd (Friendship Circle)	78	78	0 dBA

Table 3: Noise levels at nearest sensitive receptors with HVAC units

On-Site Traffic Noise Exposure

The Project is expected to generate 53 average daily trips. The addition of 53 vehicle trips to the existing 819 vehicles trips per day on Preuss Road would cause a noise level of 51 dBA to a use 15 feet from the roadway, assuming all 53 trips take place within the same hour. The 51 dBA L_{EQ} noise level caused by the vehicle trips associated with the proposed Project represents a 0.1 dBA increase over the existing 70 dBA L_{EQ} noise level (for reference a doubling of traffic would create a +3 dBA increase). Project traffic noise impacts on Preuss Road will not exceed the +3 dBA CNEL noise significance threshold.

On-Site Human Activity

The Project plans to include a rooftop deck as private required, usable open space for each small lot home. AB 1307 (Wicks, 2023) was approved by California Governor Gavin Newsom on September 07, 2023 and took effect immediately as an urgency statute. AB 1307 specifies that the effects of noise generated by project occupants and their guests on human beings is not a significant effect on the environment for residential projects for purposes of CEQA. Therefore, the noise levels generated by Project occupants on nearby residential uses are not considered as potentially significant environmental impacts of the Project.

Cumulative Impacts

A cumulative impact analysis considers project development in combination with ambient growth and other development projects within the project vicinity. As noise is a localized phenomenon, and drastically reduces in magnitude as distance from the source increases, only projects in the nearby area could combine with onsite development to result in cumulative noise impacts.

Based on the City's screening criteria, noise from construction of development projects has the potential to affect noise-sensitive uses within a 500-foot radius of the construction site. As such, the following projects could contribute to a cumulative noise impact to receptors near the Project sites.

Projects within 500 Feet of Project Address	Relationship to Site	Proposed Use
1901 Preuss Road	194 ft northwest	5-unit residential building
8926 Sawyer Street	377 ft northwest	2-unit residential building and 3-unit residential building
1953 Preuss Road	498 ft southwest	6-unit small lot dwellings

Table 4: Nearby Projects

Noise from construction activities for four total Projects within proximity to each other can contribute to a cumulative noise impact for receptors located in close proximity to all four construction sites. Of all the sensitive receptors in proximity to the four construction sites, the single-family residential use at 1905 Preuss Road will receive the greatest impact as it is located approximately 55 feet away from the property line of the Project site at 1901 Preuss Road, approximately 110 feet from the property line at 8926 Sawyer Street, approximately 490 feet from the property line at 1953 Preuss Road, and 50 feet from the property line of the proposed Project at 1904-1906 Preuss Road.

Figure 2 below shows the Project site (1904-1906 Preuss Road), the other project sites (1901 Preuss Road, 8926 Sawyer Street, and 1953 Preuss Road), and the nearest sensitive use (1905 Preuss Road).



Figure 2 – Sensitive Uses Near Project Sites

★ - Nearest Sensitive Use

Cumulative Impacts – Construction Noise

All of the other projects within the noise impact catchment area have already begun construction and, at the time of this report, are at least in the framing phases of building construction while the subject has not yet completed the process of attaining building permits as it has not currently completed the Planning Entitlement process with the Los Angeles Department of City Planning. The initial stages of construction (demolition and grading) generate the highest level of noise. Grading activities are projected to take two days for the subject Project but are not projected to occur at the same time as the other nearby projects currently proposed within 500 feet. By the time the proposed Project breaks ground at the 1904-1906 Preuss Road site, the projects at 1901 Preuss Road, 8926 Sawyer Street, and 1953 Preuss Road will likely be fully built and operational or in the final stages of paving and architectural coating, which produce very little noise impact. Therefore, it is not expected that the cumulative noise impacts of the Projects' construction phases will cause a potentially significant impact.

Cumulative Impacts – Operational Noise

This report analyzes the cumulative noise impacts of the residential Projects at 1901 Preuss Road, 8926 Sawyer Street, 1953 Preuss Road, and the subject site by analyzing the noise impacts of the added rooftop HVAC equipment and the added vehicle trips from the projects collectively below.

Cumulative Impacts – Operational Noise from HVAC Equipment

Pursuant to LAMC Section 112.02, the projects would be considered to exceed operational noise ordinance standards if it would increase the ambient noise level on another property by more than 5 dBA.

None of the Projects within 500 feet of the site at 1904-1906 Preuss Road propose to develop commercial, industrial, manufacturing, or institutional facilities that are associated with loud stationary noise sources. The projects would introduce new stationary noise sources in the form of Heating, Ventilation, and Air Conditioning (HVAC) units. It is assumed that each project would include rooftop HVAC units for each of their dwelling units. Based on noise levels for HVAC units similar to those expected to be used in the projects, each HVAC unit would produce a noise level of 68 dBA Leq at 3.3 ft.

This analysis assumes all roof-mounted HVAC units are in simultaneous use as a "worst- case" scenario although actual HVAC use would depend on weather conditions and tenant occupancy. The project at 1901 Preuss Road is the construction of a 5-unit condominium building. The project at 8926 Sawyer Street is the construction of a 5-unit multifamily residential building. The project at 1953 Preuss Road is the construction of a 6 small lot homes. Addition of the reference noise levels for the 5 HVAC units at 1901 Preuss Road would result in a composite reference noise level of 75 dBA at 3.3 feet, a value that is used to calculate noise levels at greater distances. Addition of the reference noise levels for the 5 HVAC units at 8926 Sawyer Street would also result in a composite reference noise level of 75 dBA at 3.3 feet. Addition of the reference noise levels for the 6 HVAC units at 1953 Preuss Road would also result in a composite reference noise level of 75.8 dBA at 3.3 feet. And addition of the reference noise levels for the 12 HVAC units at 1904-1906 Preuss Road would also result in a composite reference noise level of 78.9 dBA at 3.3 feet.

Of the nearby sensitive land uses, the property which would experience the greatest level of noise from HVAC operation would be the single-family residence located at 1905 Preuss Road. The project at 1901 Preuss Road is located approximately 55 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise impact of 50.56 dBA, which would be reduced to 40.56 dBA by the required line-of-sight barrier for rooftop mechanical equipment. The project at 8926 Sawyer Street is located approximately 110 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise impact of 44.54 dBA, which would be reduced to 34.54 dBA by the required line-of-sight barrier for rooftop mechanical equipment. The project at 1953 Preuss Road is located approximately 490 feet from the property line of the single-family residence located at 1905 Preuss Road, resulting in a final noise impact of 32.4 dBA, which would be reduced to 22.4 dBA by the required line-of-sight barrier for rooftop mechanical equipment. The project at 1904-1906 Preuss Road is located approximately 50 feet from the property line of the single-family

residence located at 1905 Preuss Road, resulting in a final noise level of 55.29 dBA, which would be reduced to 45.29 dBA by the required line-of-sight barrier for rooftop mechanical equipment.

Using the neighborhood ambient noise level of 68.3 dBA established within the Community Plan EIR, the addition of the each project's HVAC noise impacts would result in a total ambient noise level of 68.3 dBA, an increase of 0 decibels.

Therefore, simultaneous operation of all of the HVAC systems for projects within 500 feet would not increase ambient noise levels beyond the significance threshold of 3 dBA CNEL.

Cumulative Impacts – Operational Noise from Traffic

As stated above, the subject Project at 1904-1906 Preuss Road is expected to generate 53 average daily trips. The current single-family residential uses generate a collective 15 ADT. Therefore, the Project is projected to add 38 net ADT to Preuss Road. The project at 1901Preuss Road is expected to generate 22 ADT. The current single-family residential use generates 7 ADT. Therefore, the Project is projected to add 15 net ADT to Preuss Road. The project at 8926 Sawyer Street is expected to generate 25 ADT. The current single-family residential use generates 7 ADT. Therefore, the Project is projected to add 18 net ADT to Preuss Road. The project at 1953Preuss Road is expected to generate 26 ADT. The current two-family residential use generates 10 ADT. Therefore, the Project is projected to add 16 net ADT to Preuss Road. Combined, the expected cumulative traffic increase from all four Projects is 87 ADT, which results in a cumulative noise impact of 56.6 dBA. Preuss Road is a Local Street that currently carries 819 vehicles trips per day. The addition of 87 vehicle trips to the existing neighborhood ambient noise level of 68.2 dBA would not result in an increased ambient noise level (for reference a doubling of traffic would create a +3 dBA increase). Therefore, the cumulative traffic noise impacts on Preuss Road will not exceed the +3 dBA CNEL noise significance threshold.

Summary

Construction Noise Impacts

Neither construction of the proposed Project alone, nor in combination with other project sites included in this analysis are expected to cause potentially significant noise impacts.

Construction activities from project development may exceed noise levels allowed by Section 112.05 of the Municipal Code at the nearest off-site sensitive uses. This can be mitigated by required compliance with all applicable regulatory measures. Compliance with City of Los Angeles Noise Standards requires that:

- Construction activities are limited to the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on any Saturday. Construction is not permitted on any national holiday or on any Sunday.
- Construction vehicles and equipment (fixed or mobile) shall be equipped with properly operating and maintained mufflers.

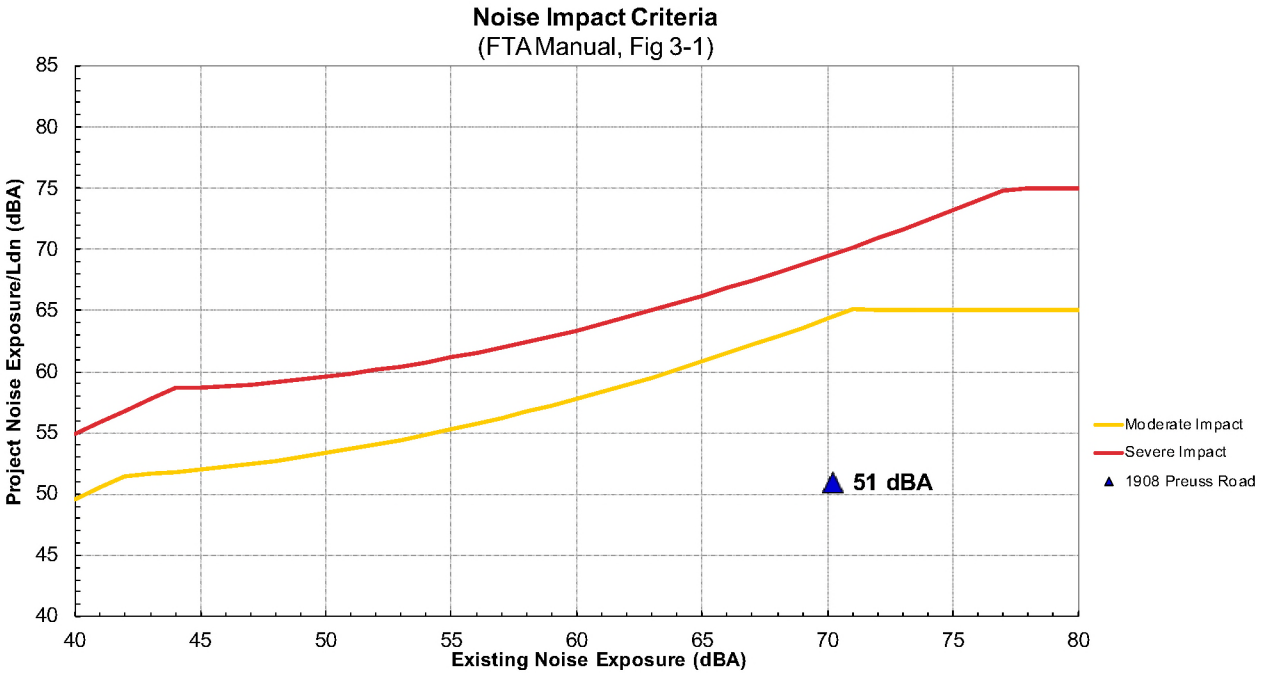
- Backup audible warning devices shall be replaced with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.
- Any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at receptor is prohibited unless no means exist to reduce such noise below 75 dBA.
- Material stockpiles and/or vehicle staging areas shall be located as far as practical from dwelling units.

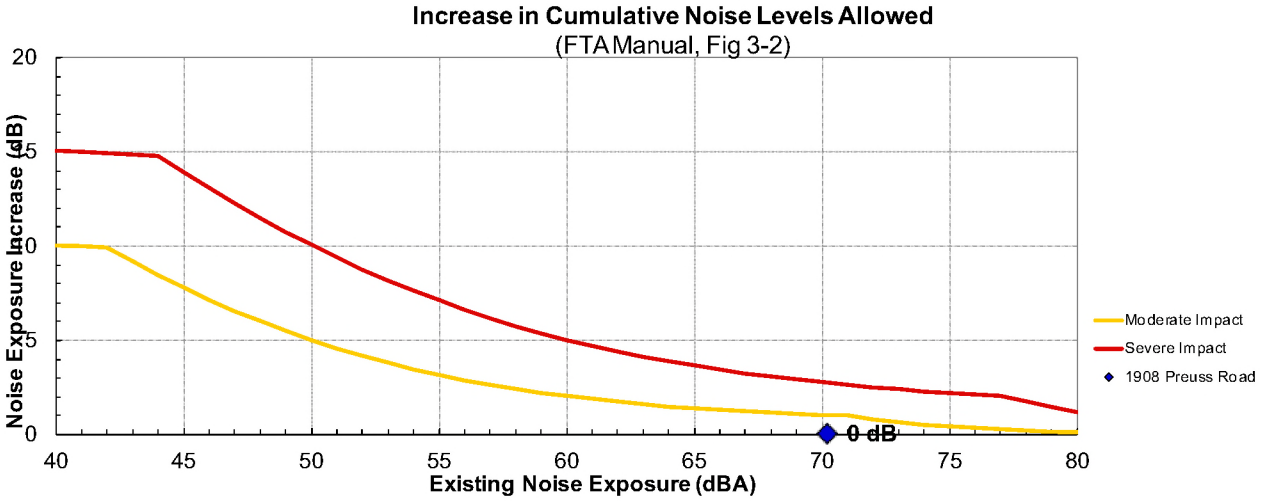
Operational Noise Impacts

Neither noise generated from the HVAC units placed on the Project's rooftop nor from the traffic added to nearby roadways are expected to exceed pre-determined ambient noise significance thresholds.

Project: 1904-1906 Preuss Road
Receiver: 1908 Preuss Road

	Source	Distance	Project Ldn	Existing Ldn	Noise Criteria Mod. Impact	Noise Criteria Sev. Impact	Impact?
1	Automobiles and Vans	15 ft	51.0 dBA	70 dBA	64 dBA	69 dBA	None
2	--	50 ft		70 dBA	64 dBA	69 dBA	
3	--	50 ft		70 dBA	64 dBA	69 dBA	
4	--	70 ft		70 dBA	64 dBA	69 dBA	
5	--	ft		70 dBA	64 dBA	69 dBA	
6	--	ft		70 dBA	64 dBA	69 dBA	
	Combined Sources		**51 dBA**	**70 dBA**	**64 dBA**	**69 dBA**	**None**


Noise Impact Criteria
(FTA Manual, Fig 3-1)
Project Noise Exposure/Ldn (dBA)
85
80
75
70
65
60
55
50
45
40
40
45
50
55
60
65
70
75
80
Existing Noise Exposure (dBA)
51 dBA
Moderate Impact
Severe Impact
1908 Preuss Road


Increase in Cumulative Noise Levels Allowed
(FTA Manual, Fig 3-2)
Noise Exposure Increase (dB)
20
15
10
5
0
40
45
50
55
60
65
70
75
80
Existing Noise Exposure (dBA)
0 dB
Moderate Impact
Severe Impact
1908 Preuss Road

Appendix G

CalEEMod Output Data Sheets for Projects in Cumulative Impact Analysis for Proposed Project at 1904-1906 Preuss Road

Prepared February 29, 2024

Department of City Planning Case No. CPC-2023-6115-DB-HCA

1901 Preuss Condos Summary Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

1.2. Land Use Types

1.3. User-Selected Emission Reduction Measures by Emissions Sector

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

2.4. Operations Emissions Compared Against Thresholds

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

7. Health and Equity Details

7.3. Overall Health & Equity Scores

7.5. Evaluation Scorecard

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	1901 Preuss Condos
Construction Start Date	6/1/2023
Operational Year	2024
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.70
Precipitation (days)	19.6
Location	1901 Preuss Rd, Los Angeles, CA 90034, USA
County	Los Angeles-South Coast
City	Los Angeles
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	4330
EDFZ	16
Electric Utility	Los Angeles Department of Water & Power
Gas Utility	Southern California Gas
App Version	2022.1.1.21

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description

Condo/Townhouse	5.00	Dwelling Unit	0.20	9,757	250	—	15.0	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.57	1.32	12.6	12.0	0.02	0.60	5.41	6.01	0.55	2.59	3.14	—	1,821	1,821	0.07	0.02	0.61	1,829
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.74	12.4	5.97	7.26	0.01	0.28	0.23	0.45	0.26	0.05	0.27	—	1,371	1,371	0.06	0.02	0.03	1,377
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.24	0.37	1.94	2.36	< 0.005	0.09	0.05	0.14	0.08	0.02	0.10	—	432	432	0.02	< 0.005	0.05	434
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.04	0.07	0.35	0.43	< 0.005	0.02	0.01	0.03	0.02	< 0.005	0.02	—	71.5	71.5	< 0.005	< 0.005	0.01	71.9

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.64	1.70	0.24	4.02	0.01	0.36	0.23	0.59	0.35	0.06	0.41	49.2	432	481	0.40	0.01	1.10	497
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.61	1.67	0.25	3.65	0.01	0.36	0.23	0.59	0.35	0.06	0.41	49.2	420	470	0.40	0.01	0.10	484
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.26	0.46	0.15	1.39	< 0.005	0.03	0.20	0.23	0.03	0.05	0.08	5.58	314	320	0.27	0.01	0.47	330
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.05	0.08	0.03	0.25	< 0.005	0.01	0.04	0.04	0.01	0.01	0.01	0.92	52.0	52.9	0.04	< 0.005	0.08	54.7

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	1	1	2
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	48.0
Healthy Places Index Score for Project Location (b)	47.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

8926 Sawyer Apartments Summary Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

1.2. Land Use Types

1.3. User-Selected Emission Reduction Measures by Emissions Sector

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

2.4. Operations Emissions Compared Against Thresholds

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

7. Health and Equity Details

7.3. Overall Health & Equity Scores

7.5. Evaluation Scorecard

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	8926 Sawyer Apartments
Construction Start Date	6/1/2023
Operational Year	2024
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.70
Precipitation (days)	19.6
Location	8926 Sawyer St, Los Angeles, CA 90035, USA
County	Los Angeles-South Coast
City	Los Angeles
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	4330
EDFZ	16
Electric Utility	Los Angeles Department of Water & Power
Gas Utility	Southern California Gas
App Version	2022.1.1.21

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description

Apartments Low Rise	5.00	Dwelling Unit	0.14	5,300	500	—	15.0	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.57	1.32	12.6	12.0	0.02	0.60	5.41	6.01	0.55	2.59	3.14	—	1,821	1,821	0.07	0.02	0.61	1,829
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.74	6.78	5.97	7.26	0.01	0.28	0.23	0.45	0.26	0.05	0.27	—	1,371	1,371	0.06	0.02	0.03	1,377
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.24	0.29	1.94	2.36	< 0.005	0.09	0.05	0.14	0.08	0.02	0.10	—	432	432	0.02	< 0.005	0.05	434
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.04	0.05	0.35	0.43	< 0.005	0.02	0.01	0.03	0.02	< 0.005	0.02	—	71.5	71.5	< 0.005	< 0.005	0.01	71.9

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.64	1.60	0.24	4.02	0.01	0.36	0.23	0.59	0.35	0.06	0.41	49.2	425	474	0.40	0.01	1.07	489
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.61	1.57	0.25	3.65	0.01	0.36	0.23	0.59	0.35	0.06	0.41	49.2	413	462	0.40	0.01	0.06	477
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.26	0.36	0.14	1.39	< 0.005	0.03	0.20	0.23	0.03	0.05	0.08	5.58	307	312	0.27	0.01	0.44	323
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.05	0.07	0.03	0.25	< 0.005	0.01	0.04	0.04	0.01	0.01	0.01	0.92	50.8	51.7	0.04	< 0.005	0.07	53.4

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	1	1	2
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	48.0
Healthy Places Index Score for Project Location (b)	47.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

1953 Preuss Road Small Lots Summary Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

1.2. Land Use Types

1.3. User-Selected Emission Reduction Measures by Emissions Sector

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

2.4. Operations Emissions Compared Against Thresholds

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

6.3. Adjusted Climate Risk Scores

7. Health and Equity Details

7.3. Overall Health & Equity Scores

7.5. Evaluation Scorecard

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	1953 Preuss Road Small Lots
Construction Start Date	6/1/2023
Operational Year	2024
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.70
Precipitation (days)	19.6
Location	1953 Preuss Rd, Los Angeles, CA 90034, USA
County	Los Angeles-South Coast
City	Los Angeles
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	4330
EDFZ	16
Electric Utility	Los Angeles Department of Water & Power
Gas Utility	Southern California Gas
App Version	2022.1.1.21

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description

Condo/Townhouse	6.00	Dwelling Unit	0.20	6,360	1,000	—	18.0	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.57	1.32	12.6	12.0	0.02	0.60	5.41	6.01	0.55	2.59	3.14	—	1,821	1,821	0.07	0.02	0.61	1,829
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.74	8.11	5.98	7.31	0.01	0.28	0.23	0.45	0.26	0.05	0.28	—	1,385	1,385	0.06	0.02	0.03	1,391
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.24	0.31	1.94	2.38	< 0.005	0.09	0.05	0.15	0.08	0.02	0.10	—	436	436	0.02	< 0.005	0.05	438
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.04	0.06	0.35	0.43	< 0.005	0.02	0.01	0.03	0.02	< 0.005	0.02	—	72.2	72.2	< 0.005	< 0.005	0.01	72.5

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.96	1.92	0.29	4.83	0.01	0.43	0.27	0.70	0.43	0.07	0.49	59.1	519	578	0.48	0.02	1.28	596
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.93	1.89	0.30	4.38	0.01	0.43	0.27	0.70	0.43	0.07	0.49	59.1	505	564	0.48	0.02	0.08	581
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.31	0.43	0.18	1.66	< 0.005	0.03	0.24	0.27	0.03	0.06	0.09	6.70	377	384	0.32	0.01	0.52	396
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.06	0.08	0.03	0.30	< 0.005	0.01	0.04	0.05	0.01	0.01	0.02	1.11	62.4	63.5	0.05	< 0.005	0.09	65.6

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	1	1	1	2
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	48.0
Healthy Places Index Score for Project Location (b)	47.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

Appendix H

Air Quality Technical Memorandum for Proposed Project at 1904-1906 Preuss Road

Prepared February 20, 2024

Department of City Planning Case No. CPC-2023-6115-DB-HCA

Air Quality Technical Memorandum

Date: February 20, 2024
Project: 1904-1906 Preuss Road
To: City of Los Angeles, Department of Planning
From: Brian Silveira & Associates

1.1 Introduction

The subject property consists of two (2) existing parcels (4302-020-003 and 4302-020-006) including two (2) lots that will be subdivided into 12 new townhouse-style residential units located at 1904-1906 Preuss Road within the West Adams-Baldwin Hills-Leimert Specific Plan Area of the City of Los Angeles (City). The project proposes 12 townhouse-style units on the 17,124 square foot (sf) lot with 11 market rate units (4 stories, a roof deck, and a two-car garage) and 1 affordable unit (3 stories and 2 outdoor parking spaces). **Table 1, Lot Unit Areas**, below provides the lot areas for each of the units. The project site is surrounded by urban development, consisting of low medium density residential land uses. The project would remove the two existing single-family residences on the subject property. Site preparation and grading would involve approximately 3,644 sf of cut and fill.

Table 1. Lot and Unit Areas

Lot and Unit Name	Unit Type	Lot Area (sf)
Lot 1 | Unit A	Market Rate	2,011.65
Lot 2 | Unit B	Market Rate	1,232.32
Lot 3 | Unit C	Market Rate	1,232.32
Lot 4 | Unit D	Market Rate	1,232.32
Lot 5 | Unit E	Market Rate	1,232.32
Lot 6 | Unit F	Affordable	1,480.29
Lot 7 | Unit G	Market Rate	2,017.27
Lot 8 | Unit H	Market Rate	1,232.95
Lot 9 | Unit I	Market Rate	1,233.59
Lot 10 | Unit J	Market Rate	1,234.23
Lot 11 | Unit K	Market Rate	1,234.87
Lot 12 | Unit L	Market Rate	1,479.19

1.2 Location and Background

The project is located in the City of Los Angeles in the West Adams-Baldwin Hills-Leimert Specific Plan Area of the City. The project would be constructed within the Los Angles Air Basin in the Northwest Los Angeles County Coastal Air Quality Management District. The project site

is located on Preuss Road south of the intersection of Preuss Road and Sawyer Street between Preuss Road and Shenandoah Street.

1.3 Regulatory Setting

Many statutes, regulations, plans, and policies have been adopted at the federal, state, and local levels to address air quality issues related to transportation and other sources. The proposed project is subject to air quality regulations at the level of the Air Quality Management District. This section introduces the pollutants governed by these regulations and describes the regulations and policies that are relevant to the proposed project.

1.4 Pollutant-Specific Overview

Air pollutants are governed by multiple federal and state standards to regulate and mitigate health impacts. There are six criteria pollutants for which National Ambient Air Quality Standards (NAAQS) have been established: CO, Pb, NO_2, O_3, PM ($PM_{2.5}$ and PM_{10}), and SO_2. The United States Environmental Protection Agency (U.S. EPA) has also identified nine priority mobile source air toxics: 1,3-butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter (diesel PM), ethylbenzene, formaldehyde, naphthalene, and polycyclic organic matter (https://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/msat/). In California, sulfates, visibility reducing particles, hydrogen sulfide, and vinyl chloride are also regulated.

1.4.1 Criteria Pollutants

The Clean Air Act requires the U.S. EPA to set National Ambient Air Quality Standards (NAAQS) for six criteria air contaminants: ozone, particulate matter, carbon monoxide, nitrogen dioxide, lead, and sulfur dioxide. It also permits states to adopt additional or more protective air quality standards if needed. California has set standards for certain pollutants. **Table 2** documents the current air quality standards while **Table 3** summarizes the sources and health effects of the six criteria pollutants and pollutants regulated in the state of California.

Table 2. Table of State and Federal Ambient Air Quality Standards. Accessed February 13, 2024, www.arb.ca.gov/research/aaqs/aaqs2.pdf.

Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flouresence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

See footnotes on next page ...

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Table 3. State and Federal Criteria Air Pollutant Effects and Sources.

Pollutant	Principal Health and Atmospheric Effects	Typical Sources
Ozone (O_3)	High concentrations irritate lungs. Long-term exposure may cause lung tissue damage and cancer. Long-term exposure damages plant materials and reduces crop productivity. Precursor organic compounds include many known toxic air contaminants. Biogenic VOC may also contribute.	Low-altitude ozone is almost entirely formed from reactive organic gases/volatile organic compounds (ROG or VOC) and nitrogen oxides (NOx) in the presence of sunlight and heat. Common precursor emitters include motor vehicles and other internal combustion engines, solvent evaporation, boilers, furnaces, and industrial processes.
Respirable Particulate Matter (PM_{10})	Irritates eyes and respiratory tract. Decreases lung capacity. Associated with increased cancer and mortality. Contributes to haze and reduced visibility. Includes some toxic air contaminants. Many toxic and other aerosol and solid compounds are part of PM_{10}.	Dust- and fume-producing industrial and agricultural operations; combustion smoke & vehicle exhaust; atmospheric chemical reactions; construction and other dust-producing activities; unpaved road dust and re-entrained paved road dust; natural sources.
Fine Particulate Matter ($PM_{2.5}$)	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and produces surface soiling. Most diesel exhaust particulate matter – a toxic air contaminant – is in the $PM_{2.5}$ size range. Many toxic and other aerosol and solid compounds are part of $PM_{2.5}$.	Combustion including motor vehicles, other mobile sources, and industrial activities; residential and agricultural burning; also formed through atmospheric chemical and photochemical reactions involving other pollutants including NOx, sulfur oxides (SOx), ammonia, and ROG.
Carbon Monoxide (CO)	CO interferes with the transfer of oxygen to the blood and deprives sensitive tissues of oxygen. CO also is a minor precursor for photochemical ozone. Colorless, odorless.	Combustion sources, especially gasoline-powered engines and motor vehicles. CO is the traditional signature pollutant for on-road mobile sources at the local and neighborhood scale.
Nitrogen Dioxide (NO_2)	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown. Contributes to acid rain & nitrate contamination of stormwater. Part of the "NOx" group of ozone precursors.	Motor vehicles and other mobile or portable engines, especially diesel; refineries; industrial operations.
Sulfur Dioxide (SO_2)	Irritates respiratory tract; injures lung tissue. Can yellow plant leaves. Destructive to marble, iron, steel. Contributes to acid rain. Limits visibility.	Fuel combustion (especially coal and high-sulfur oil), chemical plants, sulfur recovery plants, metal processing; some natural sources like active volcanoes. Limited contribution possible from heavy-duty diesel vehicles if ultra-low sulfur fuel not used.
Lead (Pb)	Disturbs gastrointestinal system. Causes anemia, kidney disease, and neuromuscular and neurological dysfunction. Also a toxic air contaminant and water pollutant.	Lead-based industrial processes like battery production and smelters. Lead paint, leaded gasoline. Aerially deposited lead from older gasoline use may exist in soils along major roads.
Visibility-Reducing	Reduces visibility. Produces haze. NOTE: not directly related to the Regional Haze program under the Federal Clean Air Act,	See particulate matter above. May be related more to aerosols than to solid particles.

Particles (VRP)	which is oriented primarily toward visibility issues in National Parks and other "Class I" areas. However, some issues and measurement methods are similar.	
Sulfate	Premature mortality and respiratory effects. Contributes to acid rain. Some toxic air contaminants attach to sulfate aerosol particles.	Industrial processes, refineries and oil fields, mines, natural sources like volcanic areas, salt-covered dry lakes, and large sulfide rock areas.
Hydrogen Sulfide (H_2S)	Colorless, flammable, poisonous. Respiratory irritant. Neurological damage and premature death. Headache, nausea. Strong odor.	Industrial processes such as: refineries and oil fields, asphalt plants, livestock operations, sewage treatment plants, and mines. Some natural sources like volcanic areas and hot springs.
Vinyl Chloride	Neurological effects, liver damage, cancer. Also considered a toxic air contaminant.	Industrial processes.

1.4.2 Mobile Source Air Toxics

Controlling air toxic emissions became a national priority with the passage of the Clean Air Act Amendments (CAAA) of 1990, whereby Congress mandated that the U.S. EPA regulate 188 air toxics, also known as hazardous air pollutants. The U.S. EPA has assessed this expansive list in its rule on the Control of Hazardous Air Pollutants from Mobile Sources (Federal Register, Vol. 72, No. 37, page 8430, February 26, 2007), and identified a group of 93 compounds emitted from mobile sources that are part of U.S. EPA's Integrated Risk Information System (IRIS) (https://www.epa.gov/iris). In addition, the U.S. EPA identified nine compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers or contributors and non-hazard contributors from the 2011 National Air Toxics Assessment (NATA) (https://www.epa.gov/national-air-toxics-assessment). These are *1,3-butadiene*, *acetaldehyde*, *acrolein*, *benzene*, *diesel particulate matter (diesel PM)*, *ethylbenzene*, *formaldehyde*, *naphthalene*, and *polycyclic organic matter*. While the Federal Highway Administration (FHWA) considers these the priority mobile source air toxics, the list is subject to change and may be adjusted in consideration of future U.S. EPA rules.

The 2007 U.S. EPA rule mentioned above requires controls that will dramatically decrease Mobile Source Air Toxics (MSAT) emissions through cleaner fuels and cleaner engines. According to an FHWA analysis using U.S. EPA's MOVES2014a model, even if vehicle activity (vehicle-miles traveled, VMT) increases by 45 percent from 2010 to 2050 as forecast, a combined reduction of 91 percent in the total annual emission rate for the priority MSATs is projected for the same time period, as shown in **Figure 1**.

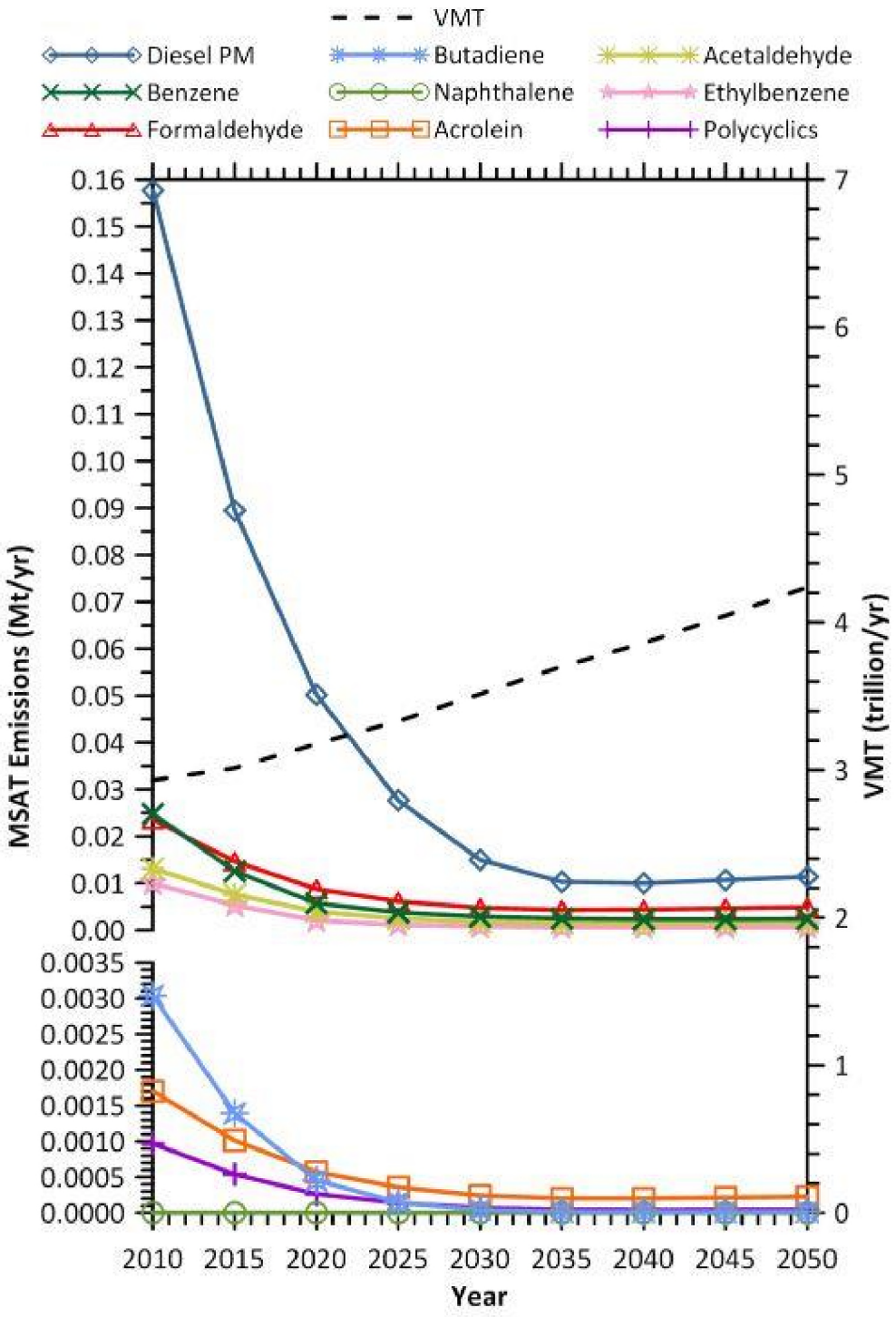


Figure 1. Projected National MSAT Trends, 2010-2050 (Source: https://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/msat/).

1.4.3 Greenhouse Gases

The term greenhouse gas (GHG) is used to describe atmospheric gases that absorb solar radiation and subsequently emit radiation in the thermal infrared region of the energy spectrum, trapping heat in the Earth's atmosphere. These gases include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and water vapor, among others. A growing body of research attributes long-term changes in temperature, precipitation, and other elements of Earth's climate to large increases in GHG emissions since the mid-nineteenth century, particularly from human activity related to fossil fuel combustion. Anthropogenic GHG emissions of particular interest include CO_2, CH_4, N_2O, and fluorinated gases.

GHGs differ in how much heat each traps in the atmosphere (global warming potential, or GWP). CO_2 is the most important GHG, so amounts of other gases are expressed relative to CO_2, using a metric called "carbon dioxide equivalent" (CO_2e). The global warming potential of CO_2 is assigned a value of 1, and the warming potential of other gases is assessed as multiples of CO_2. For example, the 2007 International Panel on Climate Change *Fourth Assessment Report* calculates the GWP of CH_4 as 25 CO_{2e} and the GWP of N_2O CO_{2e} as 298, over a 100-year time horizon.[1] Generally, estimates of all GHGs are summed to obtain total emissions for a project or given time period, usually expressed in metric tons ($MTCO_2e$), or million metric tons ($MMTCO_2e$).[2]

As evidence has mounted for the relationship of climate changes to rising GHGs, federal and state governments have established numerous policies and goals targeted to improving energy efficiency and fuel economy, and reducing GHG emissions. Nationally, electricity generation is the largest source of GHG emissions, followed by transportation. In California, however, transportation is the largest contributor to GHGs.

To date, no national standards have been established for nationwide mobile-source GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. However, the U.S. EPA and the National Highway Traffic Safety Administration (NHTSA) issued the first corporate fuel economy (CAFE) standards in 2010, requiring cars and light-duty vehicles to achieve certain fuel economy targets by 2016, with the intention of gradually increasing the targets and the range of vehicles to which they would apply.

---

[1] See Table 2.14 in IPCC Fourth Assessment Report: Climate Change 2007 (AR4): The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom, and New York, NY, USA. http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-chapter2.pdf.

[2] See http://www.airquality.org/Businesses/CEQA-Land-Use-Planning/CEQA-Guidance-Tools.

California has enacted aggressive GHG reduction targets, starting with Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 is California's signature climate change legislation. It set the goal of reducing statewide GHG emissions to 1990 levels by 2020, and required the ARB to develop a Scoping Plan that describes the approach California will take to achieve that goal and to update it every 5 years. In 2015, Governor Jerry Brown enhanced the overall adaptation planning effort with Executive Order (EO) B-30-15, establishing an interim GHG reduction goal of 40 percent below 1990 levels by 2030, and requiring state agencies to factor climate change into all planning and investment decisions.

Senate Bill (SB) 375, the Sustainable Communities and Climate Protection Act of 2008, furthered state climate action goals by mandating coordinated transportation and land use planning through preparation of sustainable communities strategies (SCS). The ARB sets GHG emissions reduction targets for passenger vehicles for each region. Each regional metropolitan planning organization must include in its regional transportation plan an SCS proposing actions toward achieving the regional emissions reduction targets.[3]

With these and other State Senate and Assembly bills and executive orders, California advances an innovative and proactive approach to dealing with GHG emissions and climate change.

1.4.4 Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by state, federal, and international agencies and was identified as a toxic air contaminant by the ARB in 1986. All types of asbestos are hazardous and may cause lung disease and cancer.

Asbestos can be released from serpentine and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos-bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed.

[3] https://www.arb.ca.gov/cc/sb375/sb375.htm

Serpentinite may contain chrysotile asbestos, especially near fault zones. Ultramafic rock, a rock closely related to serpentinite, may also contain asbestos minerals. Asbestos can also be associated with other rock types in California, though much less frequently than serpentinite and/or ultramafic rock. Serpentinite and/or ultramafic rock are known to be present in 44 of California's 58 counties. These rocks are particularly abundant in counties of the Sierra Nevada foothills, the Klamath Mountains, and Coast Ranges. The California Department of Conservation, Division of Mines and Geology has developed a map showing the general location of ultramafic rock in the state (https://ww2.arb.ca.gov/sites/default/files/classic/toxics/asbestos/ofr_2000-019.pdf).

1.4.5 Odors

According to the SCAQMD CEQA Air Quality Handbook, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The project would consist of residential development, and best management practices would be implemented by the general contractor to avoid the release of odorous substances (e.g., paints and solvents) from the project site. On-site trash receptacles would have the potential to create adverse odors. Trash receptacles would be located and maintained in a manner that promotes odor control and no adverse odor impacts are anticipated from these types of land uses. Therefore, an effect on air quality would not be expected to result due to odors omitted from the project site during construction or operation.

1.5 Regulations

1.5.1 Federal and California Clean Air Act

The Federal Clean Air Act (FCAA), as amended, is the primary federal law that governs air quality while the California Clean Air Act (CCAA) is its companion state law. These laws and related regulations by the U.S. EPA and the Air Resources Board (ARB) set standards for the concentration of pollutants in the air. At the federal level, these standards are called National Ambient Air Quality Standards (NAAQS). NAAQS and state ambient air quality standards have been established for six transportation-related criteria pollutants that have been linked to potential health concerns: carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), particulate matter (PM), which is broken down for regulatory purposes into particles of 10 micrometers or smaller (PM_{10}) and particles of 2.5 micrometers and smaller ($PM_{2.5}$), and sulfur dioxide (SO_2). In addition, national and state standards exist for lead (Pb), and state standards exist for visibility reducing particles, sulfates, hydrogen sulfide (H_2S), and vinyl chloride. The NAAQS and state standards are set at levels that protect public health within a margin of safety and are subject to periodic review and revision. Both state and federal regulatory schemes also

cover toxic air contaminants (air toxics); some criteria pollutants are also air toxics or may include certain air toxics in their general definition.

1.5.2 California Environmental Quality Act (CEQA)

CEQA[4] is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. CEQA documents address CCAA requirements for transportation projects. While state standards are often more strict than federal standards, the state has no conformity process.

1.5.3 Local

The U.S. EPA has delegated responsibility to air districts to establish local rules to protect air quality. Local regulatory requirements in the South Coast Air Basin are set based on Air Quality Management Districts. The project is located in Air Quality Management District 2, Northwest Los Angeles County Coastal. Regulatory emissions standards set by the South Coast Air Quality Management District as district-wide emission caps and caps specific to District 2 will be discussed further in Section 2.2, Short-Term Effects (Construction) and Section 2.3, Long-Term Effects (Operational).

1.6 Sensitive Receptors

The location of a development project is a major factor in determining whether it will result in localized air quality impacts. The potential for adverse air quality impacts increases as the distance between the source of emissions and members of the public decreases. Impacts on sensitive receptors are of particular concern. Sensitive receptors are facilities that house or attract children, the elderly, and people with illnesses or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors.

The project would be located in an existing residential area on a site that is currently developed with a residential use. The impact of the project on sensitive receptors will be discussed further under **Section 2, Environmental Consequences**.

[4] For general information about CEQA, see: https://files.resources.ca.gov/ceqa/more/faq.html

2. Environmental Consequences

This section describes the methods, impact criteria, and results of air quality analyses of the proposed project. Analyses in this report were conducted using CalEEMOD. CalEEMOD is a desktop tool that quantifies ozone precursors, criteria pollutants, and greenhouse gas emissions from the construction and operation of new land use development and linear projects in California. The model integrates data from CalEnviroScreen®, Cal-Adapt®, and the Healthy Places Index (HPI)® to identify potential climate risks and environmental burdens within the project vicinity. Measures to reduce emissions, climate risks, and environmental burdens are available for user selection and analysis.

2.1 Impact Criteria

Project-related emissions will have an adverse environmental impact if they result in pollutant emissions levels that either create or worsen a violation of an ambient air quality standard or contribute to an existing air quality violation. The criteria for determining the short-term effects (construction emissions) and long-term effects (operational emissions) are set by the South Coast Air Quality Management District, and are provided in **Table 4, South Coast Air Quality Significance Thresholds**.

Table 4. South Coast Air Quality Significance Thresholds

Pollutant	Construction	Operation
NO_x	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
South Coast Air Quality Management District, SCAQMD Air Quality Significance Thresholds, Revision: March 2023.		

2.2 Short-Term Effects (Construction Emissions)

Construction activity emissions considered demolition of existing structures, site preparation, grading, building construction, paving, and architectural coating (including painting or other surface treatments). Following construction, emissions from operation of the project would result from mobile sources (vehicle use), area sources (including on-site maintenance,

landscaping, and use of natural gas), and off-site electricity generation to serve the project. **Table 5**, **Maximum Daily Emissions**, summarizes the project's maximum daily emissions estimated by CalEEMod for short-term construction and long-term operations (model outputs provided in Attachment C).

Table 5. Maximum Daily Emissions, Construction

Daily Emissions(lbs/day)	**ROG**	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Construction						
Max. Daily Construction Emissions	1.548	30.48	18.62	0.116	10.24	4.385
SCAQMD Thresholds	75	100	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N

As shown in Table 5, the project would not exceed SCAQMD significance thresholds during construction and would therefore not result in a significant effect relating to air quality. Additionally, best management practices would be implemented on the project site by the general contractor, further reducing any effects to the environment related to air quality.

Localized Significance Thresholds (LSTs) were developed to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. The LST methodology addresses specific emissions, namely oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM-10 and PM-2.5). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and they are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

For the proposed project, LST impacts were evaluated using SCAQMD screening table thresholds for a 1-acre site with a source-receptor distance of 25 meters, the most stringent parameter for which the screening tables provide thresholds. This evaluation is based on maximum daily onsite construction emissions that would occur during any phase of project construction. Daily emissions would typically be lower than the reported maximum amounts. The table below shows the relevant threshold and the estimated peak daily onsite emissions for each pollutant during project construction to establish the highest level of onsite emissions to be evaluated for LST impacts. As shown in Table 6, Project Related LST Evaluation, the project's maximum daily onsite construction emissions would not exceed the relevant LST screening table thresholds for LST-related criteria pollutants, and impacts would be less than significant.

Table 6. Project Related LST Evaluation

1 acre/25 meter/Central Los Angeles County	Project LST Emissions (lbs/day)			
	NO_x	CO	PM_{10}	$PM_{2.5}$
LST Threshold	74	680	2	5
Peak Onsite Daily Emissions	11.4	10.7	1.06	0.98
Significant Impact? Y/N	N	N	N	N
Source: CalEEMod output dated July 27, 2023. Maximum daily emissions reported for summer or winter season, whichever is greater. Includes application of water for dust suppression as required by SCAQMD Rule 403.				

The project would be constructed on a site that has been previously disturbed in order to construct residential development. During construction, demolition of existing structures, the testing of existing building materials could be required under the demolition permit. If so, testing for asbestos and best management practices required to prevent the spread of asbestos-containing materials would be documented in the permit and would be the responsibility of the general contractor to meet. Therefore, the project would not be expected to contaminate air quality through the spread of asbestos.

Lead is normally not an air quality issue unless the project involves disturbance of soils containing high levels of aerially deposited lead or painting or modification of structures with lead-based coatings. Due to California state-level regulations regarding the use of lead-based materials, the demolition permit required to remove existing structures on the site will provide any requirements for testing demolished materials for lead. If the demolition permit requires such testing, it will be the responsibility of the general contractor to complete testing and implement best management practices to prevent the spread of lead-based materials during construction. Therefore, the project would not be expected to contaminate air quality through the spread of lead.

The project would be located in a residential area, which is considered to contain sensitive receptors. However, project construction would be temporary and construction emissions would not exceed allowable amounts. Additionally, best management practices would be implemented on site in compliance with building permits to further avoid impacts to sensitive receptors. Therefore, the project would not be expected to significantly impact sensitive receptors in the vicinity of the project.

2.3 Long-Term Effects (Operational Emissions)

Operational emissions take into account long-term changes in emissions due to the project (excluding the construction phase). The operational emissions analysis considers emissions related to building operations and tenant use.

Table 7. Maximum Daily Emissions, Operations

Operations						
Daily Emissions(lbs/day)	**ROG**	**NOx**	**CO**	**SO2**	**PM10**	**PM2.5**
Max. Daily Construction Emissions	3.823	0.585	9.490	0.022	1.409	0.989
SCAQMD Thresholds	55	55	550	150	150	55
Significant Impact? Y/N	N	N	N	N	N	N
Source: CalEEMod output, July 26, 2023. (a) Construction emissions reflect required compliance with SCAQMD Rule 403 for applying water during grading to reduce dust.						

As shown in Table 7, the project would not exceed SCAQMD significance thresholds and would therefore not result in a significant effect relating to air quality.

2.4 Cumulative

The cumulative impact analysis is conducted based on a summary of projections of future development and impacts contained in an adopted general planning or related planning document, or in a prior environmental document that has been certified.

The 2021-2029 Los Angeles General Plan Housing Element's Housing Needs Assessment finds that the City's residents experience the highest rates of housing cost burdens and overcrowding in the nation, one of the lowest homeownership rates, and the rapid loss of existing lower-rent housing. These trends are being compounded by demographic and employment factors such as rapid aging of the population, the continued prevalence of poverty, and low-wage employment. As such, the City has been tasked with prioritizing housing production to alleviate discrimination and homelessness and to improve the quality of housing supply available to residents. The General Plan accounts for population growth and the need for housing production, and thus anticipates the production of thousands of units of housing in the coming years. Therefore, it is unlikely that an unforeseen cumulative impact would exist as a result of the project.

3. Conclusions

The project would consist of residential development consistent with the existing use of the site, zoning and land use, and planning documents for the area. As analyzed above, the project would be consistent with the consistent with the air quality management plan. Construction and operation of the project would not be expected to result in significant impacts associated

with air quality and is consistent with daily maximum emissions target set forth by the South Coast Air Quality Management district. Therefore, no mitigation measures are required for the project. Best management practices would be implemented in accordance with building permits by the general contractor to ensure that impacts associated with air quality would not be caused by the project.

4. References

California Environmental Protection Agency and California Air Resources Board (Cal/EPA and ARB, 2005) Air quality and land use handbook: a community health perspective. April. Available at http://www.arb.ca.gov/ch/handbook.pdf.

City of Los Angeles Department of Planning (2021) Housing Needs Assessment. https://planning.lacity.gov/odocument/bde50bc0-5f1f-4e88-a5cf-06a12e1d8078/Chapter_1_-_Housing_Needs_Assessment_(Adopted).pdf

South Coast Air Quality Management District (SCAQMD, 2014) Multiple Air Toxics Exposure Study: MATES IV draft report. Findings presented at the SCAQMD Governing Board Meeting, October 3.

U.S. Environmental Protection Agency (1995) Compilation of air pollutant emission factors, AP-42. Vol. 1: stationary point and area sources. 5th ed. (January 1995). Report prepared by the Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, NC. Available at http://www.epa.gov/ttnchie1/ap42/.

U.S. Environmental Protection Agency (2015) Transportation conformity guidance for quantitative hot-spot analyses in $PM_{2.5}$ and PM_{10} nonattainment and maintenance areas. Prepared by the U.S. EPA Office of Transportation and Air Quality, Transportation and Climate Division, EPA-420-B-15-084, November. Available at http://www3.epa.gov/otaq/stateresources/transconf/projectlevel-hotspot.htm.

ADDENDUM SOILS ENGINEERING EXPLORATION

Proposed Twelve Structures

Lots 24 Tract 12110, and Lot 44, TR1250

1904 and 1906 South Preuss Road

Los Angeles, California 90034

for

Dr. and Mrs. Dauer

SG 9402-W **March 24, 2023**

SCHICK GEOTECHNICAL, INC.
7650 Haskell Avenue, Suite D, Van Nuys, California 91406 (818) 905-8011

ADDENDUM SOILS ENGINEERING EXPLORATION

Proposed Twelve Structures

Lots 24 Tract 12110, and Lot 44, TR1250

1904 and 1906 South Preuss Road

Los Angeles, California 90034

INTRODUCTION

The following report summarizes the findings of our addendum soils engineering exploration with respect to a revised development plan to include both lots. The purpose of this report is to evaluate the nature, distribution, engineering properties, and geologic structure of the earth materials underlying the site and is limited to the area of the proposed structures.

Intent

It is the intent of this report only to aid in the design and completion of the proposed project. Implementation of the "Conclusions and Recommendations" section of this report is intended to reduce certain risks associated with construction projects. The professional opinions and geotechnical advice contained in this report are subject to the general conditions described in the "Notice" section of this report.

EXPLORATION

The scope of this exploration is based on the plan provided by your architect. It is limited to the area of the proposed structures on each of the contiguous lots, as shown on the enclosed Map. The field exploration for 1904 Preuss Road was conducted on April 8, 2017, with the aid of hand labor and

field mapping. It included excavating 5 hand-dug test pits up to 20 feet deep and field mapping. Samples of the earth materials encountered were returned to the laboratory for testing and analysis. Downhole observation of the earth materials was performed by the project geologist. Office tasks included laboratory testing, engineering analysis, and the preparation of this report. Procedures and results of the laboratory testing are presented in Appendix I. The test pit logs are shown on the enclosed Table I. Surface conditions and the location of the test pits are shown on the enclosed Map. Additional field exploration was performed on 1906 Preuss on January 24, 2022 with the test pit logs included.

PROPOSED PROJECT

The previously proposed structure for 1904 Preuss was approved by the City of Los Angeles Department of Building and Safety Grading Division. The plan has been revised to include the contiguous site, 1906 Preuss Road. The required Fault Study was performed and approved for 1904 Preuss Road ("*Fault Rupture Hazard Investigation, Proposed New Residential Development, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California,*" dated, June 14, 2018). The scope of the proposed work has been revised is to include the contiguous development on 1906 Preuss Road.

REFERENCES

Previous work performed on the site includes:

"Soils Engineering Exploration, Proposed Apartment with Basement, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," prepared by Schick Geotechnical, Inc., dated November 15, 2017;

City of Los Angeles Department of Building and Safety, Grading Division, Review Letter, Log #101108, dated December 21, 2017;

"Fault Rupture Hazard Investigation, Proposed New Residential Development, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," dated, June 14, 2018;

"Response to City Review Letter, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," prepared by Schick Geotechnical, Inc., dated June 18, 2018;

City of Los Angeles Department of Building and Safety, Grading Division, Review Letter, Log #101108-01, dated July 12, 2018;

"Response #2 to City Review Letter, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," prepared by Schick Geotechnical, Inc., dated July 17, 2018;

City of Los Angeles Department of Building and Safety, Grading Division, Review Letter, Log #101108-02, dated August 21, 2018;

"Response #3 to City Review Letter, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," prepared by Schick Geotechnical, Inc., dated August 23, 2018;

City of Los Angeles Department of Building and Safety, Grading Division, Approval Letter, Log #101108-03, dated August 28, 2018;

Email from BOE Central District, Excavation Counter, dated December 7, 2018;

"Response to BOE Review Letter, Lot 24, Tract TR 12110, 1904 Preuss Road, Los Angeles, California," prepared by Schick Geotechnical, Inc., dated January 23, 2019;

"Addendum Soils Engineering Exploration, Proposed Two Structures with Basement, Lot 24, Tract 12110, 1904 S. Preuss Road, Los Angeles, California 90034, dated March 1, 2021;

City of Los Angeles Department of Building and Safety, Grading Division, Approval Letter, Log #117724, dated August 3, 2021 (1904 Preuss).

SITE DESCRIPTION

The gently sloping sites are located on the east side of the street, in the City of Los Angeles, California. The existing sites are developed with a single family residence with s detached garage. Past grading associated with the construction of the existing developments consisted of placing approximately 1 to 3 feet of uncertified fill over the natural grade. Seeps, springs, and ground water were not encountered in the test pits to a depth of 20 feet.

EARTH MATERIALS

Fill

Fill blankets the sites and was encountered in the test pits to an observed depth of 1 to 3 feet. The uncertified fill consists of sandy silt which is medium brown, slightly moist, and medium dense.

Soil

The alluvial terrace is blanketed with a 2 to 3-foot thick layer of natural soil. The soil consists of sandy silt with clay binder which is dark brown, slightly moist, and medium dense.

Alluvial Terrace

Alluvial terrace encountered in the test pits consists of silty clayey sand which is light brown, moist, and stiff.

SEISMIC CONDITIONS

The Southern California region is located within a tectonically active portion of the earth's crust which has produced both small and sizeable earthquakes throughout recorded history and before. As the earth's crust continuously adjusts itself, stresses and strains are built up along discontinuities, referred to as faults. Faults can be generally classified as active, potentially active, or inactive. Faults are considered active if they have produced seismic activity within the past 11,000 years. Faults are considered potentially active if there has been seismic activity along the fault between 11,000 and 1,000,000 years. Inactive faults have not produced any seismic activity within the past 1,000,000 years.In an effort to better inform the public regarding seismic risk, the State of California passed the Alquist-Priolo Special Studies Act in 1972 following the 1971 San Fernando Earthquake. Active faults within the state were identified and zones were established limiting construction within

the zones. Following the damaging 1989 Loma Prieta Earthquake, the state enacted the Seismic Hazard Mapping Act (SHMA) in 1990. The Department of Conservation was empowered to prepare a set of maps designating areas within Los Angeles and a portion of Ventura Counties which are susceptible to seismic slope instability and liquefaction. Recently, real estate disclosure laws have been modified to require disclosure if a property is affected by the Alquist-Priolo Earthquake Fault Zoning Act and the Seismic Hazard Mapping Act. As of March 1, 1998, either the Local Option Real Estate Transfer Disclosure Statement or The Natural Hazard Disclosure Statement is required for disclosures. The subject property is not located within any special studies zone (Alquist-Priolo Act, 1972) and no known active fault crosses the site.

Following the 1994 Northridge Earthquake, the Department of Conservation, Division of Mines and Geology established areas which are considered to be susceptible to seismically-induced slope failure and liquefaction. These seismic safety zones were published as a series of maps, initially released in 1996. Liquefaction is a process in which seismic energy causes pore pressure within an area underlain by shallow groundwater (less than 40 feet deep) to exceed the overburden pressure of the soil. The result is a temporary loss of bearing capacity, causing structures to sink into the ground. This process is considered hazardous since liquefaction can result in significant structural failure.

The L.A.D.B.S. Parcel Profile Report indicates that the site is not located within a zone potential liquefaction or landsliding.

The site is located within an Alquist-Priolo Fault Study Zone. Based upon the referenced approved Fault Study and referenced approved SGI report, a trace of the fault is not located onsite. Should a nearby segment of the fault experience movement, very strong ground motion will occur. The site

is located within a methane buffer zone.

Seismic Design

The following seismic factors were obtained from the latest ASCE 7-16 website.

Seismic Factors	Value	Reference
Site Class	D	Chapter 20 of ASCE 7
Mapped Spectral Response Acceleration at 0.2 second Period (Ss)	2.06g	Figure 1613.3.1(1)/ CBC
Mapped Spectral Response Acceleration at 1.0 second Period (S_1)	0.733g	Figure 1613.3.1(2)/ CBC
Site Coefficient Fa	1.0	Table 1613.3.3(1)/CBC
Site Coefficient Fv	1.7	Table 1613.3.3(2)/CBC
Maximum Considered Earthquake Spectral Response Acceleration at 0.2 second Period (Sms)	2.06g	Equation 16-37/CBC
Maximum Considered Earthquake Spectral Response Acceleration at 1.0 second Period (Sm_1)	1.256g	Equation 16-38/CBC
Design Spectral Response Acceleration at 0.2 second Period (Sds)	1.373g	Equation 16-39/CBC
Design Spectral Response Acceleration at 1.0 second Period (Sd_1)	0.838g	Equation 16-40/CBC
Seismic Design Category	E	Chapter 20 of ASCE 7

Due to the nature and density of the earth materials underlying the subject property and the depth to groundwater, earthquake induced liquefaction, consolidation and differential settlement are not likely to occur on the site.

CONCLUSIONS AND RECOMMENDATIONS

Based upon the referenced exploration, it is the finding of SGI that the proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction.

The recommended bearing material is the dense natural alluvial terrace encountered in the test pits

at approximately 3 to 5 feet below existing grade. The following recommendations which are from the referenced approved report, remain applicable. The referenced SGI report indicates that a fault trace is not located on 1904 Preuss Road. Based upon the orientation of the fault zone shown in the approved report, 1906 Preuss Road is a greater distance from the fault. The setback from the west limit of the zone is shown on the enclosed Geologic Map. The referenced approved Fault Study is applicable for both of the sites.

FOUNDATION DESIGN

Spread/Pad Footings

Deepened continuous and/or pad footings may be used for support provided they are founded into the alluvial terrace. Continuous footings should be a minimum of 12 inches in width. Pad footings should be a minimum of 24 inches square.

The following chart contains the recommended design parameters.

Bearing Material	Minimum Embedment Depth of Footing (Inches)	Vertical Bearing (pcf)	Coefficient of Friction	Passive Earth Pressure (pcf)	Maximum Passive Earth Pressure (psf)
Alluvial Terrace	24	2,000	0.3	300	1,500

For bearing calculations, the weight of the concrete in the footing may be neglected. The bearing value shown above is for the total of dead and frequently applied live loads and may be increased by one third for short duration loading, which includes the effects of wind or seismic forces. When

combining passive and friction for lateral resistance, the passive component should be reduced by one third. All continuous footings must be reinforced with four #4 steel bars; two placed near the top and two near the bottom of the footings. Footings should be cleaned of all loose materials and approved by the geologist prior to placing forms, steel or concrete.

RETAINING WALLS

The proposed development will utilized a series of 'stepped' retaining walls up to 10 feet high. Retaining walls up to 10 feet high should be designed to resist an active earth pressure such as that exerted by the future compacted backfill. The 'active' pressure assumes that the retaining wall will be allowed to deflect 0.01H to 0.02H. If the retaining wall is not allowed to deflect it should be designed by the structural engineer for a restrained condition.

The recommended equivalent fluid pressure for basement retaining walls up to 10 feet high may utilize an at-rest earth pressure of 40pcf plus an induced seismic pressure of 55pcf. Perimeter retaining walls, with a zero property line condition may be designed for at-rest pressure of 67pcf, with an additional seismic induced pressure of 31pcf. A swelling surcharge should be applied from the base of the wall for the full height. Additional adjacent surcharges shall be applied by the structural engineer where they occur (see calculation for scaled surcharge) The shoring piles may be incorporated into the final wall design with shotcrete panels.

Basement walls which have horizontal movement restricted at the top shall be designed for earthquake load, taken as equivalent to the pressure exerted by a fluid plus seismically-induced earth pressure. The wall pressure stated assumes that the wall has been backfilled as outlined in the Retaining Wall Backfill section. Foundation design parameters, as given in the preceding section,

may be used for retaining walls. All loose material shall be cleared from the foundation excavations. Water shall not be allowed to pond or drain into or through the footing trench excavations.

SHORING PILES

It is anticipated that cantilevered shoring piles will be utilized to provide support for the north and south basement excavations where lateral support is removed from the adjoining sites. The shoring piles will be incorporated into the final wall design with shotcrete panels. The structural engineer should design the shoring system for a maximum deflection of ½ inch. The Geotechnical Engineer of Record should review and approve the shoring plans.

Based on the plans, the maximum height of shoring is anticipated to be approximately 10 feet when measured from the top of the excavation to the bottom of the foundations. Where the surface of the retained grade is level, it may be assumed that drained soils for temporary conditions will exert a lateral pressure equal to that developed by a fluid with a density of 67 pcf, plus scaled surcharges (ref: enclosed calculations). For the design of shoring piles spaced at least 2.5 diameters on centers, the allowable lateral bearing value (passive value) of the soils below the bottom of the excavation may be assumed to be zero at the excavated surface, increasing at the rate of 300 psf of depth, to a maximum of 2,500 psf. To develop the full lateral value, provisions should be taken to assure firm contact between the piles and the undisturbed soils. The lower portion of each soldier pile should consist of structural concrete. That portion of the pile located above the excavation bottom may consist of lean-mix concrete. The concrete used in the lower portion of the shoring pile located below the planned excavation bottom should be of sufficient strength to adequately transfer the imposed loads to the surrounding alluvial terrace. That portion of the shoring pile located below the excavated level may be used to resist downward loads, provided that the portion of the pile consists

of structural concrete, as discussed in the preceding paragraph. The frictional resistance between the concrete soldier piles and the alluvial terrace below the excavated level may be taken as equal to 700 psf.

It is recommended that the following reduction factors as recommended in the Naval Facilities Engineering Command Design Manual 7.02 be used by the Project Structural Engineer in the calculations of allowable lateral bearing pressure in the design of piles, if the center-to center spacing between adjacent piles is less than 8 times of the pile diameters.

Ratio of Pile Center to Center Spacing	8D	6D	4D	3D
Reduction factor	1.0	0.75	0.4	0.25

D: Pile Diameter

It is recommended that the reduction factor calculated in accordance with the following equations be used by the Project Structural Engineer in the calculations of allowable vertical bearing pressure in the design of piles if the center-to center spacing between adjacent piles is less than 3 times of the pile diameters. The illustration of the reduction factors for pile group is shown on Figure 1.

$$RF = [2 (m + n - 2) s + 4 D] / m n \pi D$$
$$s = [1.57 D m n - 2D] / [m + n -2]$$

Where RF: reduction factor
m: number of pile columns
n: number of pile rows
D: pile diameter

LAGGING

It is anticipated that lagging will be required between the shoring piles for the full height of the proposed excavation. Lagging should consist of treated lumber and be backfilled with lean-mix concrete to ensure full contact between the excavated soils and lagging boards. The shoring piles should be designed for the full anticipated lateral pressure. The pressure on the lagging, however,

will be less due to arching in the earth materials. The lagging should be designed for the recommended earth pressure but limited to a maximum value of 400 psf.

DEFLECTION

It is difficult to accurately predict the amount of deflection of a shored embankment. Due to the proximity of the offsite structures, it is recommended that the structural engineer design the temporary shoring piles and the retaining walls to prevent any deflection. To reduce deflection of the shoring piles, a greater active pressure could be used in the shoring design. Survey control markers must be provided prior to any construction, and periodically monitored by the surveyor. A pre-construction 'survey' should be performed to photograph and document the surrounding structures and site conditions.

Lateral Loads

Lateral loads may be resisted by friction at the base of the conventional foundations and by passive resistance within the alluvium. A coefficient of friction of (0.3) may be used between the foundations and within the alluvial deposits. The passive resistance may be assumed to act as a fluid with a density of (300) pounds per cubic foot. A maximum passive earth pressure of (2,500) pounds per square foot may be assumed. For bearing calculations, the weight of the concrete in the footing may be neglected. The bearing value shown above is for the total of dead and frequently applied live loads and may be increased by one third for short duration loading, which includes the effects of wind or seismic forces. When combining passive and friction for lateral resistance, the passive component should be reduced by one-third. Footings should be cleaned of all loose materials and approved by the geologist prior to placing forms, steel or concrete.

Waterproofing

Walls located below grade are susceptible to moisture penetration and no waterproofing system can guarantee 100% protection. The most effective means of providing protection against moisture penetration is application of a waterproofing system on the backside of the retaining wall, prior to backfilling. Waterproofing paints, such as Drylok, which are applied to the face of walls can sometimes be effective, but should only be considered a temporary or remedial measure. Additional applications will likely be necessary and the long term effectiveness is difficult to predict. Bentonitic clay panels have also proven to be very effective. It is recommended that the foundation contractor provide recommendations for proven waterproofing systems to be utilized.

In addition to waterproofing, other precautions can be taken to reduce the possibility of future seepage problems. Implementing and maintaining proper surface drainage control on the site and around the retaining walls is very important. Surface water ponding must be completely eliminated on the site and behind retaining walls through the proper use of area drains, roof gutters and downspouts and surface drains which conduct drainage to an approved location. A subdrain behind the retaining walls which daylights to the atmosphere is required. The subdrain should be backfilled with 3/4-inch crushed gravel to facilitate the collection of water. Positive drainage away from the footings, waterproofing, compaction of trench backfill and subdrains can help to reduce moisture intrusion.

Retaining Wall Backfill

Retaining wall backfill should be compacted to a minimum dry density of 90 percent of the maximum dry density as determined by ASTM D 1557. If the earth materials contain less than 15 percent clay, the minimum compaction must be 95 percent. The placement of the fill will require

that the existing earth materials be completely removed to expose bedrock prior to the placement of fill. Where access between the retaining wall and the temporary excavation prevents the use of compaction equipment, retaining walls should be backfilled with 3/4-inch crushed gravel to within 2 feet of the ground surface. Where the area between the wall and the excavation exceeds 24 inches, the gravel must be vibrated or wheel-rolled, and tested for compaction. The upper 2 feet of backfill above the gravel should consist of a compacted fill blanket to the surface.

FLOOR SLAB

Decking, slabs and walkways are likely to experience cracking as the result of the curing process of the concrete. Shrinkage cracks are very difficult to prevent from occurring. Expansion joints are commonly installed within exterior decks in an effort to control the location of the inevitable cracks. The recommended steel reinforcement is intended to reduce the severity of cracking and must be properly installed to ensure proper performance. Rigid or brittle floor coverings, such as tile or marble may also experience cracking during the curing process of the concrete slab underneath and/or minor settlement. Providing a slip sheet between the slab and floor covering will help to reduce cracking of the floor covering.

Floor slabs must be cast over dense alluvium or a uniform thickness of approved compacted fill. The slab must be a minimum of 4 inches thick and reinforced with a minimum of #4 bars on 16 inch centers, each way. Slabs which will be provided with a floor covering should be protected by a minimum of a 10-mil polyethylene plastic vapor barrier. The vapor barrier should be either placed beneath the concrete slab and overlying 4 inches of gravel, or sandwiched between two 2-inch layers of gravel to protect the vapor barrier from punctures and to aid in the concrete curing. The vapor barrier should be properly sealed in the joint areas. If the vapor barrier is to be placed beneath the

concrete slab, a low slump concrete should be used to minimize possible damage of the barrier caused by curling of the concrete slab.

GRADING

The following guidelines may be used in preparation of the grading plan and job specifications for floor slab support. The slab should be supported by a uniform thickness of compacted fill. SGI would appreciate the opportunity of reviewing the plans to insure that these recommendations are included.

A. The areas to receive compacted fill shall be stripped of all fill and shall be observed by the soils engineer and/or geologist prior to placing compacted fill.

B. Following excavation of the overburden materials, the exposed grade should then be scarified to a depth of six inches, moistened to optimum content, and recompacted to 90 percent of the maximum density.

C. Fill, consisting of soil approved by the soils engineer, shall be placed horizontally in compacted layers with suitable compaction equipment. The excavated onsite materials are considered satisfactory for reuse in the controlled fills. Any imported fill shall be observed by the soils engineer prior to use in fill areas. Rocks larger than six inches in diameter shall not be used in the fill.

D. The fill shall be compacted to at least 90 percent of the maximum laboratory density for the material used. The maximum density shall be determined by ASTM D 1557-91 or equivalent. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, the fill shall be compacted to 95 percent relative compaction.

E. Field observation and testing shall be performed by the soils engineer during grading to assist the contractor in obtaining the required degree of compaction and the proper moisture content. Where compaction is less than required, additional effort shall be made with adjustment of the moisture content, as necessary, until 90 percent compaction is obtained. One compaction test is required for each 500 cubic yards or two vertical feet of fill placed.

Foundation Settlement

Settlement of the foundation system is expected to occur on initial application of loading. A

settlement of ¼ to ½ inch may be anticipated. Differential settlement should not exceed ¼ inch.

Excavation Characteristics

The 20-foot deep test pit did not encounter groundwater or seepage.

DRAINAGE

Pad and roof drainage must be collected and transferred to the street in non-erosive drainage devices. Drainage must not be allowed to pond on the pad or against any foundation or retaining wall. Numerous area drains must be installed on the site to prevent ponding. Planters located adjacent to the structure should be waterproofed to the depth of footings and provided with area drains.

PLAN REVIEW

Formal plans ready for submittal to the Building Department must be reviewed by SGI. Any change in scope of the project may require additional work.

SITE OBSERVATION

It is recommended that all excavations be observed by the geologist or geotechnical engineer prior to placing forms, concrete, or steel. Should the observations reveal any unforeseen hazard, the geologist will provide additional recommendations. All fill that is placed must be approved, tested, and verified if used for engineered purposes. The entire length of subdrain behind retaining walls must be observed by a representative of this office an the City. All gravel backfill above the subdrain must be observed by a representative of SGI prior to placing a minimum of two feet of controlled fill as a cap. Please advise SGI at least 24 hours prior to any required site visit. All approved reports, plans, and permits must be at the site for review.

CONSTRUCTION SITE MAINTENANCE

It is the responsibility of the contractor to maintain a safe construction site per OSHA requirements.

Please call this office with any questions. This report and the exploration are subject to the following NOTICE. Please read the Notice carefully, as it limits our liability.

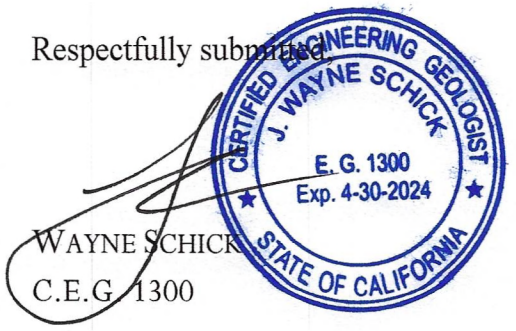
NOTICE

General

In the event of any changes in the design or location of any structure, as outlined in this report, the conclusions and recommendations contained herein may not be considered valid unless the changes are reviewed by us and the conclusions and recommendations are modified or reaffirmed after such review. The subsurface conditions, excavation characteristics, and geologic structure described herein and shown on the enclosed cross section have been projected from excavations on the site as indicated and should in no way be construed to reflect any variations that may occur between these excavations or that may result from changes in subsurface conditions. Fluctuations in the level of groundwater may occur due to variations in rainfall, temperature, irrigation, and other factors not evident at the time of the measurements reported herein. Fluctuations also may occur across the site. High groundwater levels can be extremely hazardous. Saturation of earth materials can cause subsidence or slippage of the site. If conditions encountered during construction appear to differ from those disclosed herein, notify us immediately so we may consider the need for modifications. Compliance with the design concepts, specifications or recommendations during construction requires the review of the engineering geologist and geotechnical engineer during the course of construction. The exploration was performed only on a portion of the site, and cannot be considered as indicative of the portions of the site not explored. This report is issued and made for the sole use and benefit of the client, is not transferable and is as of the exploration date. Any liability in connection herewith shall not exceed the fee for the exploration. No warranty, expressed or implied, is made or intended in connection with the above exploration or by the furnishing of this report or by any other oral or written statement. This report was prepared on the basis of the plan furnished. Final plans should be reviewed by this office as additional geotechnical work may be required.

Schick Geotechnical, Inc. has reviewed, concurs with, and accepts responsibility for the laboratory testing performed by Soil Labworks LLC. The laboratory test results included in Appendix I were used in preparation of this report.

Respectfully submitted,



WAYNE SCHICK
C.E.G. 1300



FRANK MISCIONE
P.E. C69031

Enc: Appendix I - Laboratory Testing
Vicinity Map
Regional Map
Table I - Log of Test Pits
Referenced Documents
Retaining Wall Analyses
Pocket: Plot Plan and Sections

xc: (3) Addressee

TABLE I - LOG OF TEST PITS (1904 Preuss)

Test Pit Number	Depth (Feet)	Description
1	0 - 1	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	1 - 3	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	3 - 10	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
		End at 10 feet; No Water; No Caving
2	0 - 2	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	2 - 4	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	4 - 8	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
		End at 8 feet; No Water; No Caving
3	0 - 2.5	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	2.5 - 5	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	5 - 8	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
		End at 8 feet; No Water; No Caving
4	0 - 3	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	3 - 5	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	5 - 8	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
		End at 8 feet; No Water; No Caving
5	0 - 1	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	1 - 4	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	4 - 20	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
		End at 20 feet; No Water; No Caving

TABLE I - LOG OF TEST PITS (1906 Preuss Road)

Test Pit Number	Depth (Feet)	Description
6	0 - 3	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	3 - 5	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	5 - 8	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
	End at 8 feet; No Water; No Caving	
7	0 - 2	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	2 - 4	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	4 - 7	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
	End at 7 feet; No Water; No Caving	
8	0 - 3	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	3 - 5	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	5 - 7	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
	End at 7 feet; No Water; No Caving	

TABLE I - LOG OF TEST PITS (1906 Preuss Road)

Test Pit Number	Depth (Feet)	Description
9	0 - 1	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	1 - 4	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	4 - 10	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
	End at 10 feet; No Water; No Caving	
10	0 - 2	FILL: Sandy Silt, medium brown, slightly moist, medium dense
	2 - 5	SOIL: Sandy silt with clay binder, dark brown, moist, medium dense
	5 - 7	ALLUVIAL TERRACE: silty clayey sand, light brown, moist, stiff
	End at 7 feet; No Water; No Caving	

SOIL LABWORKS LLC

SL17.2499
June 28, 2017

Schick Geotechnical
7650 Haskell Avenue
Suite D
Van Nuys, California 91406

Subject: Laboratory Testing

Site: 1904 Preuss Road
Los Angeles, California

Job: SCHICK/PREUSS

Laboratory testing for the subject property was performed by Soil Labworks, LLC., under the supervision of the undersigned Engineer. Samples of the earth materials were obtained from the subject property by personnel of Schick Geotechnical and transported to the laboratory of Soil Labworks for testing and analysis. The laboratory tests performed are described and results are attached.

Services performed by this facility for the subject property were conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions.

Respectfully Submitted:

SOIL LABWORKS, LLC



JON A. IRVINE
G.E. 2891

Enc: Appendix

2500 Townsgate Road, Suite E, Westlake Village, California 91361
(805) 370-1338 FAX (805) 371-4693

SOIL LABWORKS LLC

APPENDIX

Laboratory Testing

Sample Retrieval - Hand Labor

Samples of earth materials were obtained by driving a thin-walled steel sampler with successive blows of a drop hammer. The earth material was retained in brass rings of 2.416 inches inside diameter and 1.00 inch height. The samples were stored in closefitting, water-tight containers for transportation to the laboratory.

Moisture Density

The field moisture content and dry density were determined for each of the soil samples. The dry density was determined in pounds per cubic foot following ASTM 2937-17. The moisture content was determined as a percentage of the dry soil weight conforming to ASTM 2216-10. The results are presented below in the following table. The percent saturation was calculated on the basis of an estimated specific gravity. Description of earth materials used in this report and shown on the attached Plates were provided by the client.

Test Pit/Boring No.	Sample Depth (Feet)	Soil Type	Dry Density (pcf)	Moisture Content (percent)	Percent Saturation (G_s=2.65)
TP1	6	Alluvial Terrace	91.5	5.4	18
TP1	8	Alluvial Terrace	109.9	1.5	8
TP1	10	Alluvial Terrace	112.1	2.4	13
TP1	12	Alluvial Terrace	93.1	26.4	90
TP1	15	Alluvial Terrace	114.4	3.2	19

Shear Strength

The peak and ultimate shear strengths of the alluvial terrace were determined by performing consolidated and drained direct shear tests in conformance with ASTM D3080/D3080M-11. The tests were performed in a strain-controlled machine manufactured by GeoMatic. The rate of deformation was 0.01 inches per minute. Samples were sheared under varying confining pressures, as shown on the "Shear Test Diagrams," B-Plates. The moisture conditions during testing are shown on the following table and on the B-Plates. The samples indicated as saturated were artificially saturated in the laboratory. All saturated samples were sheared under submerged conditions.

Shear Strength

Test Pit/ Boring No.	Sample Depth (Feet)	Dry Density (pcf)	As-Tested Moisture Content (percent)
TP1	6	79.0	22.4
TP1	8	109.9	21.3
TP1	10	112.1	19.3
TP1	12	93.1	26.8

Consolidation

One-dimensional consolidation tests were performed on samples of the alluvial terrace in a consolidometer manufactured by GeoMatic in conformance with ASTM D2435/D2435M-11. The tests were performed on 1-inch high samples retained in brass rings. The samples were initially loaded to approximately ½ of the field over-burden pressure and then unloaded to compensate for the effects of possible disturbance during sampling. Loads were then applied in a geometric progression and resulting deformation recorded. Water was added at a specific load to determine the effect of saturation. The results are plotted on the "Consolidation Test," C-Plates.

SOIL LABWORKS LLC

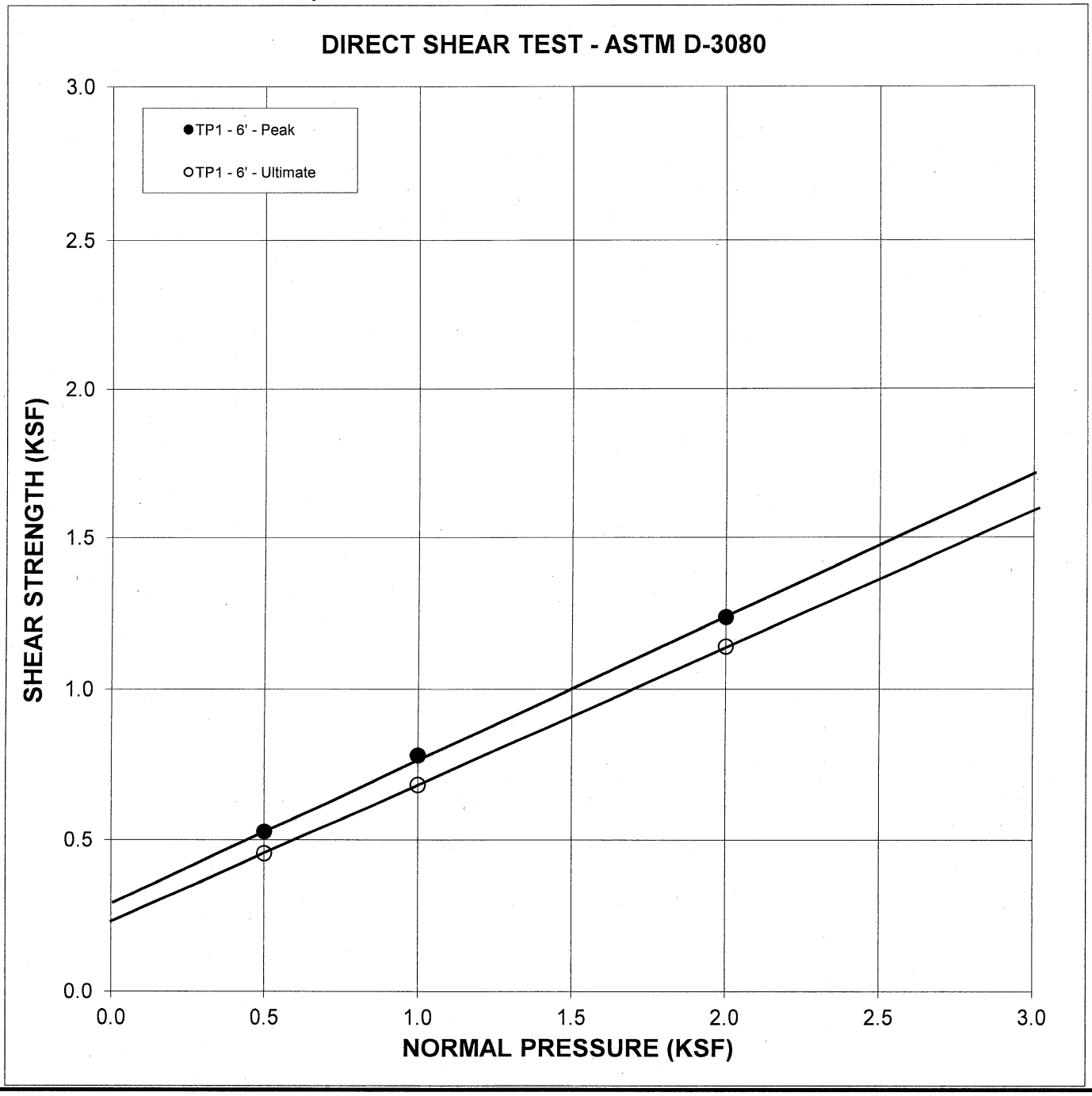
SHEAR DIAGRAM B-1

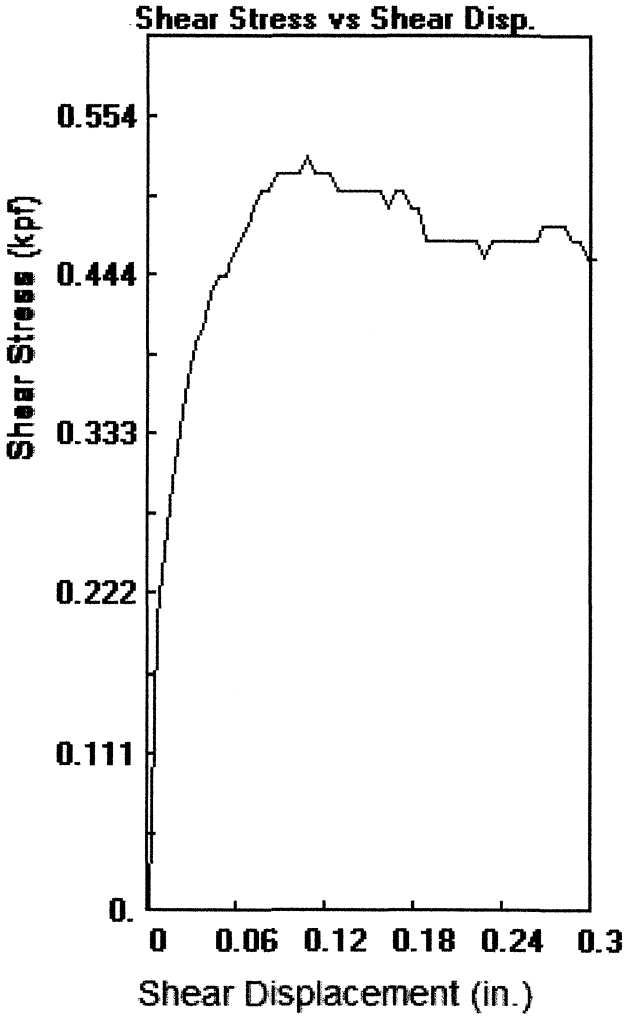
JN: **SL17.2499** CONSULTANT **JAI**
CLIENT: **Schick/1904 Preuss Road**

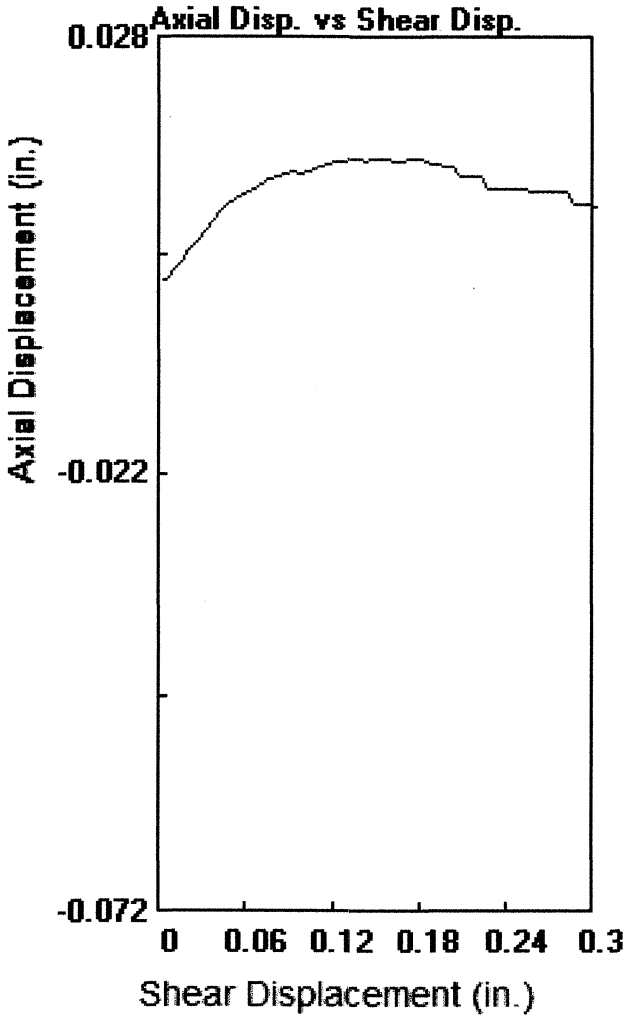
EARTH MATERIAL: **ALLUVIAL TERRACE**

	PEAK	ULTIMATE	
Phi Angle	25	24	degrees
Cohesion	295	230	psf

Average Moisture Content	22.4%
Average Dry Density (pcf)	91.5
Percent Saturation	73.5%







Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 1

Boring: TP1

Depth: 6 ft.

File: 2499TP165.dat

Soil Type:AT

Technician: BF

Axial Load: 500 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
528 0.106

Stress at Max Disp
0.296 456

Maximum Load

528 psf

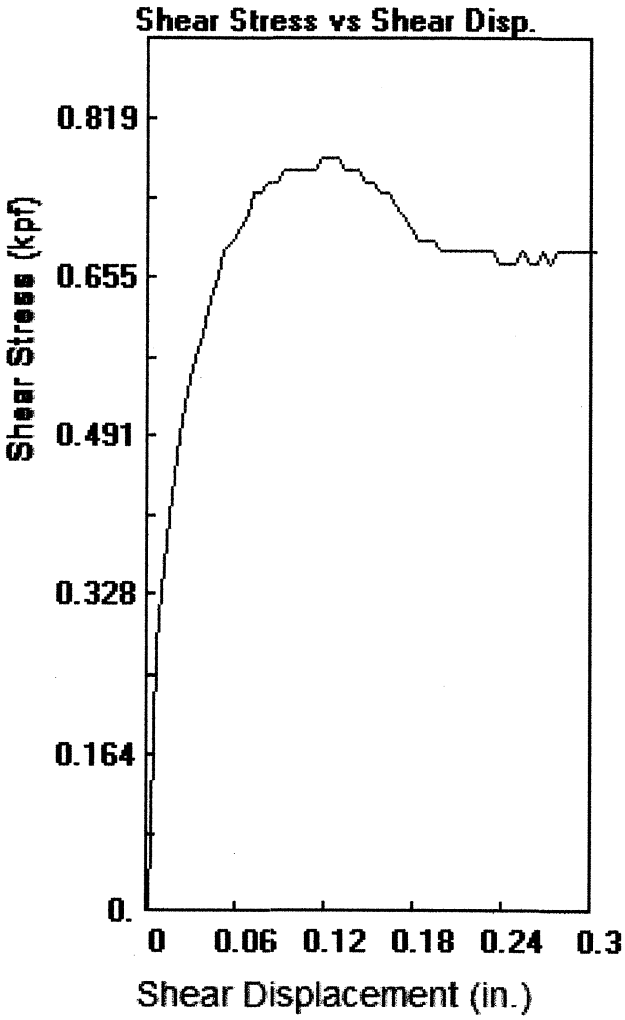
Shear Displacement at maximum Load

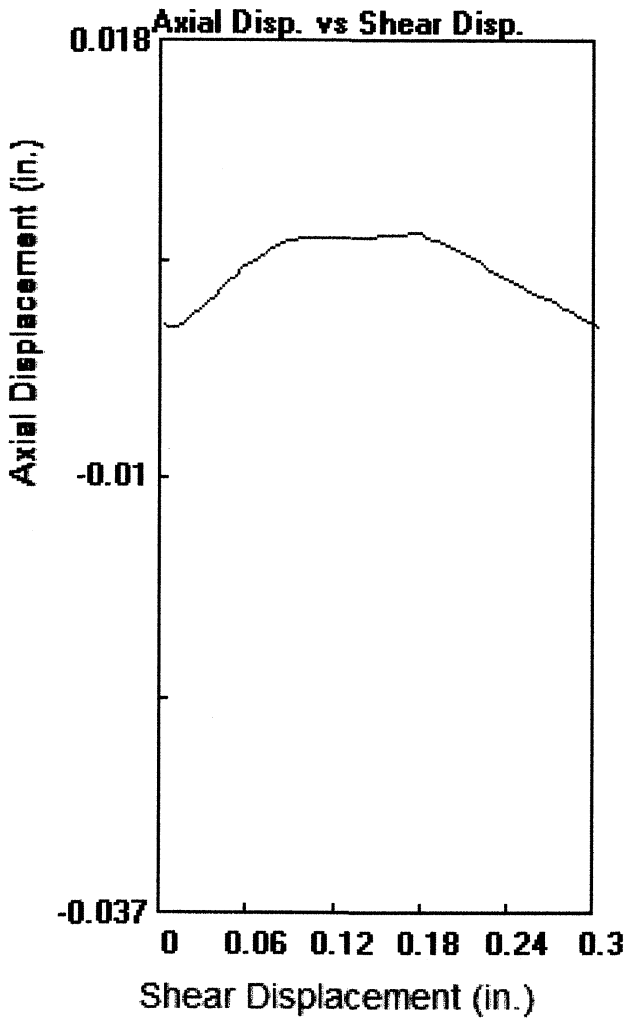
0.1058 in.

Date

6/26/2017

Soil Labworks





Parameters

Client: SCHICK

Location: 1904 PRAUSS

Job # 2499

Sample: 2

Boring: TP1

Depth: 6 ft.

File: 2499TP161.dat

Stress at Max Def
780 0.116

Soil Type:AT

Technician: BF

Axial Load: 1000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Disp
0.296 684

Maximum Load

780 psf

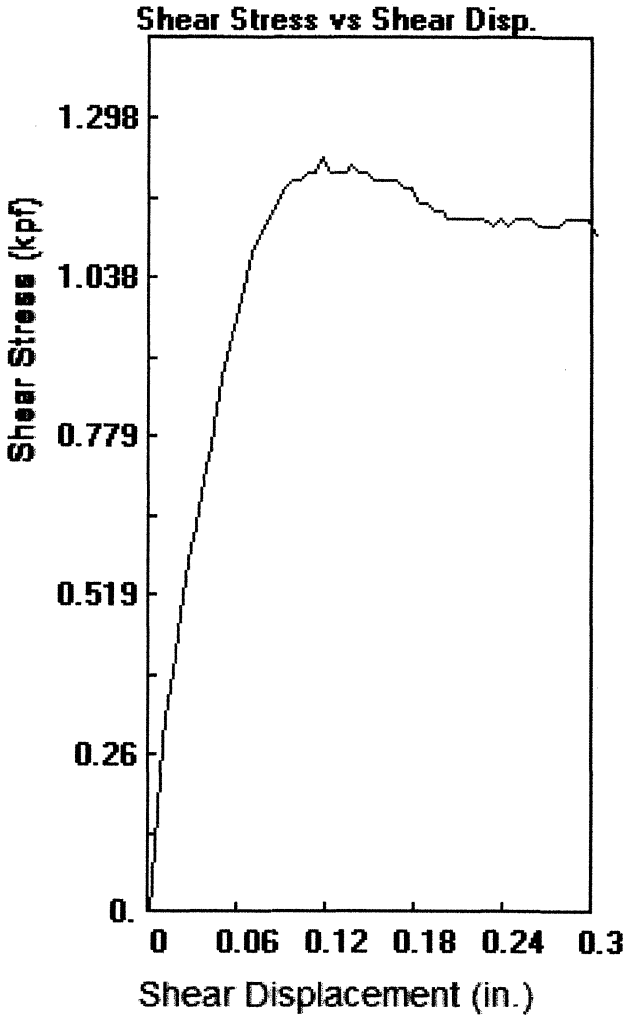
Shear Displacement at maximum Load

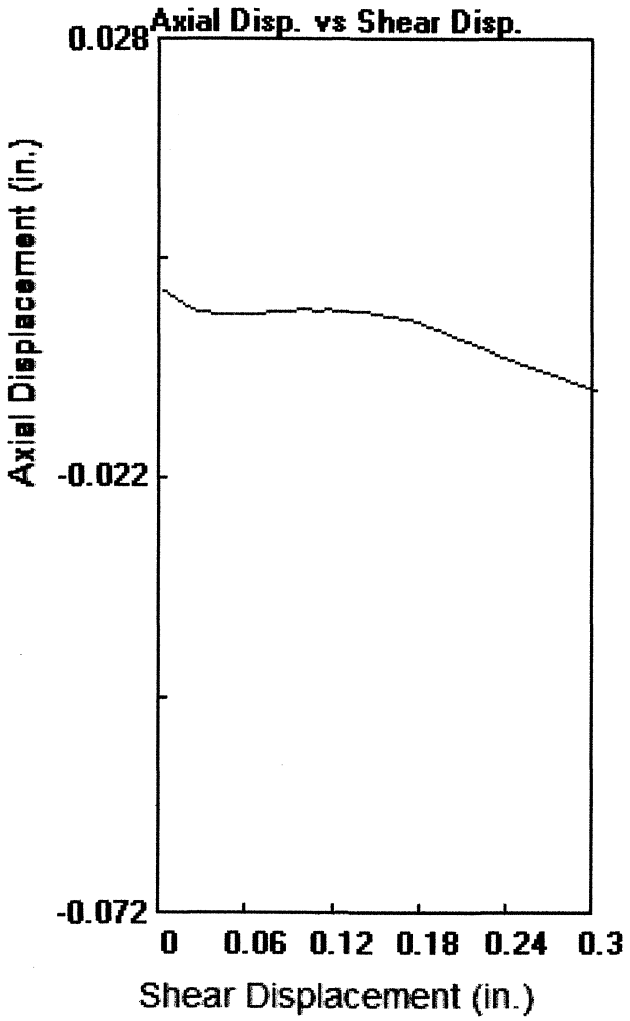
0.1155 in.

Date

6/26/2017

Robertson Geotechnical





Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 3

Boring: TP1

Depth: 6 ft.

File: 2499TP162.dat

Soil Type:AT

Technician: BF

Axial Load: 2000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
1236 0.116

Stress at Max Disp
0.296 1140

Maximum Load

1236 psf

Shear Displacement at maximum Load

0.1156 in.

Date

6/26/2017

Soil Labworks

SOIL LABWORKS LLC

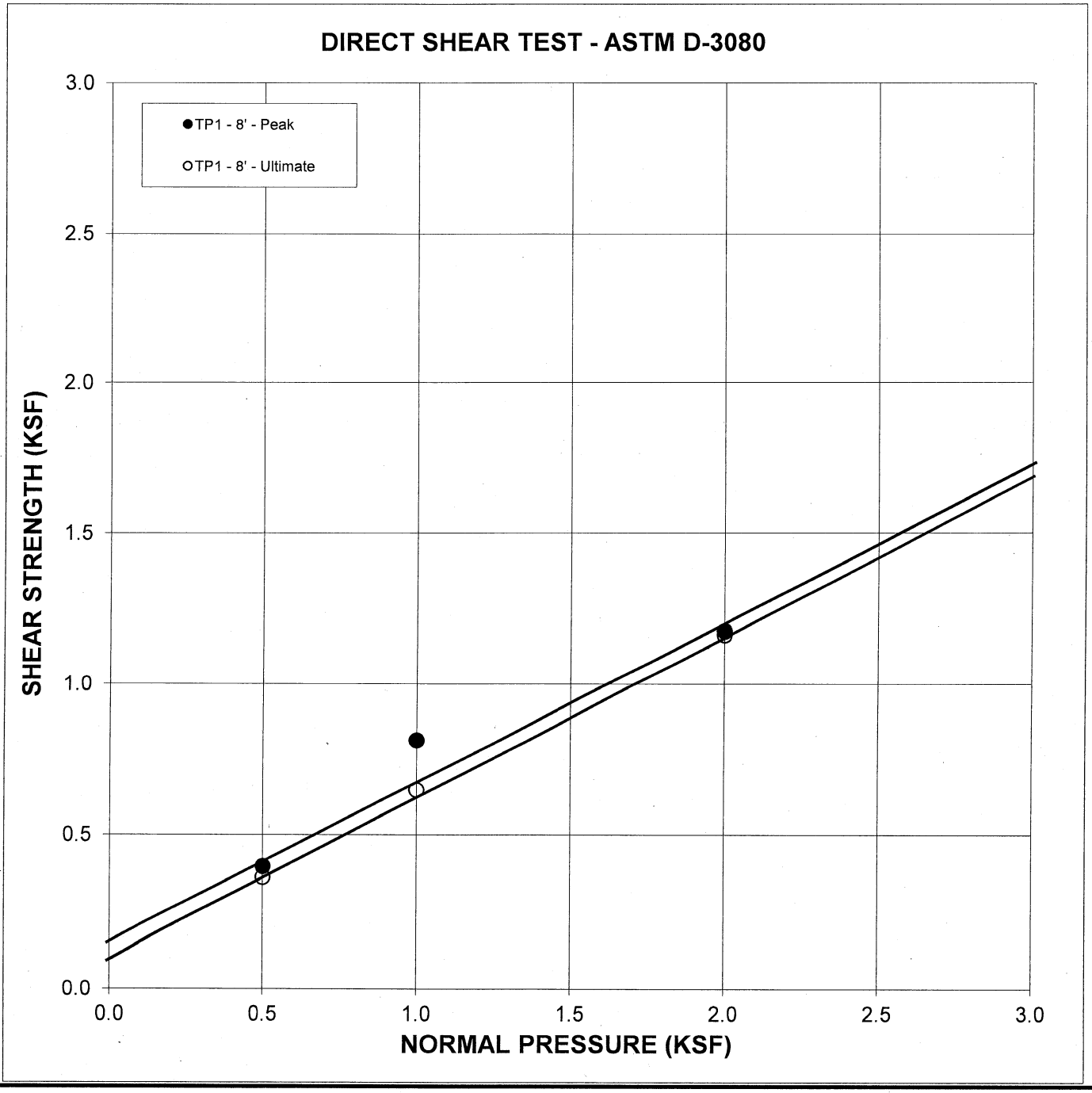
SHEAR DIAGRAM B-2

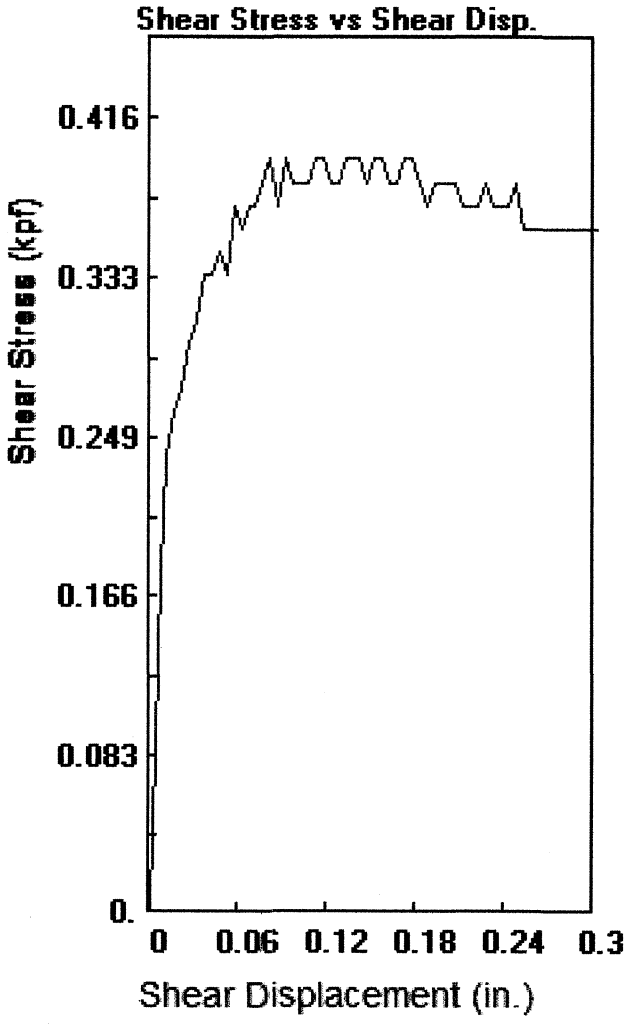
JN: **SL17.2499** CONSULTANT **JAI**
CLIENT: **Schick/1904 Preuss Road**

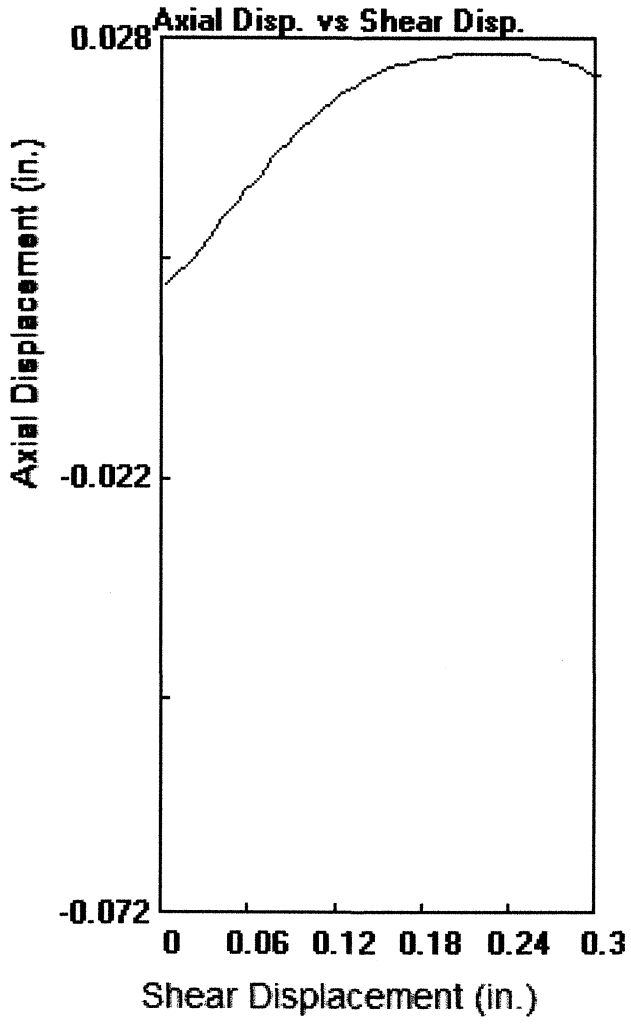
EARTH MATERIAL: **ALLUVIAL TERRACE**

	PEAK	ULTIMATE	
Phi Angle	27	27.5	degrees
Cohesion	150	100	psf

Average Moisture Content	21.3%
Average Dry Density (pcf)	109.0
Percent Saturation	100.0%







Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 1

Boring: TP1

Depth: 8 ft.

File: 2499TP185.dat

Soil Type:AT

Technician: BF

Axial Load: 500 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
396 0.081

Stress at Max Disp
0.296 360

Maximum Load

396 psf

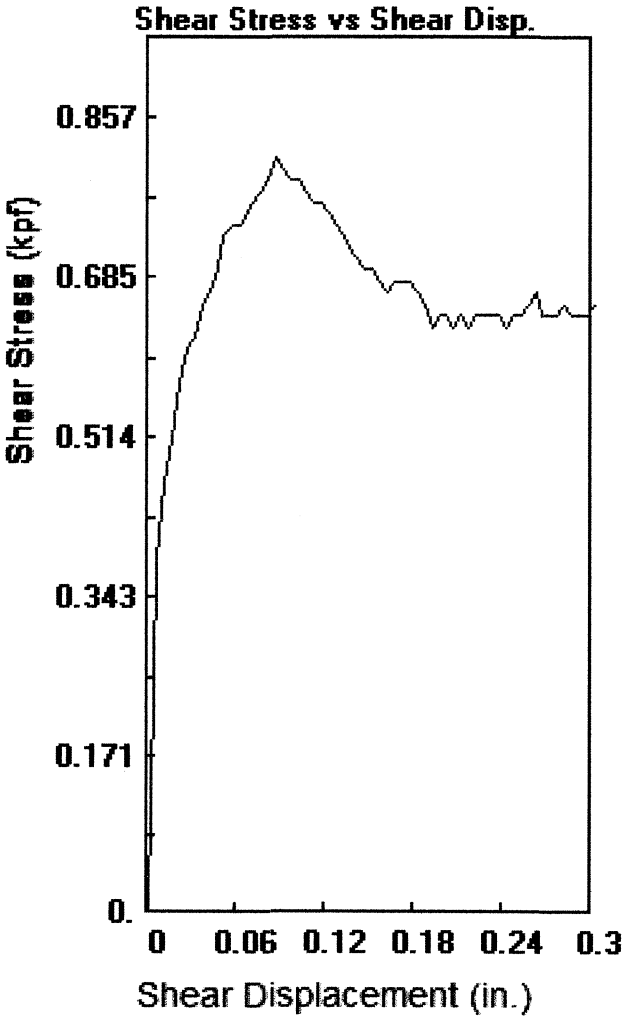
Shear Displacement at maximum Load

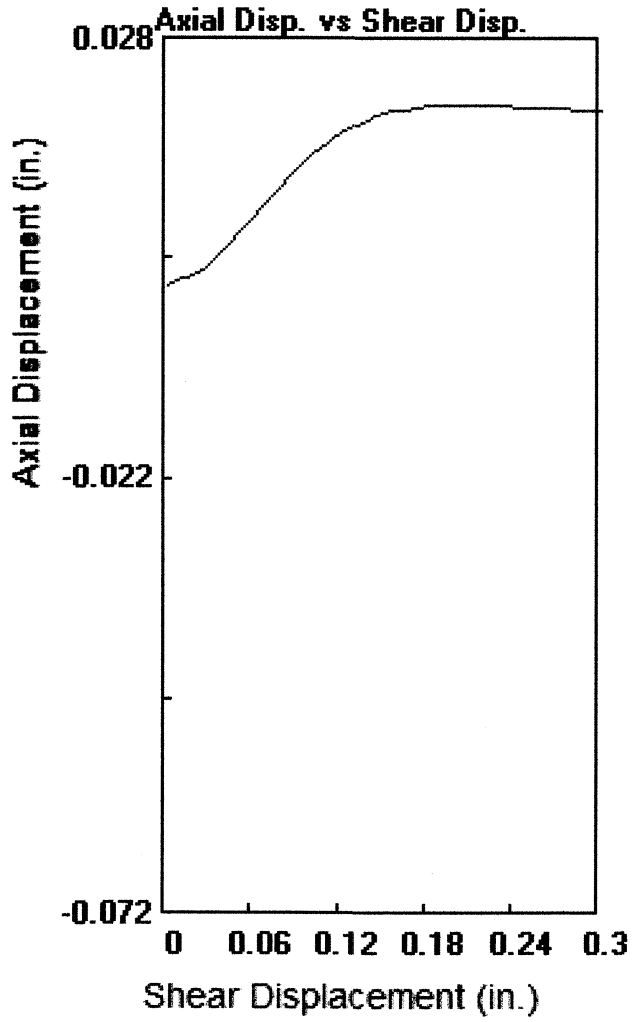
0.0807 in.

Date

6/26/2017

Soil Labworks





Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 2

Boring: TP1

Depth: 8 ft.

File: 2499TP181.dat

Stress at Max Def
816 0.086

Soil Type:AT

Technician: BF

Axial Load: 1000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Disp
0.296 648

Maximum Load

816 psf

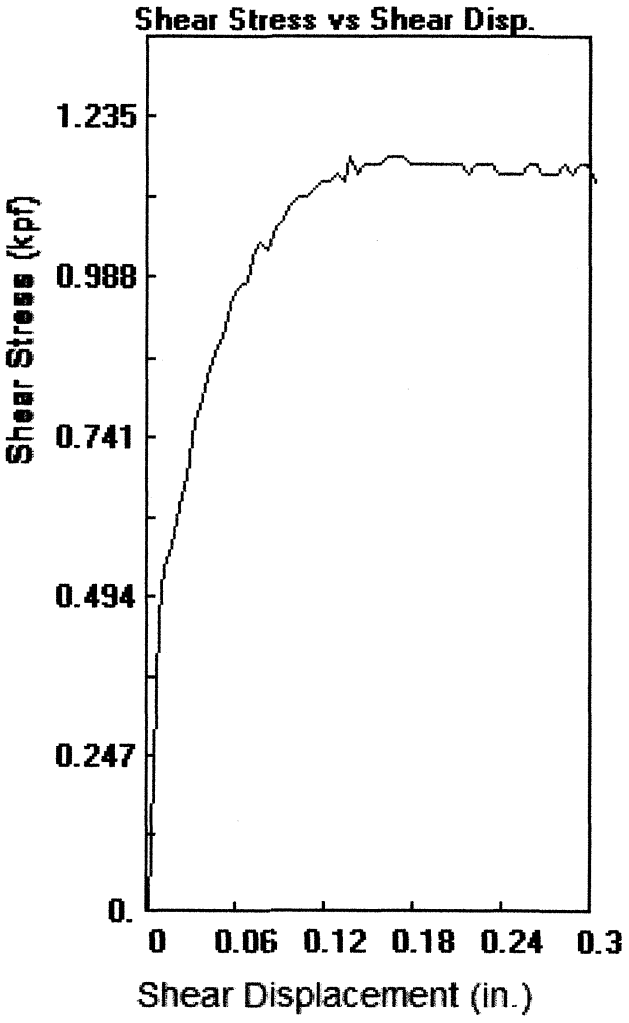
Shear Displacement at maximum Load

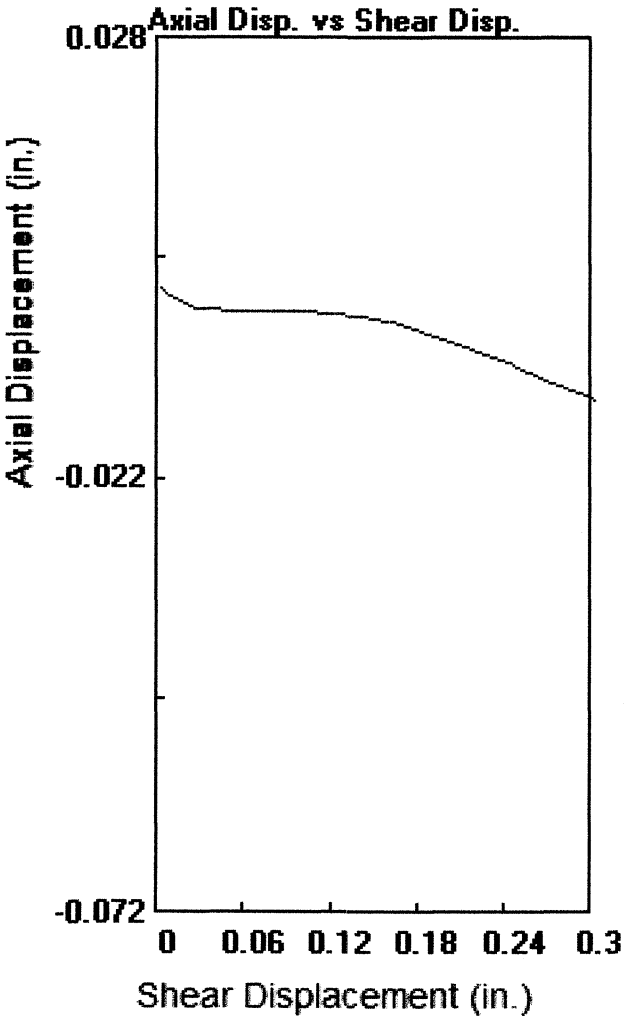
0.0855 in.

Date

6/26/2017

Soil Labworks





Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 3

Boring: TP1

Depth: 8 ft.

File: 2499TP182.dat

Soil Type:AT

Technician: BF

Axial Load: 2000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
1176 0.136

Stress at Max Disp
0.296 1164

Maximum Load

1176 psf

Shear Displacement at maximum Load

0.1355 in.

Date

6/26/2017

Soil Labworks

SOIL LABWORKS LLC

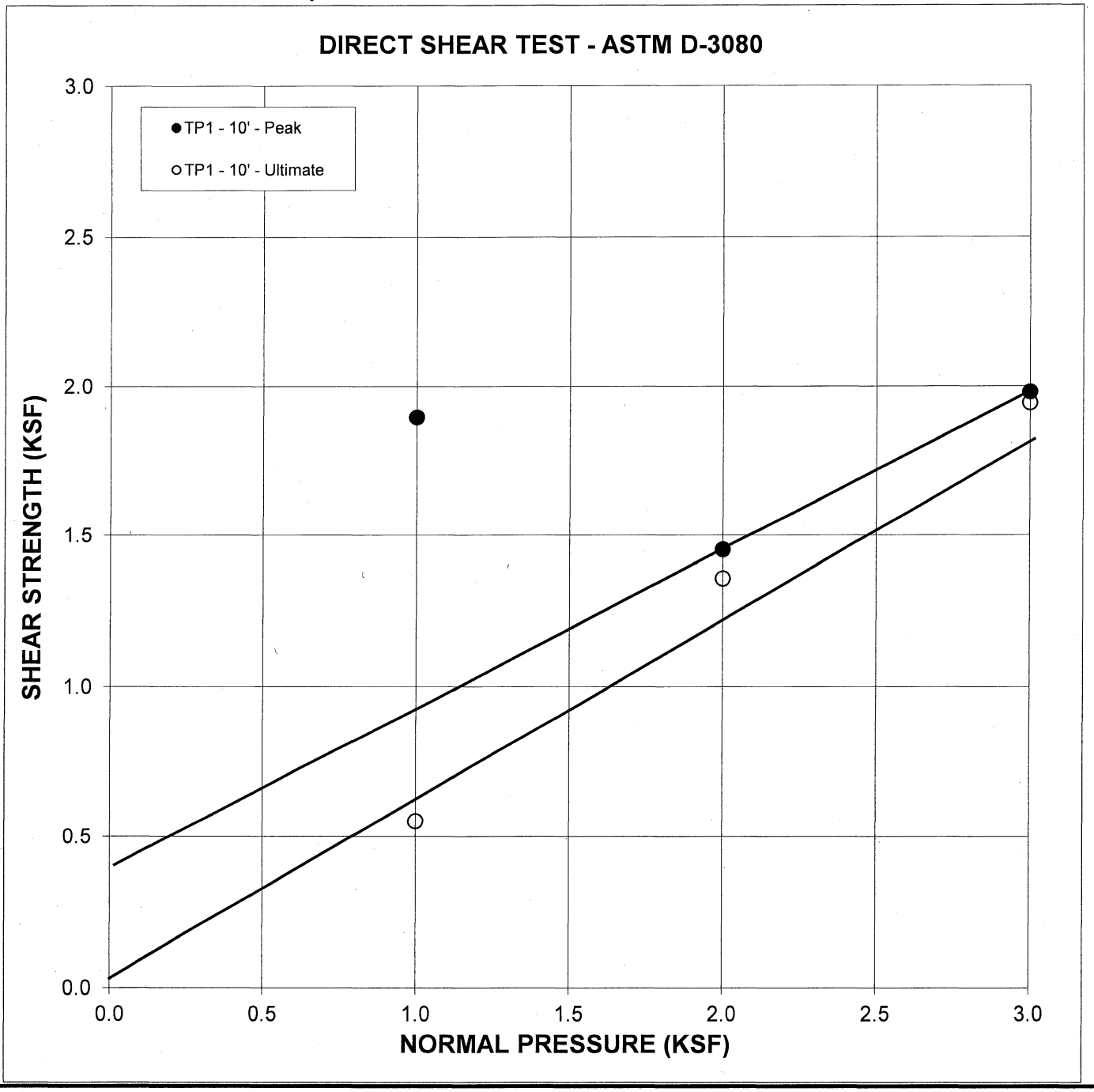
SHEAR DIAGRAM B-3

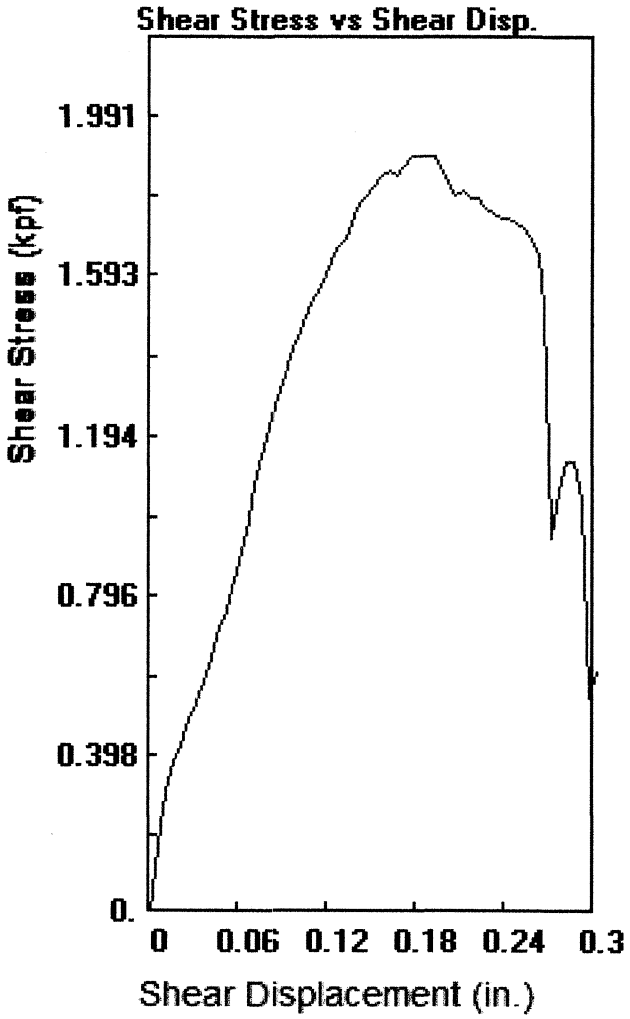
JN: **SL17.2499** CONSULTANT **JAI**
CLIENT: **Schick/1904 Prauss Road**

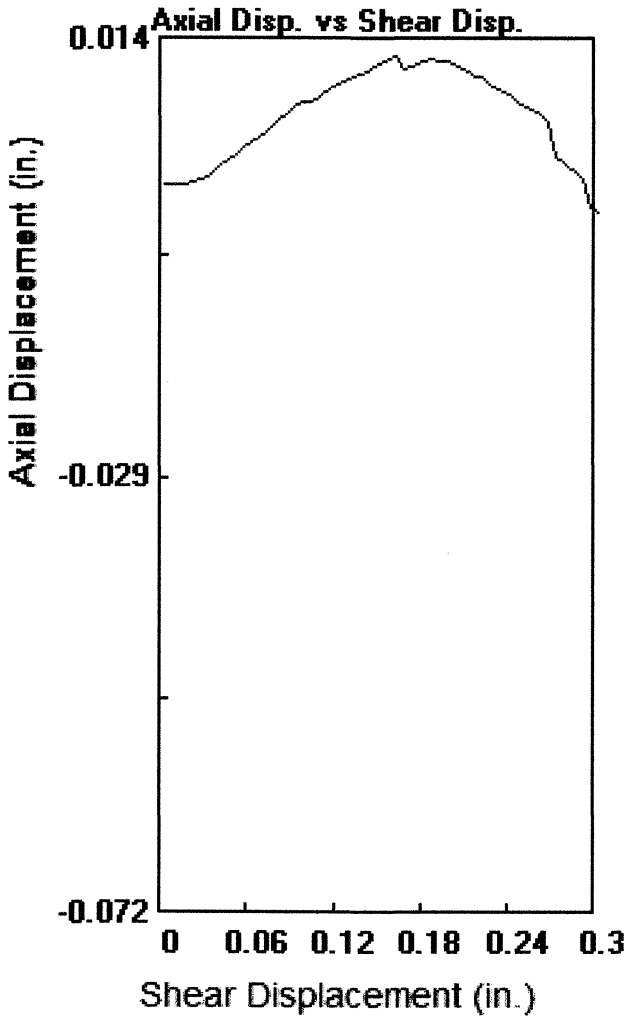
EARTH MATERIAL: **ALLUVIAL TERRACE**

	PEAK	ULTIMATE	
Phi Angle	27.5	30	degrees
Cohesion	400	45	psf

Average Moisture Content	19.3%
Average Dry Density (pcf)	112.1
Percent Saturation	100.0%







Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 1

Boring: TP1

Depth: 10 ft.

File: 2499TP1121.dat

Soil Type:AT

Technician: BF

Axial Load: 1000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
1896 0.176

Stress at Max Disp
0.296 552

Maximum Load

1896 psf

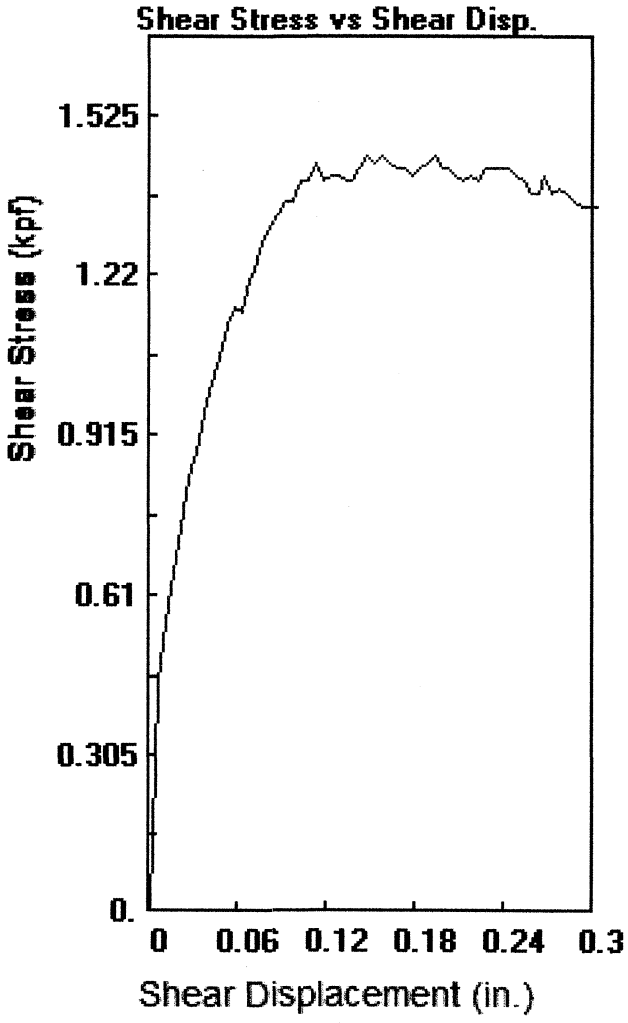
Shear Displacement at maximum Load

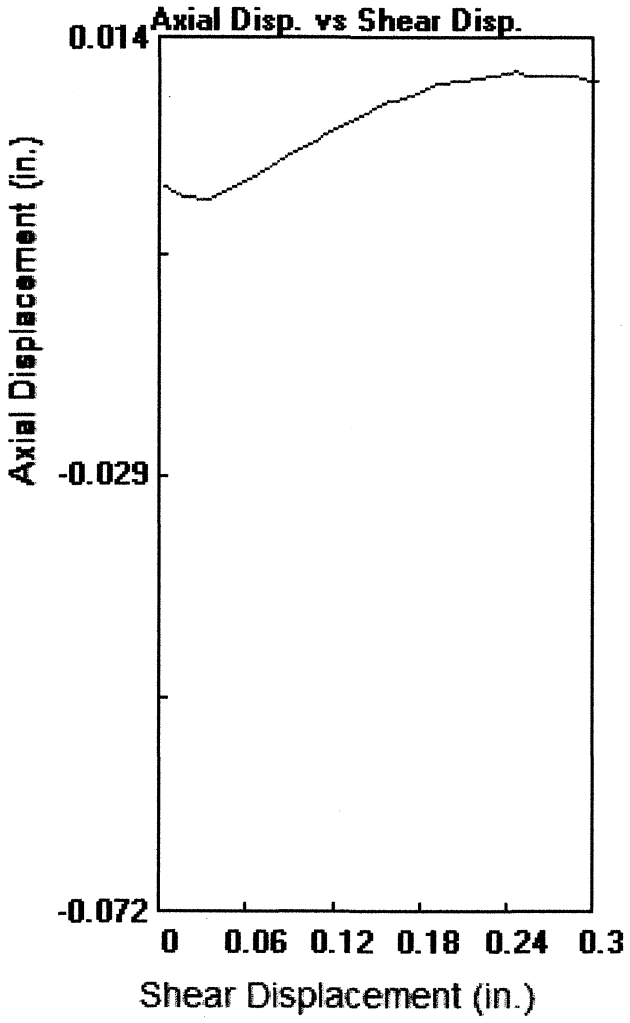
0.1756 in.

Date

6/26/2017

Soil Labworks





Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Soil Type:AT

Sample: 2

Technician: BF

Boring: TP1

Axial Load: 2000 psf

Depth: 10 ft.

Shear Rate: 0.010 in./sec.

File: 2499TP1122.dat

Distance: 0.30 in.

Stress at Max Def
1452 0.146

Stress at Max Disp
0.296 1356

Maximum Load

1452 psf

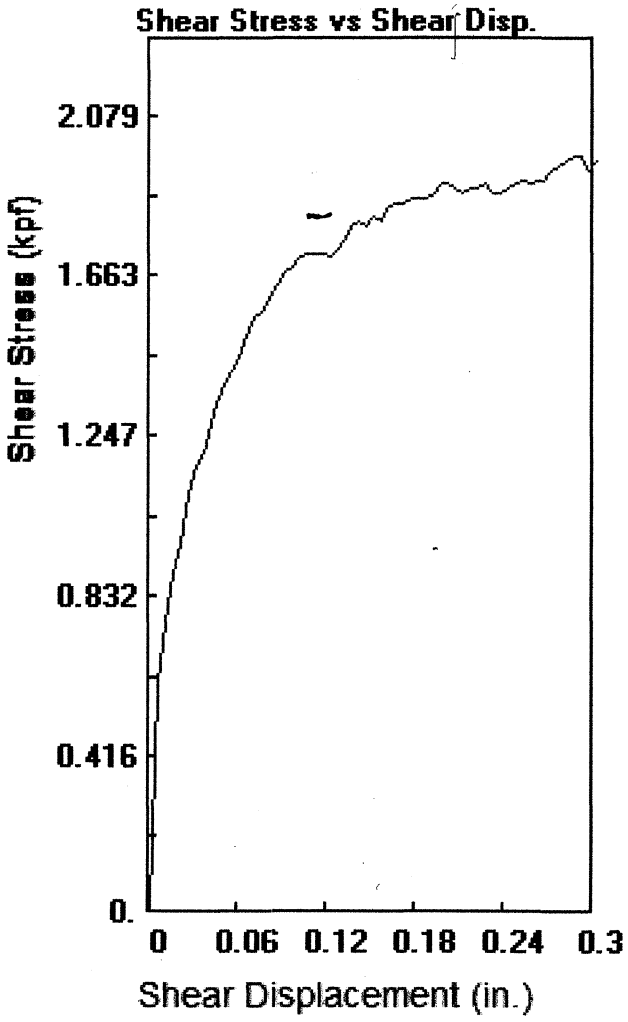
Shear Displacement at maximum Load

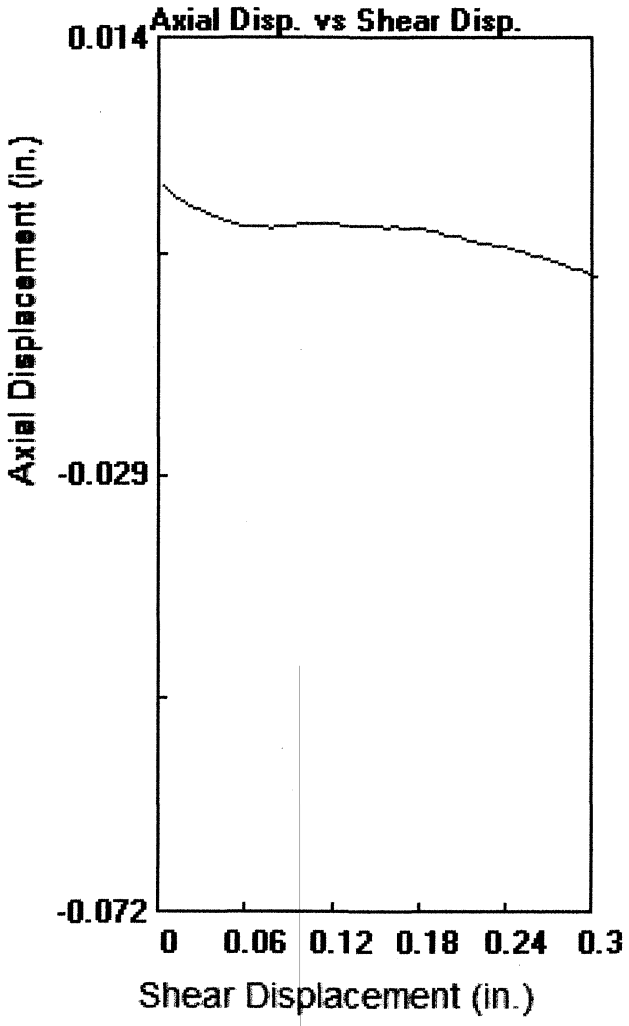
0.1457 in.

Date

6/26/2017

Soil Labworks





Parameters

Client: SCHICK

Location: 1904 PRAUSS RD

Job # 2499

Sample: 3

Boring: TP1

Depth: 10 ft.

File: 2499TP1123.dat

Stress at Max Def
1980 0.286

Soil Type:AT

Technician: BF

Axial Load: 3000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Disp
0.296 1944

Maximum Load

1980 psf

Shear Displacement at maximum Load

0.2856 in.

Date

6/26/2017

Soil Labworks

SOIL LABWORKS LLC

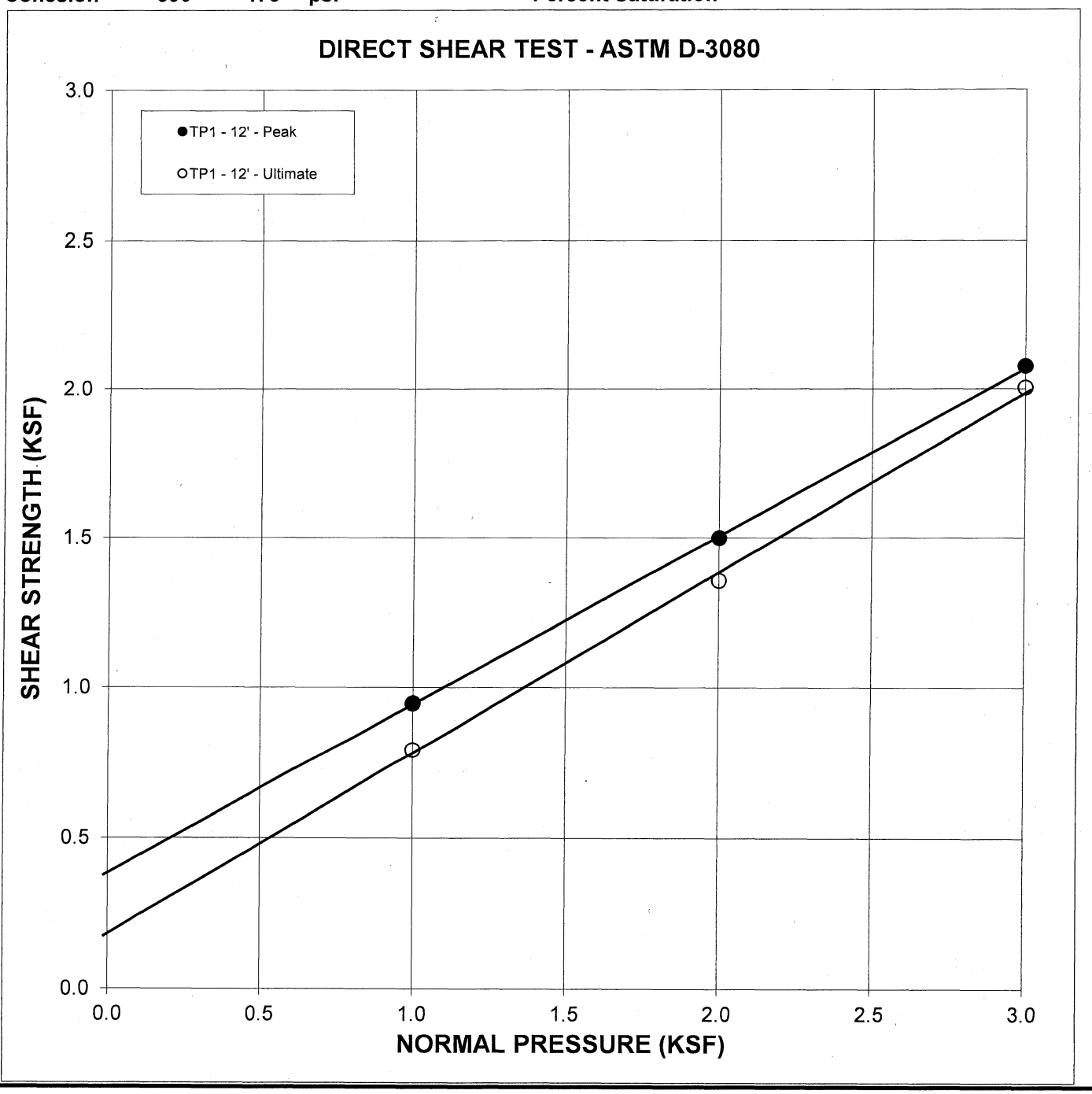
SHEAR DIAGRAM B-4

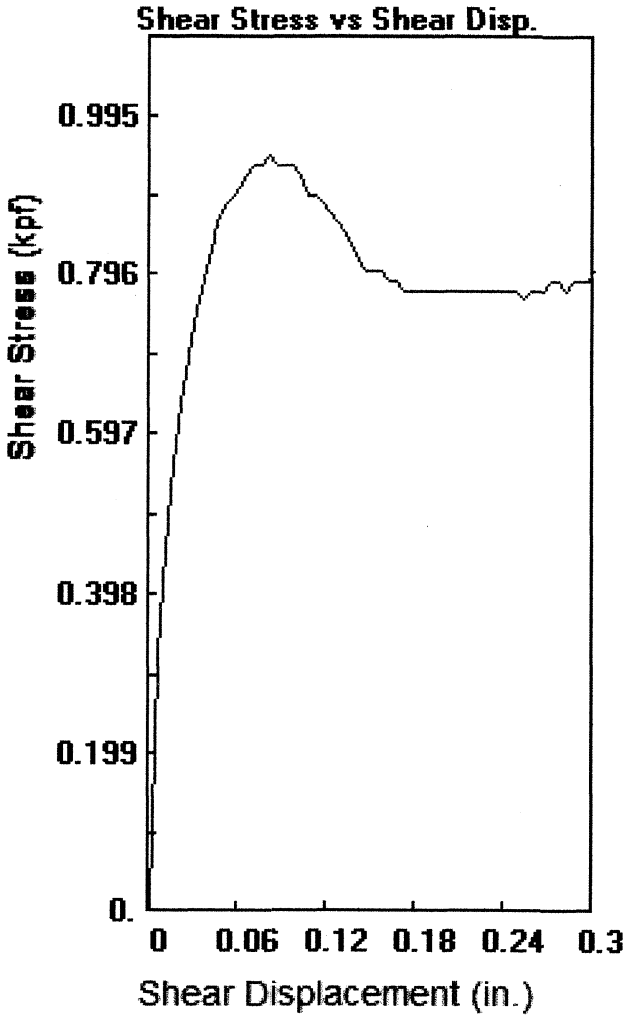
JN: **SL17.2499** CONSULTANT **JAI**
CLIENT: **Schick/1904 Preuss Road**

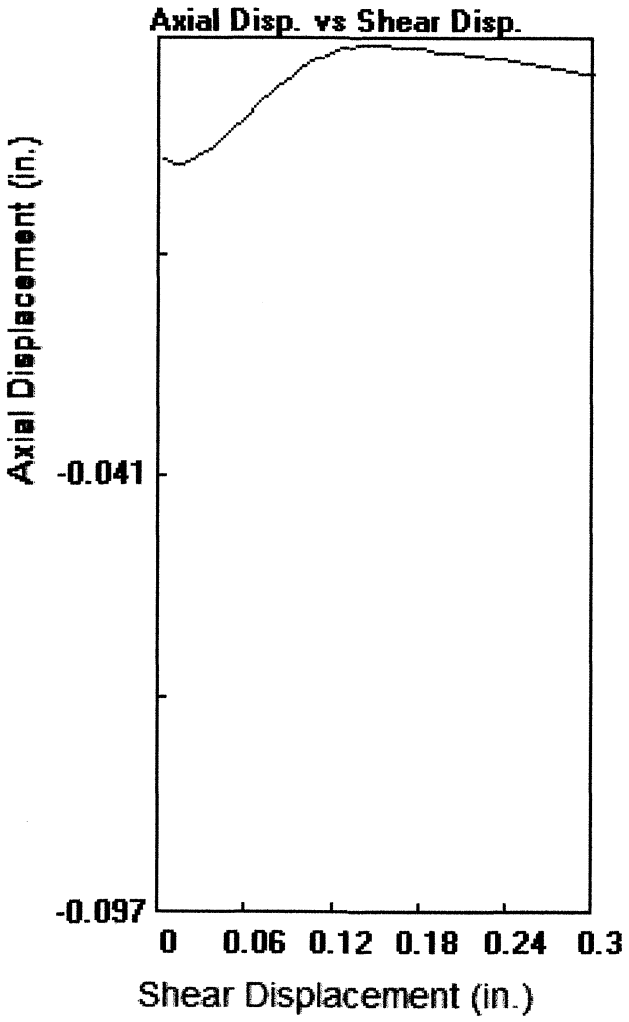
EARTH MATERIAL: **ALLUVIAL TERRACE**

	PEAK	ULTIMATE	
Phi Angle	29	31	degrees
Cohesion	390	175	psf

Average Moisture Content	26.8%
Average Dry Density (pcf)	93.1
Percent Saturation	91.5%







Parameters

Client: SCHICK

Location: 1904 PRAUSS

Job # 2499

Sample: 1

Boring: TP1

Depth: 12 ft.

File: 2499TP1121X.dat

Soil Type:AT

Technician: BF

Axial Load: 1000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
948 0.081

Stress at Max Disp
0.296 792

Maximum Load

948 psf

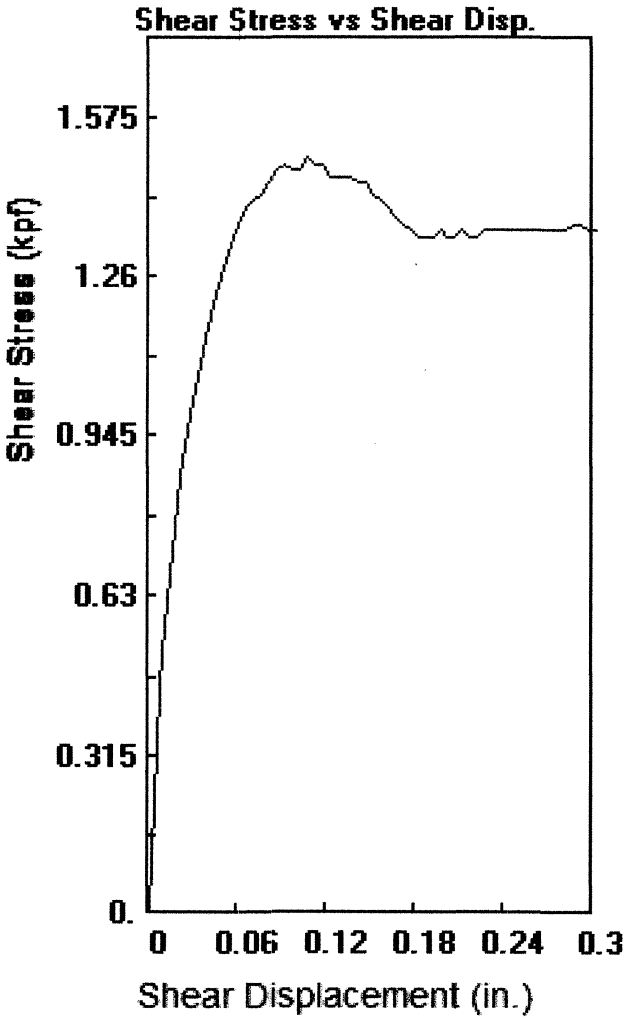
Shear Displacement at maximum Load

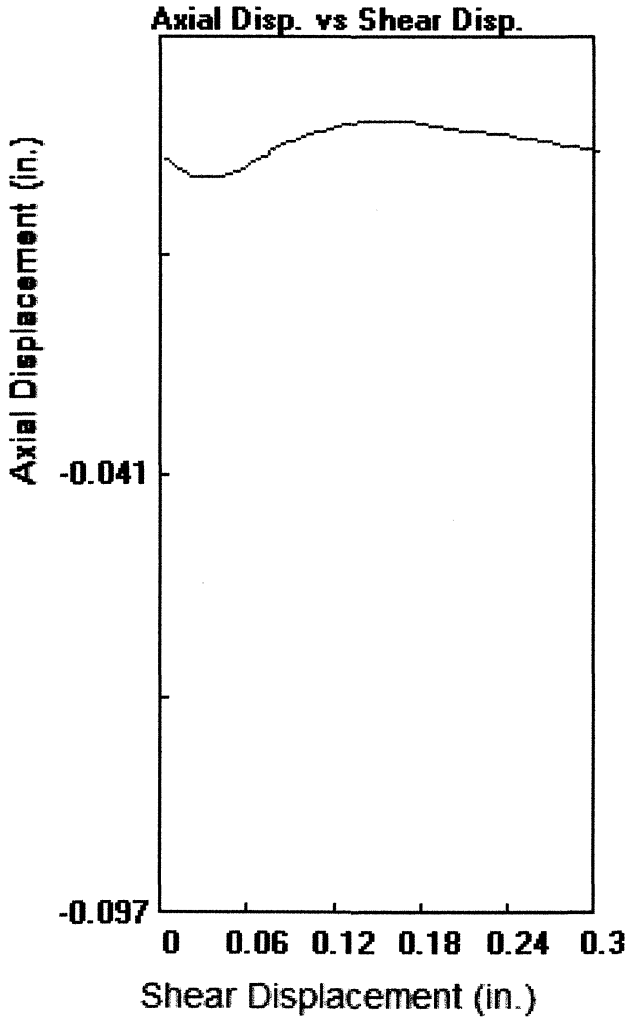
0.0806 in.

Date

6/28/2017

Robertson Geotechnical





Parameters

Client: SCHICK

Location: 1904 PRAUSS

Job # 2499

Sample: 2

Boring: TP1

Depth: 12 ft.

File: 2499TP1122X.dat

Soil Type:AT

Technician: BF

Axial Load: 2000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Def
1500 0.106

Stress at Max Disp
0.296 1356

Maximum Load

1500 psf

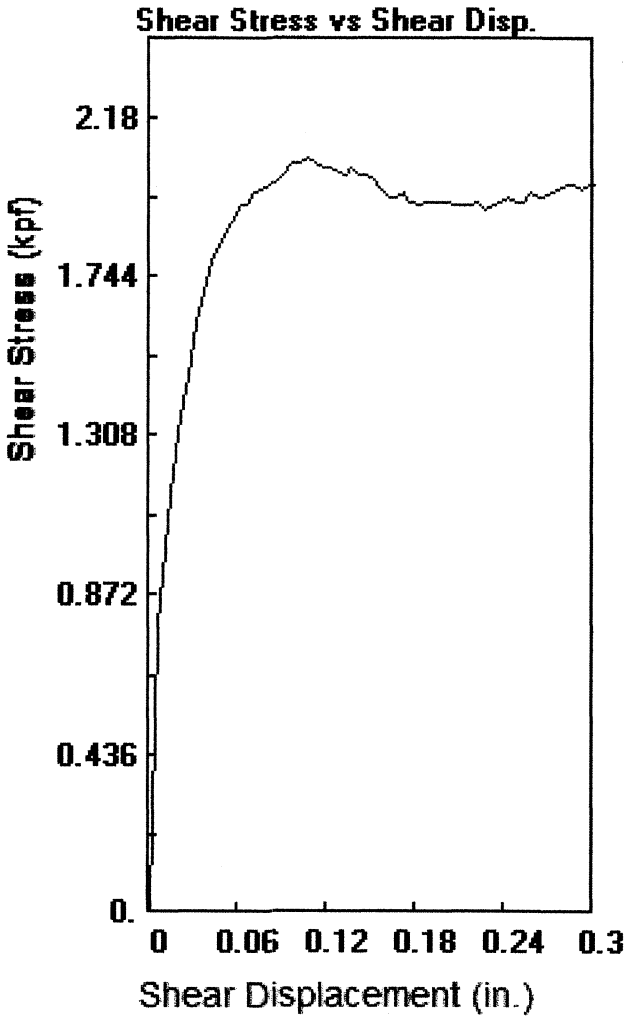
Shear Displacement at maximum Load

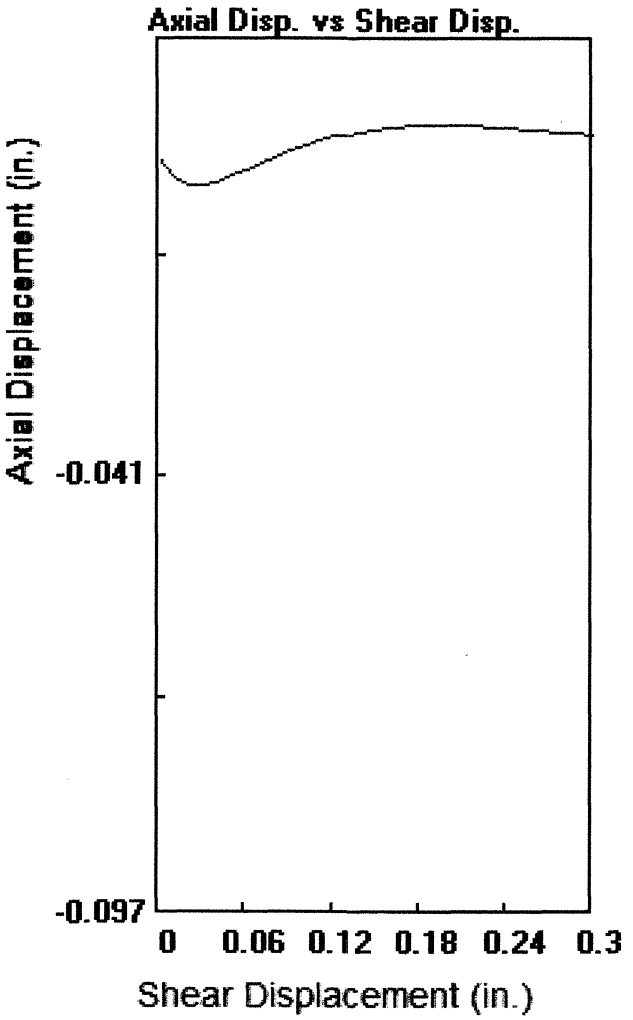
0.1056 in.

Date

6/28/2017

Robertson Geotechnical





Parameters

Client: SCHICK

Location: 1904 PRAUSS

Job # 2499

Sample: 3

Boring: TP1

Depth: 12 ft.

File: 2499TP1123X.dat

Stress at Max Def
2076 0.106

Soil Type:AT

Technician: BF

Axial Load: 3000 psf

Shear Rate: 0.010 in./sec.

Distance: 0.30 in.

Stress at Max Disp
0.296 2004

Maximum Load

2076 psf

Shear Displacement at maximum Load

0.1056 in.

Date

6/28/2017

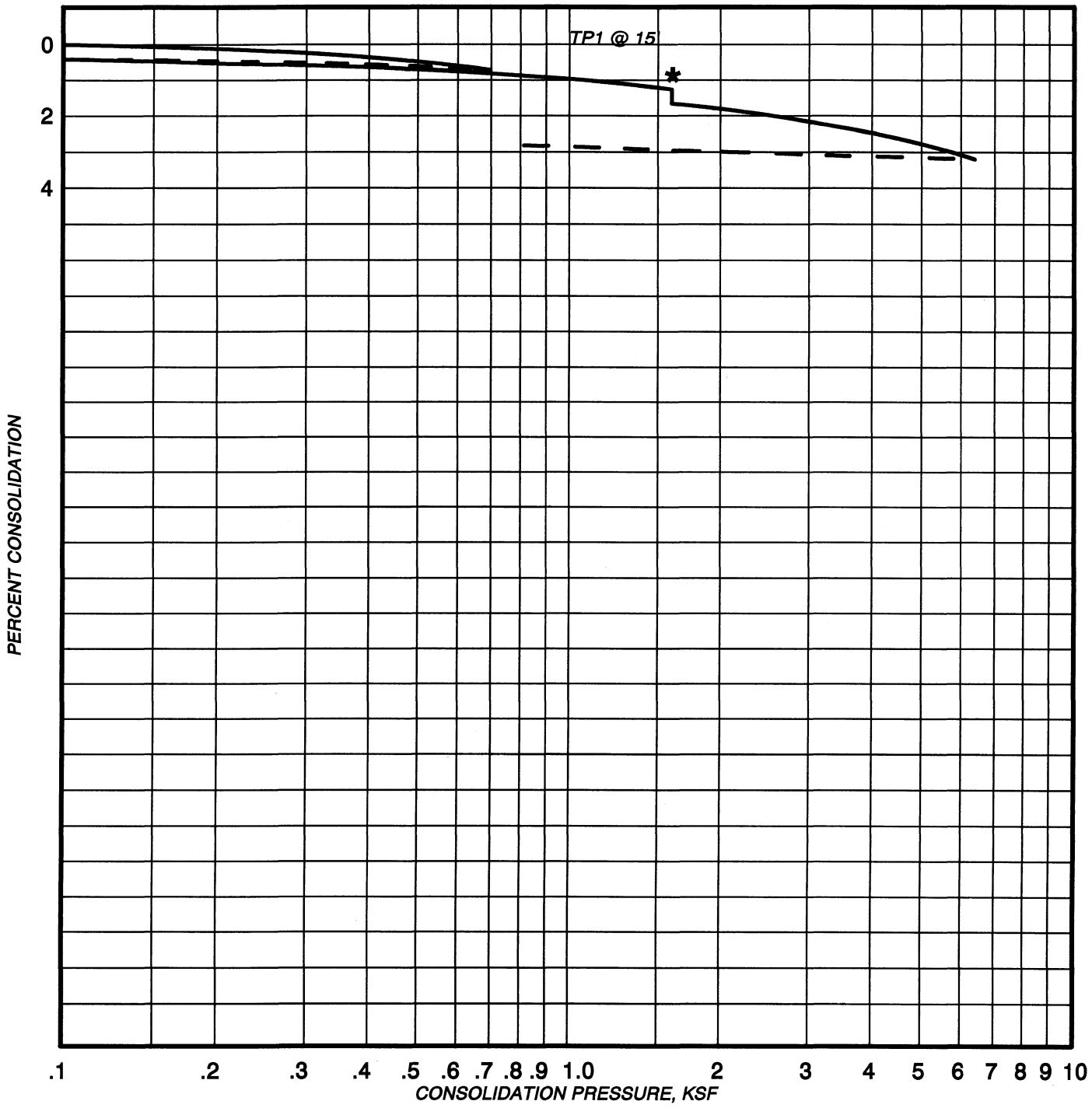
Robertson Geotechnical

CONSOLIDATION TEST

PROJECT: 2499 SCHICK/1904 PRAUSS ROAD

SAMPLE: TP1 @ 15'

ALLUVIAL TERRACE



* Water Added

PLATE:

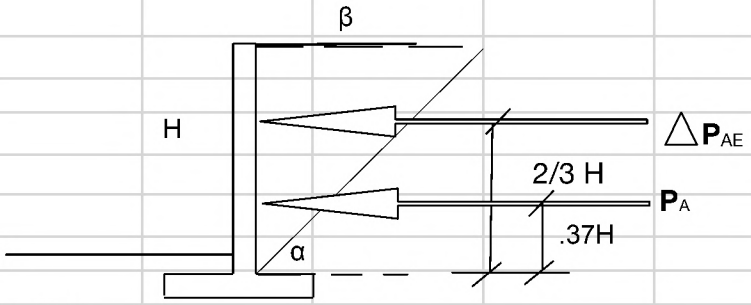
Spectral Combined Seismic/Static Load

Ref: Navy Design Manual 7.2 (NAVFAC)

ASSUMPTION

C =	30	Cohesion of soil (psf)
ϕ =	45	Internal angle of friction (degrees)
γ =	134	Saturated unit weight of soil (pcf)
H =	10	Height of wall (feet)
β=	1	

SDS/2.5=.55



K_h= .68*(SDS/2.5)=0.37

K_a= 0.298

PA=.5*y*Ka*(H)^2 =	2.00 kips
Moment Arm =H/3	3.7 ft
PE=1/2*Kh*λ*H^2	2.48 kips
Moment Arm =.6H	6.0 ft

Earthquake Design==90 pcf

At-Rest Pressure=40 pcf

EFP1=40 pcf Level Backfill

EFP2=50 pcf

Client: Dauer

Project Number: SG 9402-W

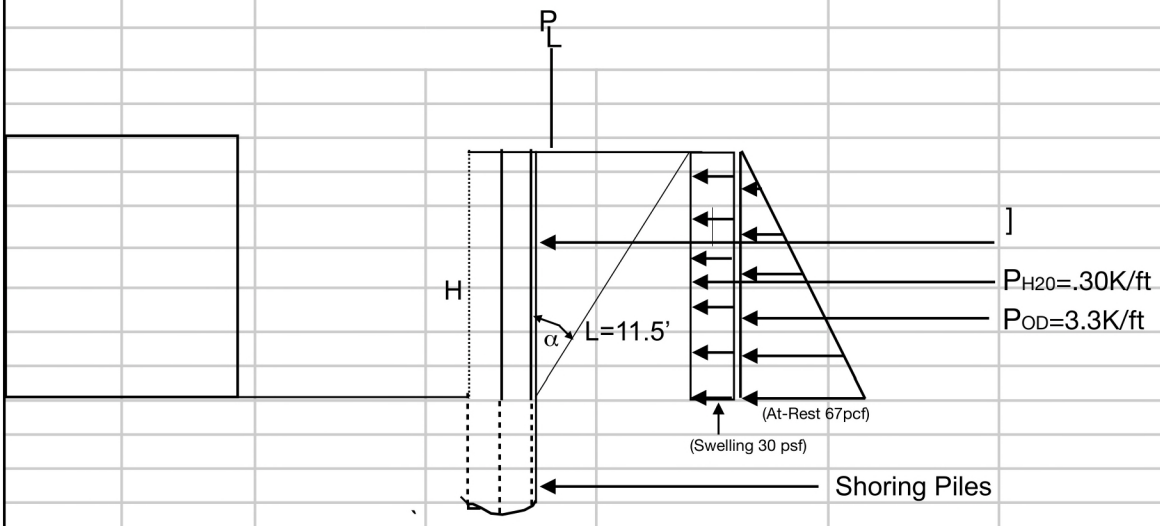
Project Location: Preuss Rd.

SGI

SHORING ANALYSIS/Unsurcharged North Elevation

ASSUMPTIONS

C =	45	Cohesion of soil (psf)
ϕ =	30	Internal angle of friction (degrees)
γ =	134	Saturated unit weight of soil (pcf)
H =	10	Height of wall (feet)
α=	30	
β=	1	Angle of Backslope (degrees)



At Rest Pressure: $\sin\phi$ = 0.5

$\gamma(1-.5)$ =67 pcf

Ka = EFP/γ =.50

P_{H20} = 30psf*H=300psf/ft

P_{0D} = .5*67*H^2 = 3350 psf/ft

*-Modified Boussinesq Equation Rigid Walls Fig.11, Chapter 7.2 DM7 02

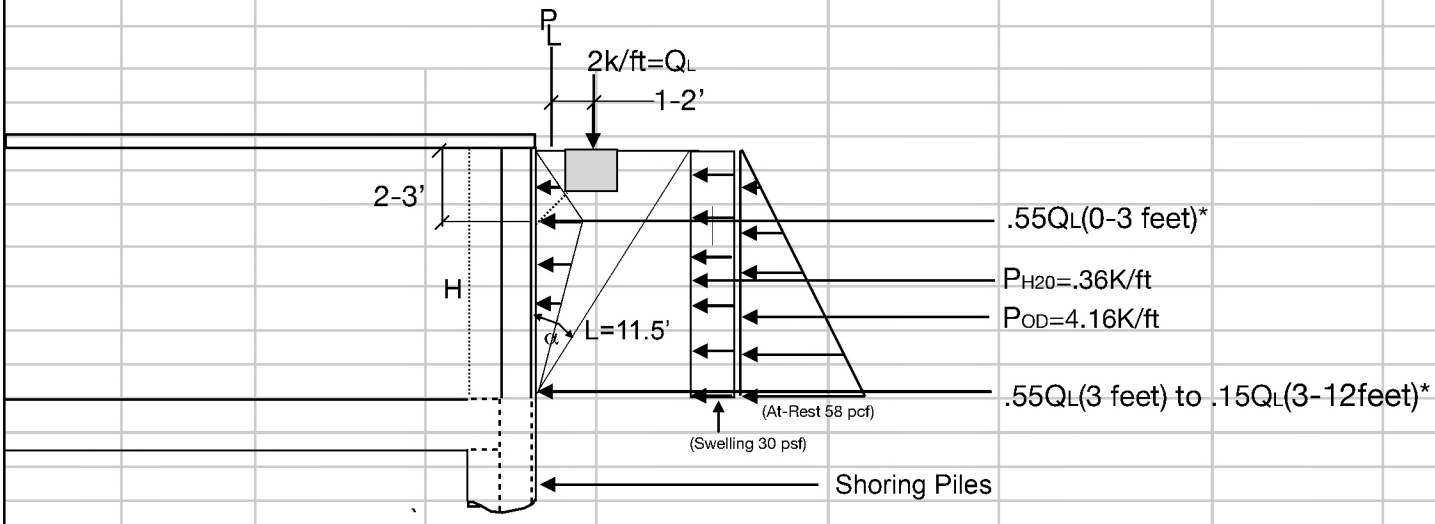
Client:	Dauer
Project Number:	SG 9402-W
Project Location:	Preuss Road

SGI

SHORING ANALYSIS/Retaining Wall(at-rest w/swelling) South Elev. Surcharged

ASSUMPTIONS

C =	45	Cohesion of soil (psf)
ϕ =	30	Internal angle of friction (degrees)
γ =	134	Saturated unit weight of soil (pcf)
H =	10	Height of wall (feet)
α=	28	
β=	1	Angle of Backslope (degrees)



At Rest Pressure: $\sin\phi$ = 0.57

$\gamma(1-.57)$ =58 pcf

Ka = EFP/γ =.42

P_{H20} = 30psf*H=360psf/ft

P_{0D} = .5*58*H^2 = 4176

At-Rest shoring design pressure of 58 pcf plus surcharge scaled Q_L* for full height of wall.

*-Modified Boussinesq Equation Rigid Walls Fig.11, Chapter 7.2 DM7 02

Client:	Dauer
Project Number:	SG 9402-W
Project Location:	Preuss Road

SGI

REGIONAL GEOLOGIC MAP

GEOTECHNICAL, INC.

Schick

REFERENCE: Geologic Map of the Beverly Hills and Hollywood Quadrangles, Los Angeles, California, by Thomas W. Dibblee, Jr., 1991.

ADDRESS: 1904 S. Preuss Road

CLIENT: Dauer

JOB: SG 9402-W



EARTHQUAKE ZONES OF REQUIRED INVESTIGATION MAP

Schick GEOTECHNICAL, INC

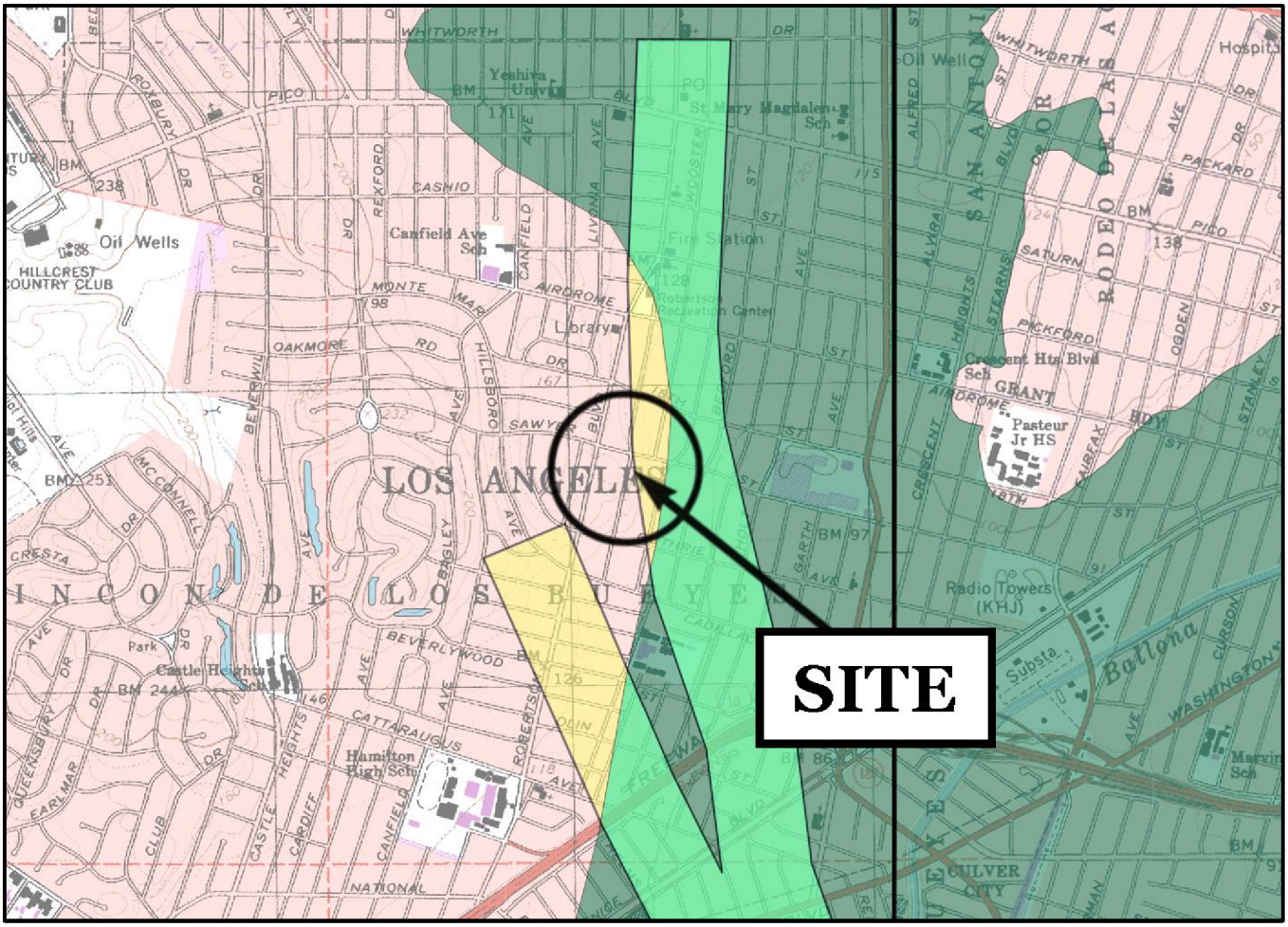
REFERENCE: Earthquake Zones of Required Investigation, Beverly Hills and Hollywood Quadrangles, California Geological Survey, John G Parrish, PhD; Seismic Hazard Zones Official Map, 1999; Earthquake Fault Zones Official Map, 2018 and 2014.

SCALE: 1 : 24000

ADDRESS: 1904 S. Preuss Road

CLIENT: Dauer

JOB: SG 9402-W



EARTHQUAKE FAULT ZONES

Earthquake Fault Zones
Zone boundaries are delineated by straight-line segments; the boundaries define the zone encompassing active faults that constitute a potential hazard to structures from surface faulting or fault creep such that avoidance as described in Public Resources Code Section 2621.5(a) would be required.

Active Fault Traces
Faults considered to have been active during Holocene time and to have potential for surface rupture: Solid Line in Black or Red where Accurately Located; Long Dash in Black or Solid Line in Purple where Approximately Located; Short Dash in Black or Solid Line in Orange where Inferred; Dotted Line in Black or Solid Line in Rose where Concealed; Query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by fault creep.

SEISMIC HAZARD ZONES

Liquefaction Zones
Areas where historical occurrence of liquefaction, or local geological, geotechnical and ground water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

Earthquake-Induced Landslide Zones
Areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

Overlapping Liquefaction and Earthquake-Induced Landslide Zones
Areas that lie within zones of required investigation for both liquefaction and earthquake-induced landslides.

OVERLAPPING EARTHQUAKE FAULT AND SEISMIC HAZARD ZONES

Overlap of Earthquake Fault Zone and Liquefaction Zone
Areas that are covered by both Earthquake Fault Zone and Liquefaction Zone.

Overlap of Earthquake Fault Zone and Earthquake-Induced Landslide Z
Areas that are covered by both Earthquake Fault Zone and Earthquake-Induced Landslide Zone.

Note: Mitigation methods differ for each zone – AP Act only allows avoidance; Seismic Hazard Mapping Act allows mitigation by engineering/geotechnical design as well as avoidance.

VICINITY MAP

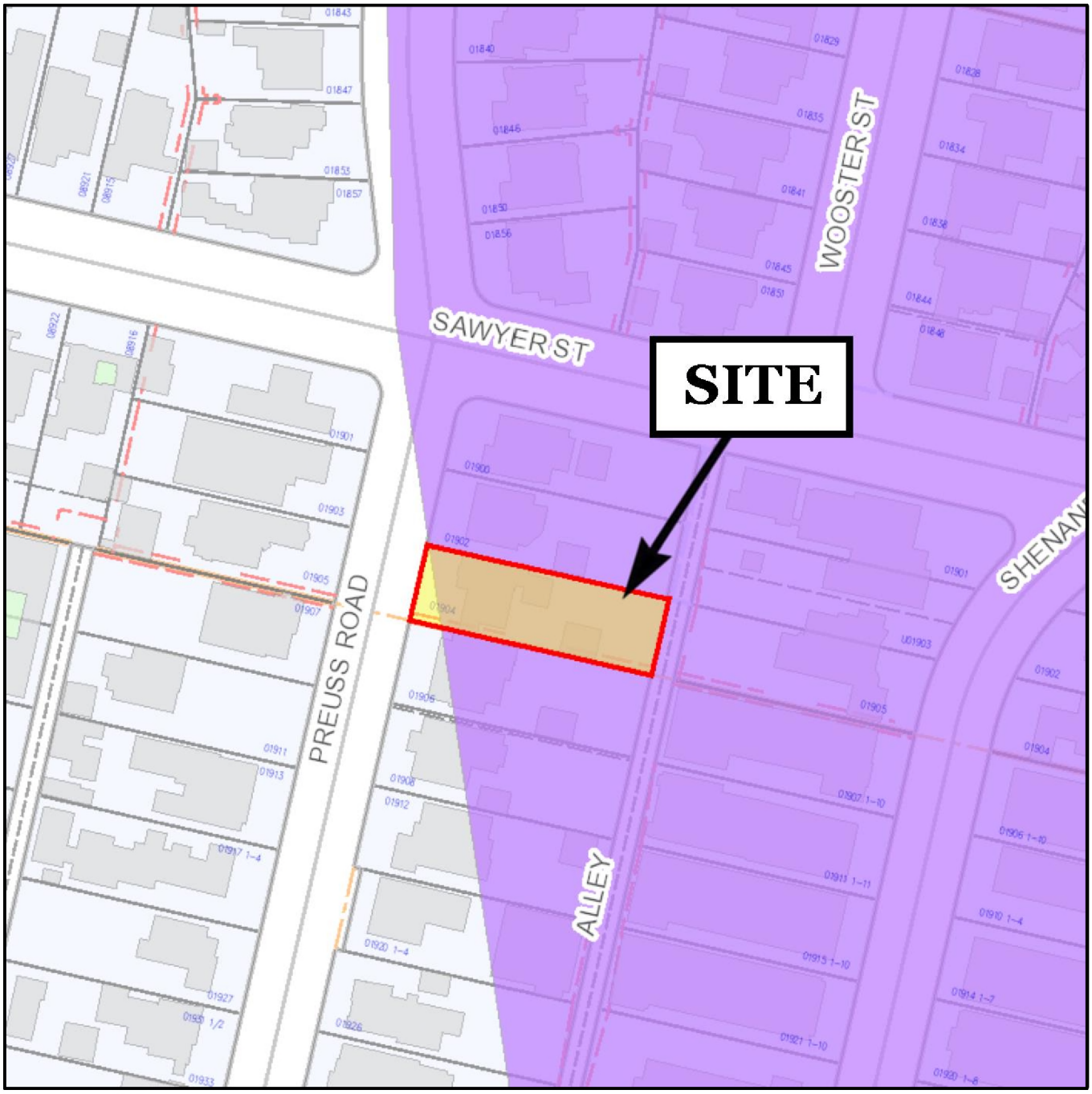
Schick GEOTECHNICAL, INC.

REFERENCE: City of Los Angeles Bureau of Engineering, NavigateLA website, Portion of District Map **126 B 169**.
SCALE: 1" = 100'

ADDRESS: 1904 S. Preuss Road

CLIENT: Dauer

JOB: SG 9402-W



SCHICK GEOTECHNICAL, INC.

SITE MAP

SAWYER STREET

TP10 LOCATION AND NUMBER OF HAND-DUG TEST PITS

B6 LOCATION AND NUMBER OF BORINGS

A2 LOCATION AND NUMBER OF 3" HAND AUGERS

GRAPHIC SCALE
SCALE : 1"= 8'

PROPOSED FOUR STORY RESIDENCES WITH ROOF DECKS

PROPOSED RETAINING WALL

SHORING PILES

RESIDENCE

PROPOSED WALKWAY & STAIRS

PROPOSED THREE STORY RESIDENCE WITH ROOF DECK

PROPOSED DRIVEWAY

FILL & SOIL OVER ALLUVIAL TERRACE

PROPOSED WALL

ALQUIST-PRIOLO FAULT ZONE

5 FT. FAULT SETBACK ZONE

PORTION OF LOT 24

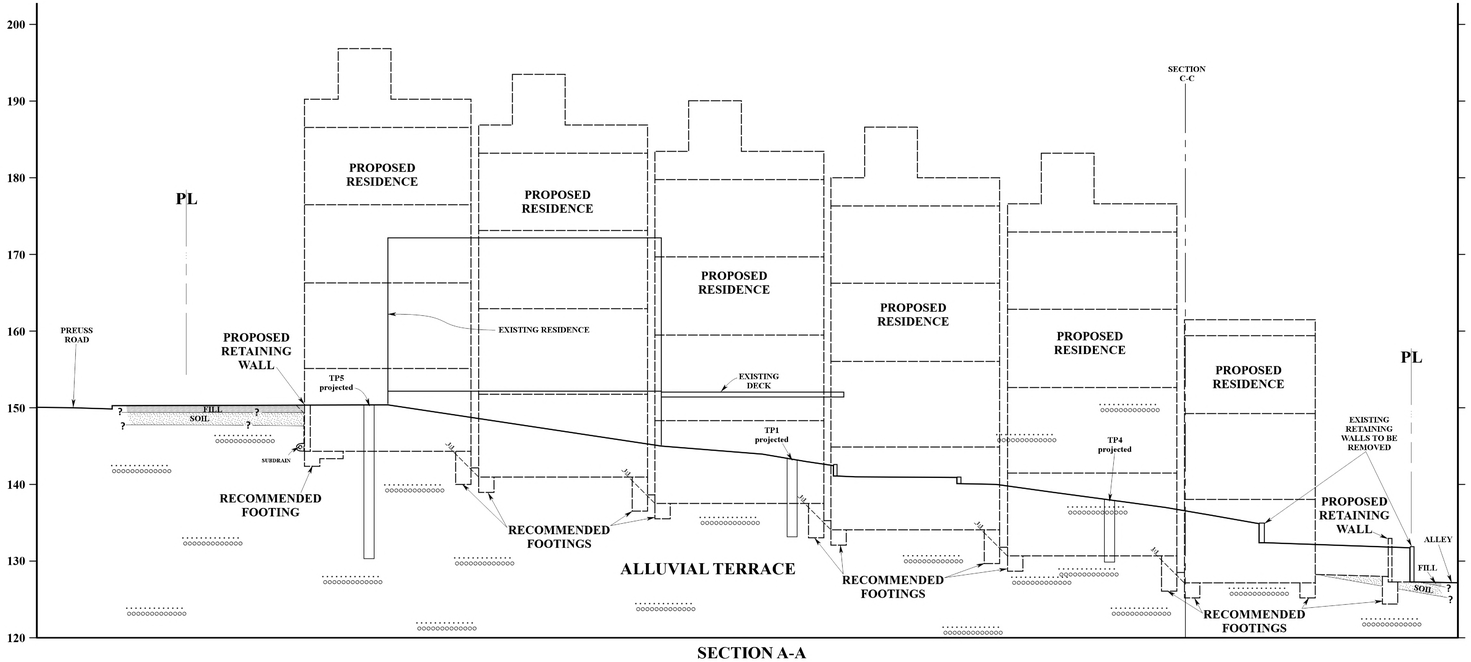
LOT 44 & PORTION OF LOT 45

ROAD

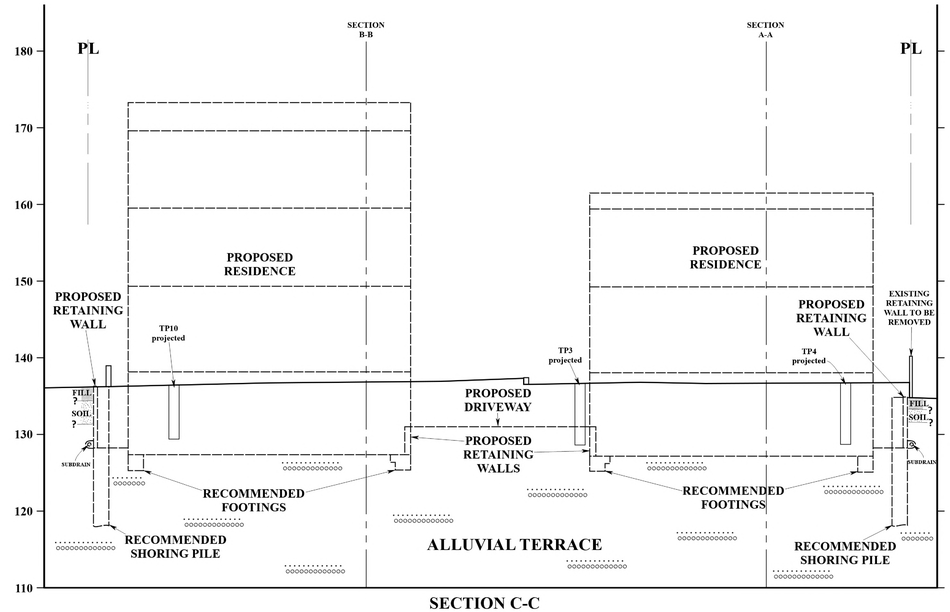
ALLEY

PREUSS

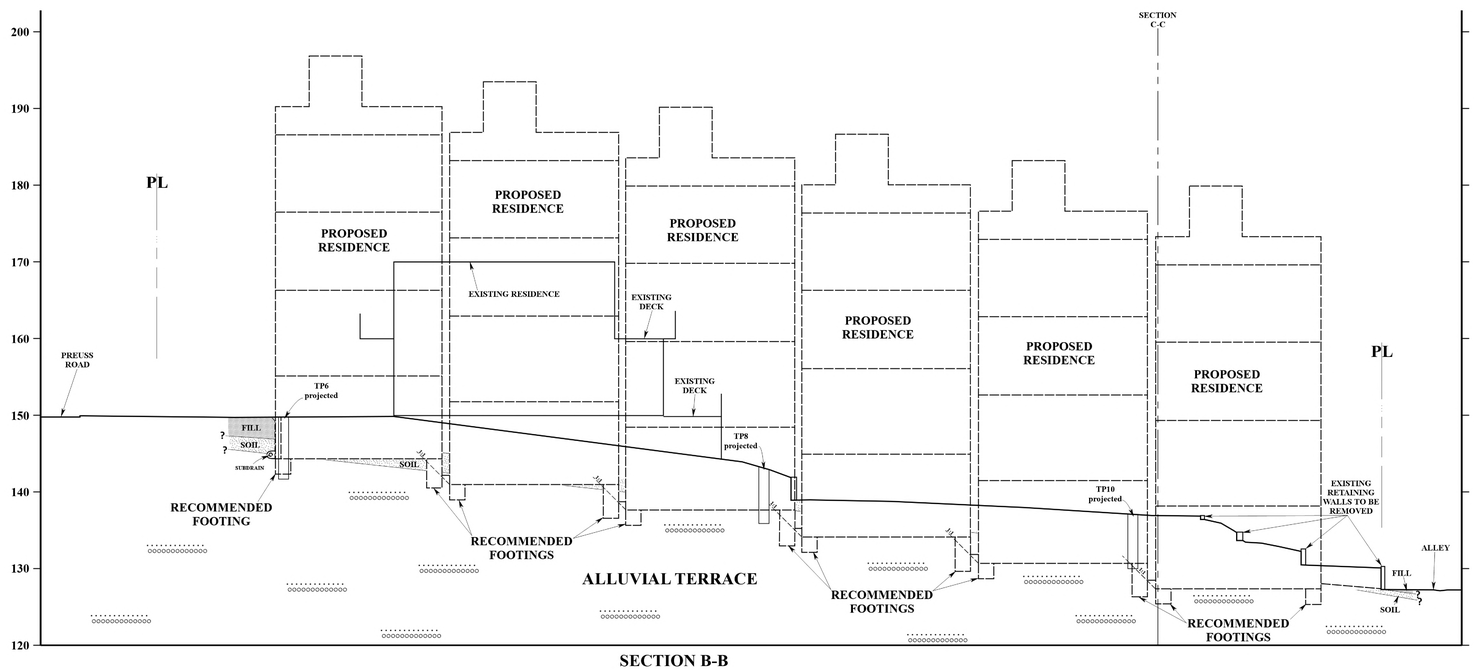
Mar 2023 Dauer SG 9402-W



SECTION A-A



SECTION C-C



SECTION B-B

SCHICK GEOTECHNICAL, INC.

DATE: Mar 2023
DRAWN: ACT
SCALE: 1" = 8'
JOB: Dauer

SG 9402-W

November 30, 2022
Job # J3485

To: **Marc Dauer**
2313 S. Duxbury Circle,
Los Angeles, CA 90034

Attn: Mr. Marc Dauer

Cell: **310.748.2224**

Email: **docdauer@mac.com**

METHANE
SPECIALISTS

5210 Lewis Rd
Suite 1
Agoura Hills, CA 91301

TEL: 805.987.5356
FAX: 805.987.3968

methanespecialists.com

Subj: **Site Methane Investigation Report for:**

New subdivided 2 lots into 12 new single family residential small lot subdivision 11 units + 1 affordable unit.
1904-1906 Preuss Rd,
Los Angeles, CA – 90034

Methane Specialists is pleased to submit this report with the results of our subsurface methane investigation for the project mentioned above. The purpose of the investigation was to measure subsurface soil gas concentrations and pressures of methane at the subject site to determine site-specific methane mitigation requirements prescribed by the City of Los Angeles Department of Building and Safety (Division 71 of the Los Angeles Building Code). This investigation was conducted in accordance with our proposal dated August 30, 2017.

Project Information

The Project Site is on an approximately 17,124 square-foot parcel (0.39 acre), in the City of Los Angeles. The Project proposes the construction of **a new subdivide 2 lots into 12 new single family residential small lot subdivision. 11 units + 1 affordable unit. ''entirely on grade.''** Refusal was *not met* in boring down to a minimum of approximately 30 feet, below surface grade, (bsg), at both *deep* probe sets (DP-1 and DP-2). Ground water was not met while drilling down to below a depth of at least 30 feet, bsg, also at both deep probesets, DP-1 and DP-2. A geotechnical report was not provided to us before the writing of this report. Therefore, the historical groundwater level is taken to be approximately greater than 20 feet, bsg. This would be approximately greater than 20 feet, below where an impermeable membrane *could* be required to be installed under the lowest floor slab, at surface grade.

The site is within an area which the City of Los Angeles designates as a Methane Buffer Zone *(Source: ZIMAS Parcel Profile Report (enclosea)).*

City of Los Angeles Methane Requirements

Requirements for control of methane intrusion in the City of Los Angeles are specified in Division 71 of Article 1, Chapter IX of the Los Angeles Municipal Code ("Division 71"). Since the project is within the Methane Buffer Zone, the Los Angeles Department of Building and Safety (LADBS) has the authority to withhold permits for construction unless detailed plans for adequate protection against methane intrusion are submitted, if testing leads to methane mitigation being required.

The level of methane protection required depends upon the "design methane concentration," which is defined in Division 71 as "the highest concentration of methane gas found during site testing." Site testing is required to determine the design concentration unless the developer accepts the most stringent methane mitigation requirements ("Level V"). If site testing is performed (e.g., to document that a lower level of mitigation is justified), then it must follow a protocol published by the Department of Building and Safety, "Site Testing Standards for Methane" (P/BC 2002-101, November 30, 2004).

P/BC 2002-101 prescribes a three-step process for methane evaluation:

(1) Scheduling site testing either before or 30 days after any site grading.
(2) Conducting shallow soil gas tests (not less than 4 feet, bsg); and
(3) Installing and using multiple-depth gas probe sets where the highest concentrations of soil gases are expected to be found

For the first step, site testing was scheduled for December 15, and 18, 2017. Methane Specialists also notified Underground Service Alert of Southern California to mark the site for underground utilities, and the utilities were subsequently marked and cleared.

For the second step, P/BC 2002-101 requires one shallow sampling location for every 10,000 square feet, or portion thereof, of site area, with a minimum of two shallow soil gas probe locations. Since the parcel area is approximately 17,124 square feet, two (2) *shallow* sampling locations were required.

The third step in the City's methane evaluation process is to collect a minimum of two samples at multiple depths, and at least one multiple-depth probeset per every 20,000 square feet, or portion thereof. Thus, the minimum of two (2) multiple-depth *deep* gas probe sets were also required.

Shallow Soil Gas Probe Testing

City Guidelines require that one shallow-depth probe be installed for every 10,000 square feet of site area where the highest concentration of soil gas is most likely to be found, with a minimum of two shallow gas probes, regardless of the total area of the site. Since the total square footage of the parcel is approximately 17,124 square feet, Methane Specialists installed the required minimum of two (2) shallow methane probes at a depth of 4 feet bsg (see Probe Location Map).

The two shallow gas probes (SP-1 and SP-2) were drilled and installed, starting on December 15, 2017. Methane Specialists used a direct-push drill rig to hydraulically drive a 1.50-inch rod into the ground to a depth of approximately 4 feet, bsg. A ¼" polyethylene probe was then inserted into the boreholes. Approximately six inches of sand was placed in the boreholes, above and below the probe, to provide a sampling area. Bentonite was then added to the top of each of the boreholes. A hydrated bentonite plug was then placed above the bentonite, in each borehole, to form a seal. Methane Specialists recorded all the readings.

Shallow probe site testing was conducted on December 15, and 18, 2017.

Multiple-Depth Gas Probe Set Testing

City Guidelines also require that one multiple-depth deep probe set be installed for every 20,000 square feet of site area where the highest concentration of soil gas is most likely to be found, with a minimum of two multiple-depth deep gas probe sets, regardless of the total area of the site. Since the total area of the site is approximately 17,124 square feet, Methane Specialists drilled and installed the required two (2) multiple-depth *deep* probesets (DP-1 and DP-2), also starting on December 15, 2017.

The multiple-depth deep probes were also installed using direct-push drilling equipment in the same manner as were the shallow gas probes. The deep probes were installed as triple-well clusters, down to greater than 20 feet, bsg, for DP-1, and DP-2, where *refusal was not met*, at either deep probe location. In all cases, at each probe depth, approximately twelve inches of sand was placed in the borehole around each of the probes. Each sand layer, of each probe, was separated by a layer of bentonite, between the sampling elevations. A hydrated, bentonite, plug was then placed onto the top of each borehole to form a seal.

Multiple-depth probe site testing was similarly conducted on December 15, and 18, 2017.

Sampling and Analysis

For field data sampling and analysis, Methane Specialists measured these probes for methane with a RKI Eagle portable, gas-sampling meter. The lower limit for reporting methane levels with the RKI Eagle is 500 ppmv (parts per million by volume).

The RKI Eagle was calibrated against standard calibrant samples by trained Methane Specialists staff members.

The probe pressures were all measured with a Dwyer Magnehelic Differential Pressure Gauge with a minimum scale division of 0.1 inch of water (H_2O).

Results of Shallow Gas Probe and Multiple-Depth Gas Probe Analysis

The attached Form 1 shows the results of the analysis of both the shallow, *and* the multiple, depth deep probe sets.

Recommendations

In summary, for this project located in the *Methane Buffer Zone*, measurable levels of methane were not detected while testing at this site. Therefore, per Table 1B, for the *Methane Buffer Zone (enclosed)*, this project falls under Design Level ***II***, with less than 2 inches of water-column gas-pressure. As per said Methane Code Table 1B, this project ***requires no methane mitigation system***.

However, the Methane Code still requires a minimum of a passive methane mitigation system for any project located within the methane zone. However, the Code requires a minimal level of mitigation *no matter how little methane* was detected.

Disclaimer

All discussion in this report is based on information provided by the client, as well as data and conditions, as they existed at the time and date of testing at the site. Should any detail, or condition, change from that original information, then, re-consideration of the conclusions in this report could become justified. Methane Specialists cannot be held accountable for the consequences of relevant information which was not previously provided. Nor can Methane Specialists be held accountable for the consequences of changes in the project scope, or of project site conditions.

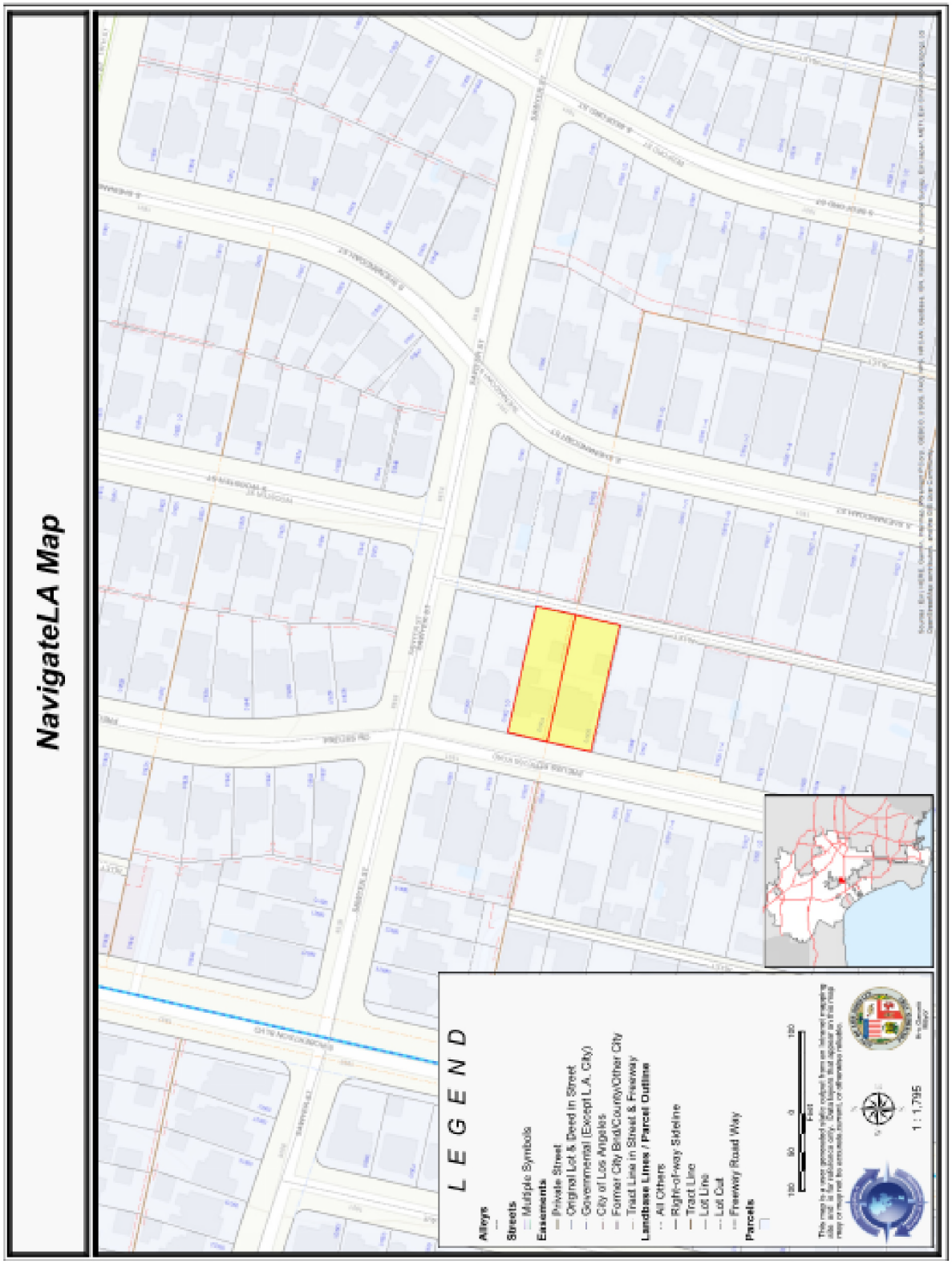
This report has been prepared for the sole use of the client, exclusively, for the completion of the subject project, alone. No other application, or interpretation, of this report is to be granted, or implied, or otherwise made, without written permission, exclusively from Methane Specialists.

Respectfully,
Methane Specialists

Timothy A. Tucker, Architect (C-19103)



Exhibit 1 - Site Location Map



METHANE
SPECIALISTS

5210 Lewis Road,
Suite 1,
Agoura Hills, CA - 91301

TEL: 805.987.5356

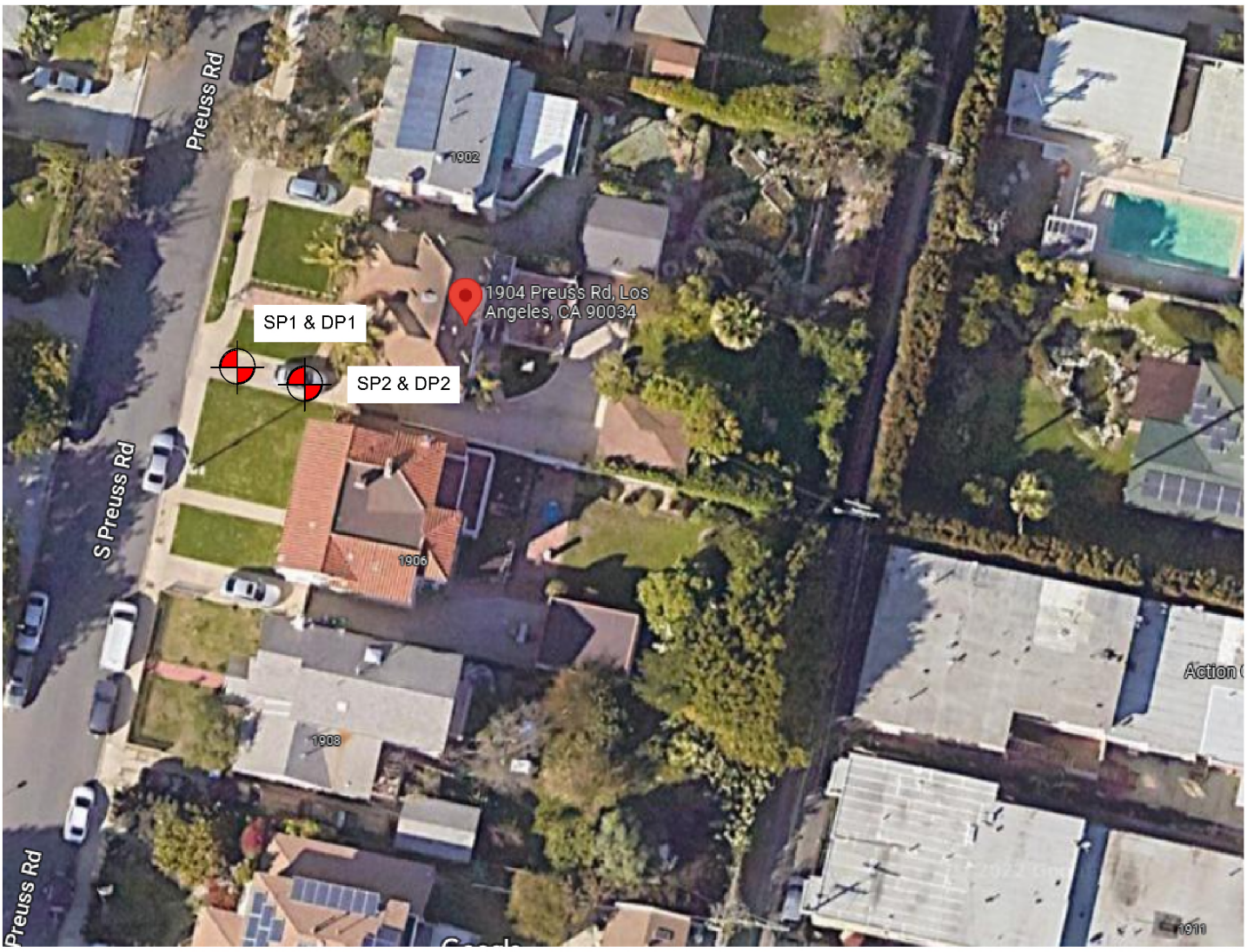
methanespecialists.com

Address: 1904-1906 Preuss Rd Los Angeles, CA - 90034

Date: 12.1.2022

Job: 3485

Exhibit 2 - Probe Location Map



LEGEND
DP=DEEP PROBE
SP=SHALLOW PROBE

Address: 1904-1906 Preuss Rd Los Angeles, CA - 90034

Date: 12.1.2022

Job: 3485

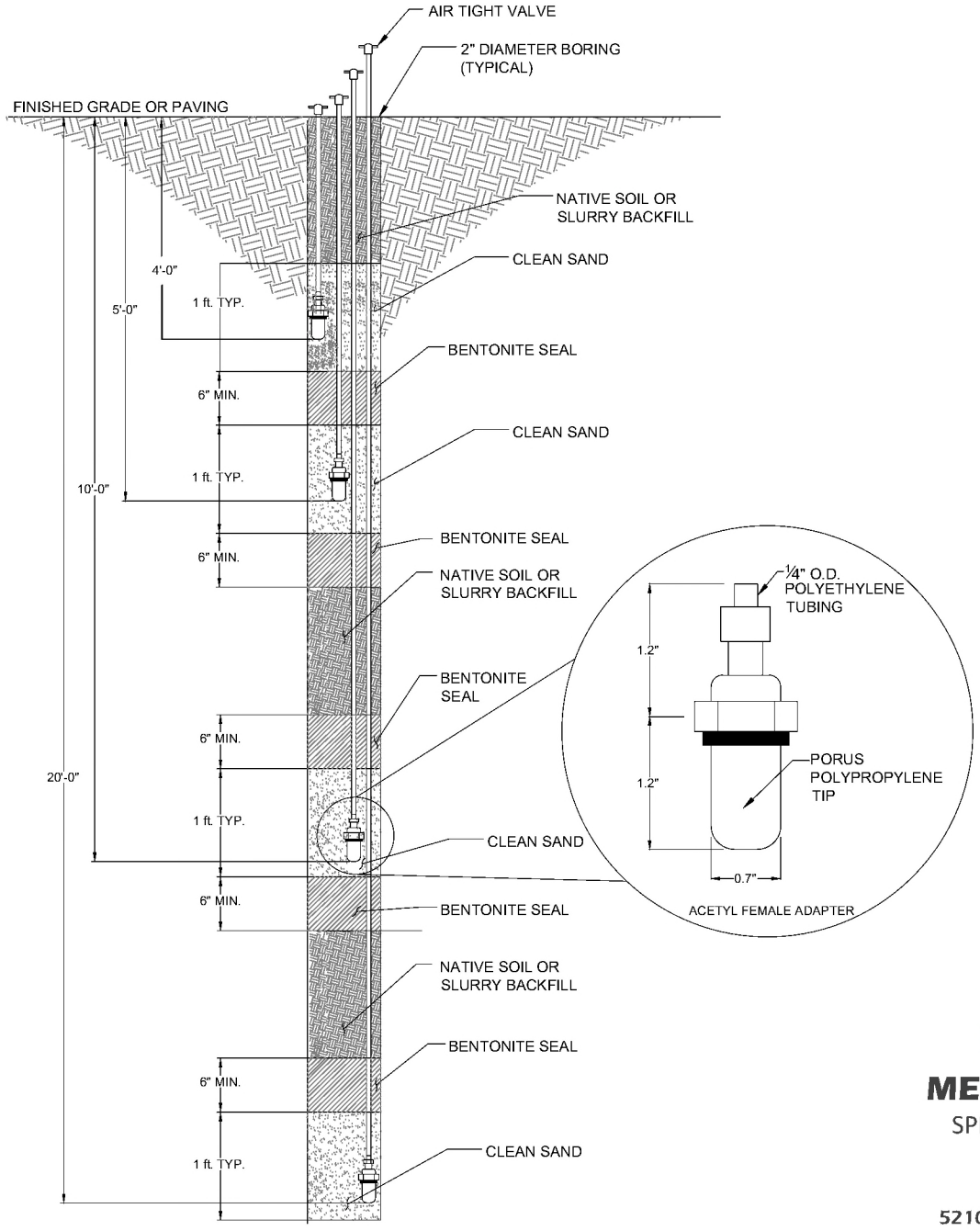
METHANE
SPECIALISTS

5210 Lewis Road,
Suite 1,
Agoura Hills, CA - 91301

TEL: 805.987.5356

methanespecialists.com

Exhibit 3



METHANE
SPECIALISTS

5210 Lewis Road
Suite 1
Agoura Hills, CA 91301

TEL: 805.987.5356
FAX: 805.987.3968

methanespecialists.com

TEMPORARY MULTI-STAGE GAS MONITORING PROBES FOR METHANE

FORM 1 - CERTIFICATE OF COMPLIANCE FOR METHANE TEST DATA

Part 1: Certification Sheet

Job #: 3485

Site Address: 1904-1906 S. Preuss, Los Angeles, CA 90034

Legal Description: Tract: TR 12110 Lot: FR 24 Block: None

Building Use: New subdivided 2 lots into 12 new single family residential small lot sudivision 11 unit + 1 affordable unit.

Architect=s, Engineer=s or Geologist=s Stamp:

Name of Architect, Engineer, or Geologist:

Mailing Address: Methane Specialists
5210 Lewis Road, Suite 1
Agoura Hills, CA 91301

Telephone: (805) 987-5356

LICENSED ARCHITECT
TIMOTHY ALAN TUCKER
C-19103
exp. 10-31-2023
STATE OF CALIFORNIA

Name of Testing Laboratory: Methane Specialists

City Test Lab License #: 24876

Telephone: (805) 987-5356

I hereby certify that I have tested the above site for the purpose of methane mitigation and that all procedures were conducted by a City of Los Angeles licensed testing agency in conformity with the requirements of the LADBS Information Bulletin P/BC 2020-101. Where the inspection and testing of all or part of the work above is delegated, full responsibility shall be assumed by the architect, engineer or geologist whose signature is affixed thereon.

Signed: _____ date 12-1-2022

Required Data:

_ Project is in the (Methane Zone) or (Methane Buffer Zone).

_ Depth of ground water observed during testing: not met feet below the Impervious Membrane.

_ Depth of Historical High Ground Water Table Elevation*: unknown feet below the Impervious Membrane.

_ Design Methane Concentration**: 500 parts per million in volume (ppmv). *(i.e.: 1% LEL)*

_ Design Methane Pressure***: < 2.0 inches of water column.

_ Site Design Level: (Level I, Level II, Level III, Level IV, Level V) with _____ inches of water column.

De-watering:

_ De-watering (is) (is not) required per Section 7104.3.7. *Subject to Final Geotech Report.*

_ Pump discharge rate not provided cubic feet per minute per reference geology or soil report: _____ dated _____.

Additional Investigation:

_ Additional investigation (was) (was not) conducted. *(by Methane Specialists)*

Latest Grading on Site:

_ Date of last grading on site (was) (was not) more than 30 days before Site Testing.

_ See Attached explanation of the effect on soil gas survey results by grading operations.

Notes:

* Historical High Ground Water Table Elevation shall mean the highest recorded elevation of ground water table based on historical records and field investigations as determined by the engineer for the methane mitigation system.

** Design Methane Concentration shall mean the highest recorded measured methane concentration from either Shallow Soil Gas Test or any Gas Probe Set on the site.

*** Design Methane Pressure shall mean the highest total pressure measured from any Gas Probe Set on the site.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

FORM 1 (CONTINUED) - CERTIFICATE OF COMPLIANCE FOR METHANE TEST DATA P/BC 2002-101

Part 2: Test Data - Shallow Soil Gas Test and Gas Probe Test

Site Address: ***1904-1906 S. Preuss, Los Angeles, CA 90034*** Job # ***3485***

Description of Gas Analysis Instrument(s):

Instrument Name and Model: ***RKI Eagle*** Instrument Accuracy: ***500*** ppm/v.

City of Los Angeles Testing License #: ***24876*** **Page *1* of *1***

Date	Time	Probe Set #	Stablized CH4 Concentration (ppm/v)	Pressure (inches of water-column)	Probe Depth (feet)	Descriptions / Comments: *no **perched** water was met - Refusal was **not met** as shown below - Groundwater **was met** as shown below*
12/15/2017	*10:00*	*SP-1*	*< 500*	*< 0.1*	*4*	
''	*9:55*	*DP-1*	*< 500*	*< 0.1*	*5*	
''	***9:50***	*DP-1*	*< 500*	*< 0.1*	***10***	
''	*9:45*	*DP-1*	*< 500*	*<0.1*	*30*	***refusal and groundwater not met &*** <= *Maximum Stabilized CH4 Reading*
''	*11:05*	*SP-2*	*< 500*	*< 0.1*	*4*	
''	*11:00*	*DP-2*	*< 500*	*< 0.1*	*5*	
''	*10:50*	*DP-2*	*< 500*	*< 0.1*	*10*	
''	*10:45*	*DP-2*	*< 500*	*<0.1*	*30*	***refusal and groundwater not met***
12/18/2017	*7:05*	*SP-1*	*< 500*	*< 0.1*	*4*	
''	*7:20*	*DP-1*	*< 500*	*< 0.1*	*5*	
''	*7:15*	*DP-1*	*< 500*	*< 0.1*	*10*	
''	*9:40*	*DP-1*	*< 500*	*<0.1*	*30*	
''	*7:55*	*SP-2*	*< 500*	*< 0.1*	*4*	
''	*7:50*	*DP-2*	*< 500*	*< 0.1*	*5*	
''	*7:45*	*DP-2*	*< 500*	*< 0.1*	*10*	
''	*7:40*	*DP-2*	*< 500*	*< 0.1*	*30*	

INSTRUMENTATION CALIBRATION RECORD:

DATE: *12/15/2017* TIME: *9:00 A.M* INIT: *R.C.*

DATE: TIME: INIT:

DATE: TIME: INIT:

WATER ENCOUNTERED ? ~~(Y)~~ **(N)** DEPTH: ***(see above)***

REFUSAL ? ~~(Y)~~ **(N)** DEPTH: ***(see above)***

COMMENTS: ***"< 500 ppmv" <=> "Non-Detect" <=> "ND"***

Tester: Ramon Camacho

Table 1B - MITIGATION REQUIREMENTS FOR METHANE BUFFER ZONE (See notes)

Site Design Level			Level I		Level II		Level III		Level IV		Level V
Design Methane Concentration (ppmv)			0 - 100		101 - 1,000		1,001 - 5,000		5,001 - 12,500		> 12,500
Design Methane Pressure (See note 1) (inches of water column)			≤ 2"	> 2"	≤ 2"	> 2"	≤ 2"	> 2"	≤ 2"	> 2"	All Pressure
PASSIVE SYSTEM	De-watering System			X		X		X	X	X	X
	Sub-Slab Vent System	Perforated Horizontal Pipes		X		X		X	X	X	X
		Gravel Blanket Thickness Under Impervious Membrane		2"		3"		3"	2"	4"	4"
		Gravel Thickness Surrounding Perforated Horizontal Pipes		2"		3"		3"	2"	4"	4"
		Vent Risers		X		X		X	X	X	X
	Impervious Membrane			X		X		X	X	X	X
ACTIVE SYSTEM	Sub-Slab System	Mechanical Extraction System (See note 2)								X	X
	Lowest Occupied Space System	Gas Detection System (See note 3)		X		X		X	X	X	X
		Mechanical Ventilation (See Notes 3, 4, 5)		X		X		X	X	X	X
		Alarm System		X		X		X	X	X	X
	Control Panel			X		X		X	X	X	X
MISC. SYSTEM	Trench Dam			X		X		X	X	X	X
	Conduit or Cable Seal Fitting			X		X		X	X	X	X
	Additional Vent Risers (See note 5)										X

NOTES FOR TABLES 1A AND 1B:

"x" = Indicates a required mitigation component

1. De-watering is not required when the maximum Historical High Ground Water Table Elevation, or projecterd post-construction ground water level, is more than 12 inches below the bottom of the Perforated Horizontal Pipes.
2. The Mechanical Extraction System shall be capabale of providing an equivalent of a complete change of air 20 minutes of the total volume of the Gravel Blanket.
3. The mechanical ventilation system shall be capable of providing an equivalent of one complete change of the lowest occupied space every 15 minutes.
4. Vent openings to comply with Item IV.B.4 on sheet 1 may be used in lieu of mechanical ventilation.
5. The total quantity of the installed Vent Risers shall be increased to twice the rate for the Passive System.

Exhibit 6

City of Los Angeles
Department of City Planning

11/29/2022
PARCEL PROFILE REPORT

PROPERTY ADDRESSES
1904 S PREUSS ROAD

ZIP CODES
90034

RECENT ACTIVITY
None

CASE NUMBERS
CPC-2006-5567-CPU
ORD-184796-SA30
ENV-2008-478-EIR

Address/Legal Information	
PIN Number	126B169 245
Lot/Parcel Area (Calculated)	7,988.6 (sq ft)
Thomas Brothers Grid	PAGE 632 - GRID H5
Assessor Parcel No. (APN)	4302020003
Tract	TR 12110
Map Reference	M B 227-39/42
Block	None
Lot	FR 24
Arb (Lot Cut Reference)	None
Map Sheet	126B169
Jurisdictional Information	
Community Plan Area	West Adams - Baldwin Hills - Leimert
Area Planning Commission	South Los Angeles
Neighborhood Council	South Robertson
Council District	CD 10 - Office of District 10
Census Tract #	2696.02
LADBS District Office	Los Angeles Metro
Permitting and Zoning Compliance Information	
Administrative Review	None
Planning and Zoning Information	
Special Notes	None
Zoning	RD1.5-1
Zoning Information (ZI)	ZI-2441 Alquist-Priolo Earthquake Fault Zone
General Plan Land Use	Low Medium II Residential
General Plan Note(s)	Yes
Hillside Area (Zoning Code)	No
Specific Plan Area	None
Subarea	None
Special Land Use / Zoning	None
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	None
Subarea	None
CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No
POD: Pedestrian Oriented Districts	None
RBP: Restaurant Beverage Program Eligible Area	None
RFA: Residential Floor Area District	None
RIO: River Implementation Overlay	No
SN: Sign District	No
Streetscape	No

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	Medium
Non-Residential Market Area	Medium
Transit Oriented Communities (TOC)	Not Eligible
RPA: Redevelopment Project Area	None
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No
Assessor Information	
Assessor Parcel No. (APN)	4302020003
APN Area (Co. Public Works)*	0.201 (ac)
Use Code	0104 - Residential - Single Family Residence - Therapy Pool (Spa)
Assessed Land Val.	$1,358,346
Assessed Improvement Val.	$356,965
Last Owner Change	05/23/2017
Last Sale Amount	$1,600,016
Tax Rate Area	67
Deed Ref No. (City Clerk)	948855
	822256
	740005
	740004
	7-300
	3395420
	2-718
	2-194
	1955171
	1816717
	1816716
	1393409
Building 1	
Year Built	1941
Building Class	D7B
Number of Units	1
Number of Bedrooms	3
Number of Bathrooms	2
Building Square Footage	2,354.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 4302020003]
Additional Information	
Airport Hazard	None
Coastal Zone	None
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	Outside Flood Zone
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	Methane Buffer Zone

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	No
Wells	None
Seismic Hazards	
Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	Within Fault Zone
Nearest Fault (Name)	Newport - Inglewood Fault Zone (Onshore)
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000
Slip Geometry	Right Lateral - Strike Slip
Slip Type	Poorly Constrained
Down Dip Width (km)	13.00000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	90.00000000
Maximum Magnitude	7.10000000
Alquist-Priolo Fault Zone	Yes
Landslide	No
Liquefaction	No
Preliminary Fault Rupture Study Area	No
Tsunami Inundation Zone	No
Economic Development Areas	
Business Improvement District	None
Hubzone	Not Qualified
Jobs and Economic Development Incentive Zone (JEDI)	None
Opportunity Zone	No
Promise Zone	None
State Enterprise Zone	None
Housing	
Direct all Inquiries to	Los Angeles Housing Department
Telephone	(866) 557-7368
Website	https://housing.lacity.org
Rent Stabilization Ordinance (RSO)	No [APN: 4302020003]
Ellis Act Property	No
AB 1482: Tenant Protection Act	See Notes
Assessor Parcel No. (APN)	4302020003
Address	1904 PREUSS RD
Year Built	1941
Use Code	0104 - Residential - Single Family Residence - Therapy Pool (Spa)
Notes	The property is subject to AB 1482 if the owner is a corporation, limited liability company with a corporate member, or real estate trust. Does not apply to owner-occupied duplexes & government-subsidized housing.
Housing Crisis Act Replacement Review	Yes
Public Safety	
Police Information	
Bureau	West
Division / Station	West Los Angeles
Reporting District	889
Fire Information	
Bureau	South
Battallion	18
District / Fire Station	58
Red Flag Restricted Parking	No

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2006-5567-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	1. PURSUANT TO PROCEDURES SET FORTH IN SECTION 11.5.6 OF THE MUNICIPAL CODE AND CITY CHARTER SECTIONS 555 AND 558, AMEND THE WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN AS PART OF THE GENERAL PLAN OF THE CITY OF LOS ANGELES, AS MODIFIED IN THE ATTACHED WEST ADAMS-BALDWIN HILLS-LEIMERT NEW COMMUNITY PLAN RESOLUTION, THE WEST ADAMS-BALDWIN HILLS-LEIMERT NEW COMMUNITY PLAN TEXT AND CHANGE MAPS (EXHIBITS A, B, C, M, O) AND ADDITIONAL PLAN MAP SYMBOL, FOOTNOTE, CORRESPONDING ZONE AND LAND USE NOMENCLATURE CHANGES (EXHIBIT K). 2. PURSUANT TO SECTIONS 11.5.7.G., 16.50.D., 12.32. AND 12.04 OF THE MUNICIPAL CODE AND CITY CHARTER SECTION 558, AMEND THE CRENSHAW CORRIDOR SPECIFIC PLAN, AS SHOWN IN THE PROPOSED CRENSHAW CORRIDOR SPECIFIC PLAN AMENDMENTS (EXHIBIT G). 3. PURSUANT TO SECTION 13.14.C., 12.32, AND 12.04 OF THE MUNICIPAL CODE AND CITY CHARTER SECTION 558, ADOPT THE WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO) DISTRICT, AS SHOWN IN THE PROPOSED CPIO SUBDISTRICT ORDINANCES (EXHIBIT F). 4. PURSUANT TO SECTION 12.32 OF THE MUNICIPAL CODE, ADOPT REZONING ACTIONS TO EFFECT CHANGES OF ZONE AS IDENTIFIED ON THE LAND USE CHANGE MAP (EXHIBIT H), LAND USE CHANGE MATRIX (EXHIBIT I) AND PROPOSED ZONING MAP (EXHIBIT Q). 5. PURSUANT TO PROCEDURES SET FORTH IN SECTION 11.5.6 OF THE MUNICIPAL CODE AND CITY CHARTER SECTIONS 555 AND 558, AMEND THE HIGHWAYS AND FREEWAYS MAP OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN TO RECLASSIFY SELECTED STREETS WITHIN THE WEST ADAMS-BALDWIN HILLS-LEIMERT NEW COMMUNITY PLAN AS SHOWN ON THE STREET REDESIGNATION MATRIX (EXHIBIT J). 6. PURSUANT TO PROCEDURES SET FORTH IN SECTION 11.5.6 OF THE MUNICIPAL CODE AND CITY CHARTER SECTIONS 555 AND 558, AMEND THE LONG RANGE LAND USE DIAGRAM OF THE CITYWIDE GENERAL PLAN FRAMEWORK ELEMENT TO REFLECT CHANGES AND MODIFICATIONS TO THE GEOGRAPHY OF NEIGHBORHOOD DISTRICTS, COMMUNITY CENTERS, REGIONAL CENTERS, AND MIXED USE BOULEVARDS AS SHOWN ON THE PROPOSED LON
Case Number:	ENV-2008-478-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Descriptions(s):	ADDENDUM TO THE WEST ADAMS CPU EIR CHANGE

DATA NOT AVAILABLE

ORD-184796-SA30

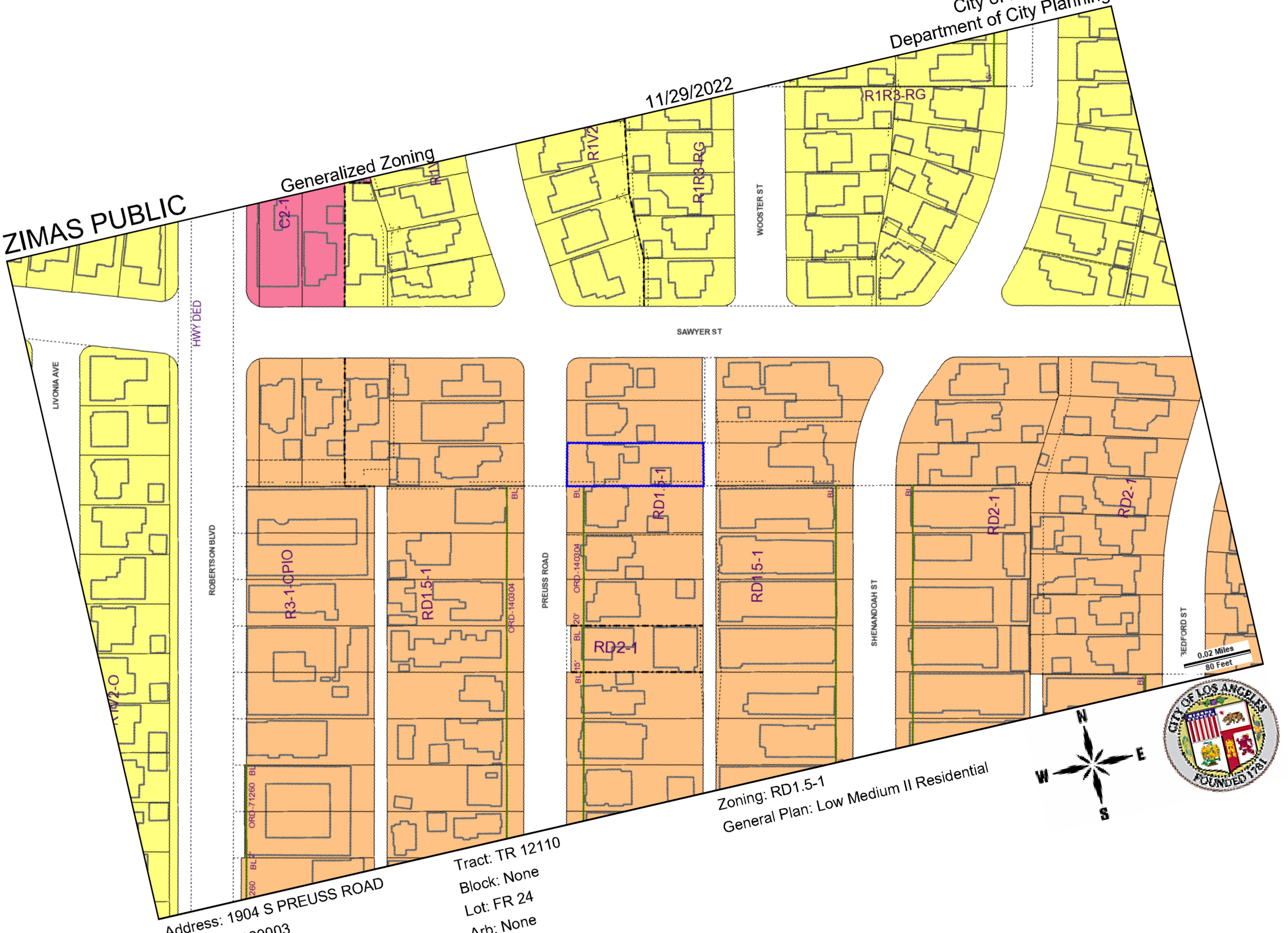
This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

ZIMAS PUBLIC

Generalized Zoning

11/29/2022

City of Los Angeles
Department of City Planning



Address: 1904 S PREUSS ROAD
APN: 4302020003
PIN #: 126B169 245

Tract: TR 12110
Block: None
Lot: FR 24
Arb: None

Zoning: RD1.5-1
General Plan: Low Medium II Residential

LEGEND

GENERALIZED ZONING

- OS, GW
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
- CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP, MU, NMU
- CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL, HJ, HR, NI
- P, PB
- PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

- Minimum Residential
- Very Low / Very Low I Residential
- Very Low II Residential
- Low / Low I Residential
- Low II Residential
- Low Medium / Low Medium I Residential
- Low Medium II Residential
- Medium Residential
- High Medium Residential
- High Density Residential
- Very High Medium Residential

COMMERCIAL

- Limited Commercial
- Limited Commercial - Mixed Medium Residential
- Highway Oriented Commercial
- Highway Oriented and Limited Commercial
- Highway Oriented Commercial - Mixed Medium Residential
- Neighborhood Office Commercial
- Community Commercial
- Community Commercial -Mixed High Residential
- Regional Center Commercial

INDUSTRIAL

- Commercial Manufacturing
- Limited Manufacturing
- Light Manufacturing
- Heavy Manufacturing
- Hybrid Industrial

PARKING

- Parking Buffer

PORT OF LOS ANGELES

- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
- General / Bulk Cargo - Hazard
- Commercial Fishing
- Recreation and Commercial
- Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

- Airport Landside / Airport Landside Support
- Airport Airside
- LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

- Open Space
- Public / Open Space
- Public / Quasi-Public Open Space
- Other Public Open Space
- Public Facilities

FRAMEWORK

COMMERCIAL

- Neighborhood Commercial
- General Commercial
- Community Commercial
- Regional Mixed Commercial

INDUSTRIAL

- Limited Industrial
- Light Industrial

CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)
- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway

MISC. LINES

- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

POINTS OF INTEREST

- Alternative Youth Hostel (Proposed)
- Animal Shelter
- Area Library
- Area Library (Proposed)
- Bridge
- Campground
- Campground (Proposed)
- Cemetery
- HW Church
- City Hall
- Community Center
- Community Library
- Community Library (Proposed Expansion)
- Community Library (Proposed)
- Community Park
- Community Park (Proposed Expansion)
- Community Park (Proposed)
- Community Transit Center
- Convalescent Hospital
- Correctional Facility
- Cultural / Historic Site (Proposed)
- Cultural / Historical Site
- Cultural Arts Center
- DMV DMV Office
- DWP DWP
- DWP Pumping Station
- Equestrian Center
- HQ Fire Department Headquarters
- Fire Station
- Fire Station (Proposed Expansion)
- Fire Station (Proposed)
- Fire Supply & Maintenance
- Fire Training Site
- Fireboat Station
- Health Center / Medical Facility
- Helistop
- Historic Monument
- Historical / Cultural Monument
- Horsekeeping Area
- Horsekeeping Area (Proposed)
- Horticultural Center
- Hospital
- Hospital (Proposed)
- HW House of Worship
- e Important Ecological Area
- e Important Ecological Area (Proposed)
- Interpretive Center (Proposed)
- JC Junior College
- M MTA / Metrolink Station
- M MTA Station
- MTA Stop
- MWD MWD Headquarters
- Maintenance Yard
- Municipal Office Building
- P Municipal Parking lot
- Neighborhood Park
- Neighborhood Park (Proposed Expansion)
- Neighborhood Park (Proposed)
- Oil Collection Center
- P Parking Enforcement
- HQ Police Headquarters
- Police Station
- Police Station (Proposed Expansion)
- Police Station (Proposed)
- Police Training site
- PO Post Office
- Power Distribution Station
- Power Distribution Station (Proposed)
- Power Receiving Station
- Power Receiving Station (Proposed)
- C Private College
- E Private Elementary School
- Private Golf Course
- Private Golf Course (Proposed)
- JH Private Junior High School
- PS Private Pre-School
- Private Recreation & Cultural Facility
- SH Private Senior High School
- SF Private Special School
- E Public Elementary (Proposed Expansion)
- E Public Elementary School
- E Public Elementary School (Proposed)
- Public Golf Course
- Public Golf Course (Proposed)
- Public Housing
- Public Housing (Proposed Expansion)
- JH Public Junior High School
- JH Public Junior High School (Proposed)
- MS Public Middle School
- SH Public Senior High School
- SH Public Senior High School (Proposed)
- Pumping Station
- Pumping Station (Proposed)
- Refuse Collection Center
- Regional Library
- Regional Library (Proposed Expansion)
- Regional Library (Proposed)
- Regional Park
- Regional Park (Proposed)
- RPD Residential Plan Development
- Scenic View Site
- Scenic View Site (Proposed)
- ADM School District Headquarters
- SC School Unspecified Loc/Type (Proposed)
- Skill Center
- SS Social Services
- Special Feature
- Special Recreation (a)
- SF Special School Facility
- SF Special School Facility (Proposed)
- Steam Plant
- sm Surface Mining
- Trail & Assembly Area
- Trail & Assembly Area (Proposed)
- UTL Utility Yard
- Water Tank Reservoir
- Wildlife Migration Corridor
- Wildlife Preserve Gate

SCHOOLS/PARKS WITH 500 FT. BUFFER

- Existing School/Park Site
- Planned School/Park Site
- Inside 500 Ft. Buffer

- Aquatic Facilities
- Beaches
- Child Care Centers
- Dog Parks
- Golf Course
- Historic Sites
- Horticulture/Gardens
- Skate Parks
- Other Facilities
- Park / Recreation Centers
- Parks
- Performing / Visual Arts Centers
- Recreation Centers
- Senior Citizen Centers
- Opportunity School
- Charter School
- Elementary School
- Span School
- Special Education School
- High School
- Middle School
- Early Education Center

COASTAL ZONE

- Coastal Commission Permit Area
- Dual Permit Jurisdiction Area
- Single Permit Jurisdiction Area
- Not in Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

- Tier 1
- Tier 2
- Tier 3
- Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

- Public Work Approval (PWA)
- Waiver of Dedication or Improvement (WDI)

OTHER SYMBOLS

- Lot Line
- Tract Line
- Lot Cut
- Easement
- Zone Boundary
- Building Line
- Lot Split
- Community Driveway
- Building Outlines 2014
- Building Outlines 2008
- Airport Hazard Zone
- Census Tract
- Coastal Zone
- Council District
- LADBS District Office
- Downtown Parking
- Fault Zone
- Fire District No. 1
- Tract Map
- Parcel Map
- Flood Zone
- Hazardous Waste
- High Wind Zone
- Hillside Grading
- Historic Preservation Overlay Zone
- Specific Plan Area
- Very High Fire Hazard Severity Zone
- Wells

City of Los Angeles
Department of City Planning

11/29/2022
PARCEL PROFILE REPORT

PROPERTY ADDRESSES
1906 S PREUSS ROAD

ZIP CODES
90034

RECENT ACTIVITY
None

CASE NUMBERS
CPC-2006-5567-CPU
CPC-19XX-22033
ORD-60505
ORD-184796-SA30
ORD-140304
ENV-2008-478-EIR

Address/Legal Information	
PIN Number	126B169 266
Lot/Parcel Area (Calculated)	8,786.4 (sq ft)
Thomas Brothers Grid	PAGE 632 - GRID H5
Assessor Parcel No. (APN)	4302020006
Tract	TR 1250
Map Reference	M B 18-46/47
Block	None
Lot	44
Arb (Lot Cut Reference)	None
Map Sheet	126B169
Jurisdictional Information	
Community Plan Area	West Adams - Baldwin Hills - Leimert
Area Planning Commission	South Los Angeles
Neighborhood Council	South Robertson
Council District	CD 10 - Office of District 10
Census Tract #	2696.02
LADBS District Office	Los Angeles Metro
Permitting and Zoning Compliance Information	
Administrative Review	None
Planning and Zoning Information	
Special Notes	None
Zoning	RD1.5-1
Zoning Information (ZI)	ZI-2441 Alquist-Priolo Earthquake Fault Zone
General Plan Land Use	Low Medium II Residential
General Plan Note(s)	Yes
Hillside Area (Zoning Code)	No
Specific Plan Area	None
Subarea	None
Special Land Use / Zoning	None
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	None
Subarea	None
CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No
POD: Pedestrian Oriented Districts	None
RBP: Restaurant Beverage Program Eligible Area	None
RFA: Residential Floor Area District	None
RIO: River Implementation Overlay	No
SN: Sign District	No
Streetscape	No

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	Medium
Non-Residential Market Area	Medium
Transit Oriented Communities (TOC)	Not Eligible
RPA: Redevelopment Project Area	None
Central City Parking	No
Downtown Parking	No
Building Line	20
500 Ft School Zone	No
500 Ft Park Zone	No
Assessor Information	
Assessor Parcel No. (APN)	4302020006
APN Area (Co. Public Works)*	0.202 (ac)
Use Code	0100 - Residential - Single Family Residence
Assessed Land Val.	$364,712
Assessed Improvement Val.	$92,341
Last Owner Change	04/08/2022
Last Sale Amount	$2,000,020
Tax Rate Area	67
Deed Ref No. (City Clerk)	2280418
	2107
	1942309
	1637794
	163031
Building 1	
Year Built	1933
Building Class	D7D
Number of Units	1
Number of Bedrooms	3
Number of Bathrooms	2
Building Square Footage	2,722.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Rent Stabilization Ordinance (RSO)	No [APN: 4302020006]
Additional Information	
Airport Hazard	None
Coastal Zone	None
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	Outside Flood Zone
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	Methane Buffer Zone
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	No
Wells	None
Seismic Hazards	
Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	Within Fault Zone

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

Nearest Fault (Name)	Newport - Inglewood Fault Zone (Onshore)
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000
Slip Geometry	Right Lateral - Strike Slip
Slip Type	Poorly Constrained
Down Dip Width (km)	13.00000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	90.00000000
Maximum Magnitude	7.10000000
Alquist-Priolo Fault Zone	Yes
Landslide	No
Liquefaction	No
Preliminary Fault Rupture Study Area	No
Tsunami Inundation Zone	No
Economic Development Areas	
Business Improvement District	None
Hubzone	Not Qualified
Jobs and Economic Development Incentive Zone (JEDI)	None
Opportunity Zone	No
Promise Zone	None
State Enterprise Zone	None
Housing	
Direct all Inquiries to	Los Angeles Housing Department
Telephone	(866) 557-7368
Website	https://housing.lacity.org
Rent Stabilization Ordinance (RSO)	No [APN: 4302020006]
Ellis Act Property	No
AB 1482: Tenant Protection Act	See Notes
Assessor Parcel No. (APN)	4302020006
Address	1906 PREUSS RD
Year Built	1933
Use Code	0100 - Residential - Single Family Residence
Notes	The property is subject to AB 1482 if the owner is a corporation, limited liability company with a corporate member, or real estate trust. Does not apply to owner-occupied duplexes & government-subsidized housing.
Housing Crisis Act Replacement Review	Yes
Public Safety	
Police Information	
Bureau	West
Division / Station	West Los Angeles
Reporting District	889
Fire Information	
Bureau	South
Battallion	18
District / Fire Station	58
Red Flag Restricted Parking	No

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2006-5567-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	1. PURSUANT TO PROCEDURES SET FORTH IN SECTION 11.5.6 OF THE MUNICIPAL CODE AND CITY CHARTER SECTIONS 555 AND 558, AMEND THE WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN AS PART OF THE GENERAL PLAN OF THE CITY OF LOS ANGELES, AS MODIFIED IN THE ATTACHED WEST ADAMS-BALDWIN HILLS-LEIMERT NEW COMMUNITY PLAN RESOLUTION, THE WEST ADAMS-BALDWIN HILLS-LEIMERT NEW COMMUNITY PLAN TEXT AND CHANGE MAPS (EXHIBITS A, B, C, M, O) AND ADDITIONAL PLAN MAP SYMBOL, FOOTNOTE, CORRESPONDING ZONE AND LAND USE NOMENCLATURE CHANGES (EXHIBIT K). 2. PURSUANT TO SECTIONS 11.5.7.G., 16.50.D., 12.32. AND 12.04 OF THE MUNICIPAL CODE AND CITY CHARTER SECTION 558, AMEND THE CRENSHAW CORRIDOR SPECIFIC PLAN, AS SHOWN IN THE PROPOSED CRENSHAW CORRIDOR SPECIFIC PLAN AMENDMENTS (EXHIBIT G). 3. PURSUANT TO SECTION 13.14.C., 12.32, AND 12.04 OF THE MUNICIPAL CODE AND CITY CHARTER SECTION 558, ADOPT THE WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO) DISTRICT, AS SHOWN IN THE PROPOSED CPIO SUBDISTRICT ORDINANCES (EXHIBIT F). 4. PURSUANT TO SECTION 12.32 OF THE MUNICIPAL CODE, ADOPT REZONING ACTIONS TO EFFECT CHANGES OF ZONE AS IDENTIFIED ON THE LAND USE CHANGE MAP (EXHIBIT H), LAND USE CHANGE MATRIX (EXHIBIT I) AND PROPOSED ZONING MAP (EXHIBIT Q). 5. PURSUANT TO PROCEDURES SET FORTH IN SECTION 11.5.6 OF THE MUNICIPAL CODE AND CITY CHARTER SECTIONS 555 AND 558, AMEND THE HIGHWAYS AND FREEWAYS MAP OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN TO RECLASSIFY SELECTED STREETS WITHIN THE WEST ADAMS-BALDWIN HILLS-LEIMERT NEW COMMUNITY PLAN AS SHOWN ON THE STREET REDESIGNATION MATRIX (EXHIBIT J). 6. PURSUANT TO PROCEDURES SET FORTH IN SECTION 11.5.6 OF THE MUNICIPAL CODE AND CITY CHARTER SECTIONS 555 AND 558, AMEND THE LONG RANGE LAND USE DIAGRAM OF THE CITYWIDE GENERAL PLAN FRAMEWORK ELEMENT TO REFLECT CHANGES AND MODIFICATIONS TO THE GEOGRAPHY OF NEIGHBORHOOD DISTRICTS, COMMUNITY CENTERS, REGIONAL CENTERS, AND MIXED USE BOULEVARDS AS SHOWN ON THE PROPOSED LON
Case Number:	CPC-19XX-22033
Required Action(s):	Data Not Available
Project Descriptions(s):	
Case Number:	ENV-2008-478-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Descriptions(s):	ADDENDUM TO THE WEST ADAMS CPU EIR CHANGE

DATA NOT AVAILABLE

ORD-60505

ORD-184796-SA30

ORD-140304

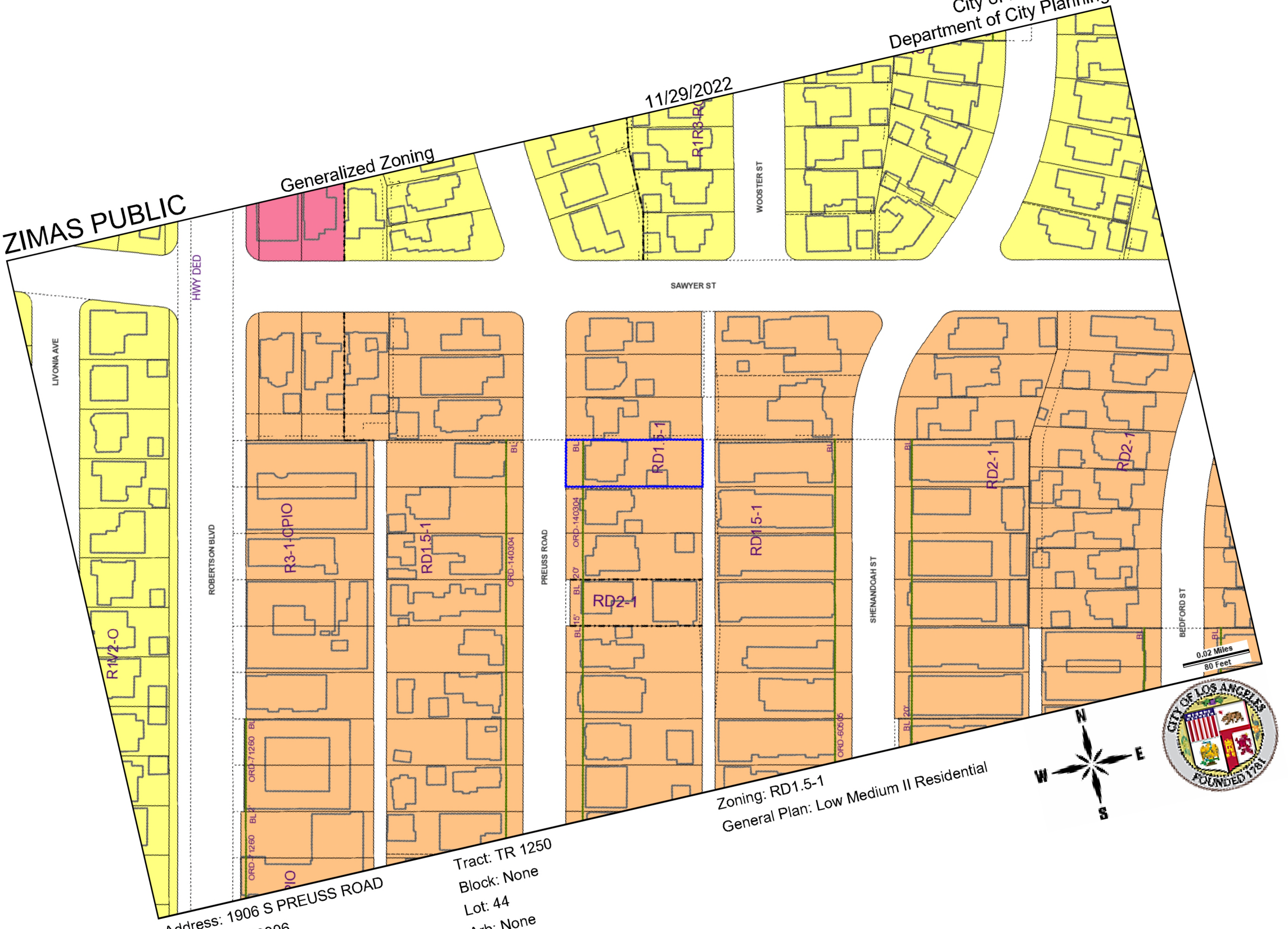
This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

ZIMAS PUBLIC

Generalized Zoning

11/29/2022

City of Los Angeles
Department of City Planning



Address: 1906 S PREUSS ROAD
APN: 4302020006
PIN #: 126B169 266

Tract: TR 1250
Block: None
Lot: 44
Arb: None

Zoning: RD1.5-1
General Plan: Low Medium II Residential

LEGEND

GENERALIZED ZONING

- OS, GW
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
- CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP, MU, NMU
- CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL, HJ, HR, NI
- P, PB
- PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

- Minimum Residential
- Very Low / Very Low I Residential
- Very Low II Residential
- Low / Low I Residential
- Low II Residential
- Low Medium / Low Medium I Residential
- Low Medium II Residential
- Medium Residential
- High Medium Residential
- High Density Residential
- Very High Medium Residential

COMMERCIAL

- Limited Commercial
- Limited Commercial - Mixed Medium Residential
- Highway Oriented Commercial
- Highway Oriented and Limited Commercial
- Highway Oriented Commercial - Mixed Medium Residential
- Neighborhood Office Commercial
- Community Commercial
- Community Commercial -Mixed High Residential
- Regional Center Commercial

INDUSTRIAL

- Commercial Manufacturing
- Limited Manufacturing
- Light Manufacturing
- Heavy Manufacturing
- Hybrid Industrial

PARKING

- Parking Buffer

PORT OF LOS ANGELES

- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
- General / Bulk Cargo - Hazard
- Commercial Fishing
- Recreation and Commercial
- Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

- Airport Landside / Airport Landside Support
- Airport Airside
- LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

- Open Space
- Public / Open Space
- Public / Quasi-Public Open Space
- Other Public Open Space
- Public Facilities

FRAMEWORK

COMMERCIAL

- Neighborhood Commercial
- General Commercial
- Community Commercial
- Regional Mixed Commercial

INDUSTRIAL

- Limited Industrial
- Light Industrial

CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)
- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway

MISC. LINES

- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

POINTS OF INTEREST

- Alternative Youth Hostel (Proposed)
- Animal Shelter
- Area Library
- Area Library (Proposed)
- Bridge
- Campground
- Campground (Proposed)
- Cemetery
- HW Church
- City Hall
- Community Center
- Community Library
- Community Library (Proposed Expansion)
- Community Library (Proposed)
- Community Park
- Community Park (Proposed Expansion)
- Community Park (Proposed)
- Community Transit Center
- Convalescent Hospital
- Correctional Facility
- Cultural / Historic Site (Proposed)
- Cultural / Historical Site
- Cultural Arts Center
- DMV DMV Office
- DWP DWP
- DWP Pumping Station
- Equestrian Center
- HQ Fire Department Headquarters
- Fire Station
- Fire Station (Proposed Expansion)
- Fire Station (Proposed)
- Fire Supply & Maintenance
- Fire Training Site
- Fireboat Station
- Health Center / Medical Facility
- Helistop
- Historic Monument
- Historical / Cultural Monument
- Horsekeeping Area
- Horsekeeping Area (Proposed)
- Horticultural Center
- Hospital
- Hospital (Proposed)
- HW House of Worship
- e Important Ecological Area
- e Important Ecological Area (Proposed)
- Interpretive Center (Proposed)
- JC Junior College
- M MTA / Metrolink Station
- M MTA Station
- MTA Stop
- MWD MWD Headquarters
- Maintenance Yard
- Municipal Office Building
- P Municipal Parking lot
- Neighborhood Park
- Neighborhood Park (Proposed Expansion)
- Neighborhood Park (Proposed)
- Oil Collection Center
- P Parking Enforcement
- HQ Police Headquarters
- Police Station
- Police Station (Proposed Expansion)
- Police Station (Proposed)
- Police Training site
- PO Post Office
- Power Distribution Station
- Power Distribution Station (Proposed)
- Power Receiving Station
- Power Receiving Station (Proposed)
- C Private College
- E Private Elementary School
- Private Golf Course
- Private Golf Course (Proposed)
- JH Private Junior High School
- PS Private Pre-School
- Private Recreation & Cultural Facility
- SH Private Senior High School
- SF Private Special School
- E Public Elementary (Proposed Expansion)
- E Public Elementary School
- E Public Elementary School (Proposed)
- Public Golf Course
- Public Golf Course (Proposed)
- Public Housing
- Public Housing (Proposed Expansion)
- JH Public Junior High School
- JH Public Junior High School (Proposed)
- MS Public Middle School
- SH Public Senior High School
- SH Public Senior High School (Proposed)
- Pumping Station
- Pumping Station (Proposed)
- Refuse Collection Center
- Regional Library
- Regional Library (Proposed Expansion)
- Regional Library (Proposed)
- Regional Park
- Regional Park (Proposed)
- RPD Residential Plan Development
- Scenic View Site
- Scenic View Site (Proposed)
- ADM School District Headquarters
- SC School Unspecified Loc/Type (Proposed)
- Skill Center
- SS Social Services
- Special Feature
- Special Recreation (a)
- SF Special School Facility
- SF Special School Facility (Proposed)
- Steam Plant
- sm Surface Mining
- Trail & Assembly Area
- Trail & Assembly Area (Proposed)
- UTL Utility Yard
- Water Tank Reservoir
- Wildlife Migration Corridor
- Wildlife Preserve Gate

SCHOOLS/PARKS WITH 500 FT. BUFFER

- Existing School/Park Site
- Planned School/Park Site
- Inside 500 Ft. Buffer

- Aquatic Facilities
- Beaches
- Child Care Centers
- Dog Parks
- Golf Course
- Historic Sites
- Horticulture/Gardens
- Skate Parks
- Other Facilities
- Park / Recreation Centers
- Parks
- Performing / Visual Arts Centers
- Recreation Centers
- Senior Citizen Centers
- Opportunity School
- Charter School
- Elementary School
- Span School
- Special Education School
- High School
- Middle School
- Early Education Center

COASTAL ZONE

- Coastal Commission Permit Area
- Dual Permit Jurisdiction Area
- Single Permit Jurisdiction Area
- Not in Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

- Tier 1
- Tier 2
- Tier 3
- Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

- Public Work Approval (PWA)
- Waiver of Dedication or Improvement (WDI)

OTHER SYMBOLS

- Lot Line
- Tract Line
- Lot Cut
- Easement
- Zone Boundary
- Building Line
- Lot Split
- Community Driveway
- Building Outlines 2014
- Building Outlines 2008
- Airport Hazard Zone
- Census Tract
- Coastal Zone
- Council District
- LADBS District Office
- Downtown Parking
- Fault Zone
- Fire District No. 1
- Tract Map
- Parcel Map
- Flood Zone
- Hazardous Waste
- High Wind Zone
- Hillside Grading
- Historic Preservation Overlay Zone
- Specific Plan Area
- Very High Fire Hazard Severity Zone
- Wells

EXHIBIT G

PUBLIC COMMENTS

south robertson
neighborhoods council
City of Los Angeles Certified Neighborhood Council

PO Box 35836
Los Angeles, CA 90035
(310) 295-9920
info@soronc.org
www.soronc.org

December 21, 2023

Michelle Carter, LA City Planner
200 North Spring Street, Room 763 Los Angeles, CA 90012
michelle.carter@lacity.org

The Honorable Heather Hutt- CD10
200 North Spring Street, Room 420 Los Angeles, CA 90012
heather.hutt@lacity.org

RE: Case # CPC-2023-6115

Dear Ms. Carter and Councilwoman Hutt,

The South Robertson Neighborhoods Council (SORO NC) at its December 21st, 2023 General Board meeting, voted to **OPPOSE** the proposed demolition of two single family residences located at 1904 Preuss Rd. and 1906 Preuss Rd., as well as OPPOSE the proposed construction of 12 townhomes (of approximately 2,400 sf each) on the two properties.

The vote to oppose the project was based on several factors brought by numerous Stakeholders and neighbors after a lengthy discussion. Among those factors were:

1. The requested height variance is too tall for neighborhood,
2. The proposed setbacks leave these residences too close to adjacent (much smaller) houses, impinging on their privacy and ability to use solar panels,
3. Type of project doesn't fit the character and feel of the community,
4. Street is too narrow and congested to accommodate additional parking and traffic,
5. Substantial impact on existing infrastructure- sewer, water, electricity, internet, etc.,
6. Ongoing bad behavior by the applicant, including operating the existing residences as an illegal Airbnb, among multiple other nuisance reports,
7. Applicant is disingenuousness about how this project helps solve the City's affordable housing crisis (even with one unit for sale as "low income").

Sincerely,

Michael W. Lynn

Michael Lynn
President
South Robertson Neighborhoods Council

David Woon <david.woon@lacity.org>

1904-1906 Preuss Rd

47 messages

Kevin Scott <kevin@bsilveira.associates> Mon, Jan 22, 2024 at 12:18 PM
To: shelly rothschild <rothschildlaw@yahoo.com>, Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, Jesi Harris <jesi@bsilveira.associates>, hakeem.parke-davis@lacity.org, barkh1234@gmail.com, David Woon <david.woon@lacity.org>

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the

development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: "So in regards to the idea of scaling down the project, that's not something that's on the table."

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these

statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or

cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as

they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-**CONCLUSION:** Per Meyer, "any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee."

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different

from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower

streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done.
When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.
>
> -The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.
>
> -The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they

receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

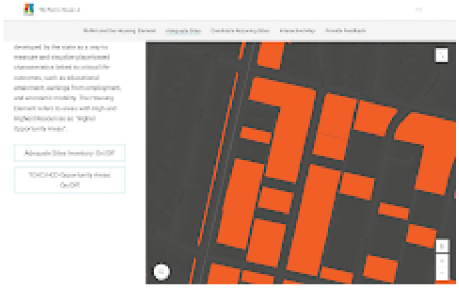
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
>
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> >
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!

> On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Thanks for your note, Kevin.
>
> I'm sure this isn't the end.
>
> Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
>
> If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
>
> If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
>
> Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
>
> Happy new year,
> Meyer
>
> On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hi Meyer,
> >
> > I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
> >
> > Happy Holidays!
> >
> > On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
> > > Hi, Meyer,
> > >
> > > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> > >
> > > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> > >
> > > Best,
> > > Jesi
> > >
> > > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> > >
> > > --
> > > **Jesi Harris**
> > > *Sr Project Manager + Partner*
> > > M: 704.277.7332
> >
> > --
> > **Kevin Scott**
> > *Associate Planner/Policy Analyst*
> > M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

---

4 attachments



Housing Element - Adequate Sites.png
954K

Geology & Soils Report LADBS Approval Letter-1904 Preuss Rd.pdf
1093K

Geology & Soils Report-1904 Preuss Rd ONLY.pdf
12857K

1854 Pandora - Letter of Determination (1).pdf
576K

Meyer Shwarzstein <meyer@brainstormmedia.com> Tue, Jan 23, 2024 at 4:14 PM
To: Kevin Scott <kevin@bsilveira.associates>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, Jesi Harris <jesi@bsilveira.associates>, hakeem.parke-davis@lacity.org, barkh1234@gmail.com, David Woon <david.woon@lacity.org>

Dear Kevin, Silveira associates, and members of the City of Los Angeles,

This is a difficult time for me, but I feel that a reply is urgently required.

While we appreciate the fact that more housing is needed, the city report prioritizes other items which are not accounted for in these plans. There is an emphasis on the need for trees, open space, retaining the sense of community in existing neighborhoods, and clean energy.

This project will have a negative impact on all of those items.

As you know, we've planned dozens of trees on our property, and we depend on solar energy for our electrical needs. Four-story structures built to the south of us will have a clear negative environmental impact on us and our surroundings. And that's without considering the trees that will be cut back to make room for the new development.

I understand that the city wants more buildings - do they need to allow for an exemption so they are built four stories tall?

As for the neighborhood - this is clearly disruptive. That was clearly shown not just by the number of people who showed up at the neighborhood meeting, but by the SORO neighborhood council stance. Not only did they not agree to support your project, they wrote a letter to the city opposing it. That clearly suggests that this is not just about our block - it's disruptive to our neighborhood.

In the meantime, we now have a health concern in our family. It will be tragic if our daughter needs to spend her last years next door to a massive construction project. We already know that our person interests are of no concern given Shelley's current medical condition. Humanity is not part of this equation.

The city's pro-development agenda is bulldozing the interests of neighborhood stakeholders, uprooting green initiatives, disrupting clean energy efforts, and doing so in the supposed support of community.

In the City of Los Angeles, the neighbor and community interests come last.

I've done work with homeless organizations in Los Angeles. It happens to be an area in which I've been interested in for years. Jesi and I talked about that early in our conversations. I'm not without sympathy and I acknowledge the bigger questions on the table. Solutions need to be found, but all elements ought to be taken into consideration when evaluating a given project. If decisions are merely made by edict, then a community's needs are not served.

When I mention our situation to others, they quickly suggest that we cash in and find another place to live. Is that part of the city's plans? To push people out of neighborhoods where they've lived for decades? I invested in this neighborhood - planting trees, building relationships, and pushing environmental causes. Because of my initiative, the synagogue on

whose board I sit is now installing a $300k solar energy plant. And, as part of that, we're getting over a dozen individuals to install solar power at their homes.

I'm not looking for kudos - what's missing is an evaluation of what's lost if we all leave.

Alternatively; what if the City of Los Angeles embraced neighborhoods like ours to help reinforce good will in communities?

Unfortunately, we're just part of the collateral damage in the quest of a political agenda.

You know, in biblical times, fruit trees were protected even when a land was conquered. They were known to be an important source of food and life that deserved protecting. Sadly, that value is also now also being buried. In exchange for what?

Sincerely,
Meyer Shwarzstein

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Wed, Jan 24, 2024 at 11:31 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>
Cc: Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, Jesi Harris <jesi@bsilveira.associates>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "barkh1234@gmail.com" <barkh1234@gmail.com>, David Woon <david.woon@lacity.org>

I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Wed, Jan 24, 2024 at 2:02 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>
Cc: Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, Jesi Harris <jesi@bsilveira.associates>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "barkh1234@gmail.com" <barkh1234@gmail.com>, David Woon <david.woon@lacity.org>

How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

David Woon <david.woon@lacity.org> Thu, Jan 25, 2024 at 5:14 PM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, Jesi Harris <jesi@bsilveira.associates>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "barkh1234@gmail.com" <barkh1234@gmail.com>

Thank you Shelly and Meyer for your comments. They will be added to our records.

Best,

David
[Quoted text hidden]
--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Jan 25, 2024 at 5:14 PM
To: David Woon <david.woon@lacity.org>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, Jesi Harris <jesi@bsilveira.associates>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "barkh1234@gmail.com" <barkh1234@gmail.com>

Thanks David. When is the next meeting on this project?

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

Meyer Shwarzstein <meyer@brainstormmedia.com> Thu, Jan 25, 2024 at 9:00 PM
To: David Woon <david.woon@lacity.org>
Cc: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, shelly rothschild <rothschildlaw@yahoo.com>

Thank you David.

There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?

We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.

Sincerely,
Meyer

On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
> Thank you Shelly and Meyer for your comments. They will be added to our records.

Best,

David

On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich. I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: "So in regards to the idea of scaling down the project, that's not something that's on the table."

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a “poorly constrained” Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which

is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear

of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of

trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, “any agreement between us and the developers will need to be included as part of the plans. It’s the only way that a 3rd party will be able to provide us a meaningful guarantee.”

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction;

no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The

project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer

around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done. When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

As preliminary matters:

-Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
"density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..

-Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?

-Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?

This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.

-Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.

-The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.

-The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will

not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> > >
> > > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > Thanks for your note, Kevin.
> > > >
> > > > I'm sure this isn't the end.
> > > >
> > > > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> > > >
> > > > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> > > >
> > > > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> > > >
> > > > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.

Happy new year,
Meyer

On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:

> Hi Meyer,
>
> I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
>
> Happy Holidays!
>
> On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
>
> > Hi, Meyer,
> >
> > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> >
> > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> >
> > Best,
> > Jesi
> >
> > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> >
> > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> >
> > --
> > **Jesi Harris**
> > *Sr Project Manager + Partner*
> > M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--



David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

David Woon <david.woon@lacity.org> Fri, Jan 26, 2024 at 8:52 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>,

"hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, shelly rothschild <rothschildlaw@yahoo.com>

Good Morning Shelly and Meyer,

A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.

If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.

Best,

David

On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> Thank you David.
>
> There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
>
> We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
>
> Sincerely,
> Meyer
>
> On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
>
> > Thank you Shelly and Meyer for your comments. They will be added to our records.
> >
> > Best,
> >
> > David
> >
> > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> >
> > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > >
> > > Shelly Rothschild
> > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > >
> > > On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > >
> > > I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
> > > I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?
> > >
> > > Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
> > > Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
> > > All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.
> > >
> > > How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if

for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had

with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: "So in regards to the idea of scaling down the project, that's not something that's on the table."

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these

statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although

elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and

copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.

lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to

see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-**CONCLUSION:** Per Meyer, "any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee."

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that

the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?
>
> Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.
>
> On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:
>
> > Shelly,
> >
> > I will try my best to answer your questions here.
> >
> > So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.
> >
> > Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.
> >
> > As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.
> >
> > The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.
> >
> > Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.
> >
> > As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT

calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done. When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and

other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?

-Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?

This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.

-Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.

-The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.

-The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development.

Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> > >
> > > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > Thanks for your note, Kevin.
> > > >
> > > > I'm sure this isn't the end.
> > > >
> > > > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> > > >
> > > > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> > > >
> > > > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> > > >
> > > > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
> > > >
> > > > Happy new year,
> > > > Meyer
> > > >
> > > > On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > > > Hi Meyer,
> > > > >
> > > > > I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
> > > > >
> > > > > Happy Holidays!
> > > > >
> > > > > On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
> > > > > > Hi, Meyer,

Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.

I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.

Best,
Jesi

On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?

--
Jesi Harris
Sr Project Manager + Partner
M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--


David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org


--


David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org


shelly rothschild <rothschildlaw@yahoo.com> Fri, Jan 26, 2024 at 8:56 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, David Woon <david.woon@lacity.org>

Cc: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Thank you, David!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:

Good Morning Shelly and Meyer,

A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.

If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.

Best,

David

On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> Thank you David.
>
> There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
>
> We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
>
> Sincerely,
> Meyer
>
> On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
>
> > Thank you Shelly and Meyer for your comments. They will be added to our records.
> >
> > Best,
> >
> > David
> >
> > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> >
> > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > >
> > > Shelly Rothschild
> > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > >
> > > On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > >
> > > I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
> > > I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the

public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance.

However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: “So in regards to the idea of scaling down the project, that’s not something that’s on the table.”

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: “If revising the project is not open for discussion, what is it exactly that we’re discussing?”

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham.

Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the

properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those

against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is**

no trace of fault near the property, just the generously drawn Study Zone.

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical

Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your

construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, "any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee."

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not

and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and

the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are

for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the “final plans” are done. When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what’s being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven’t uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let’s chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you’re available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:

-Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
"density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..

-Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?

-Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?

This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.

-Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.

-The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.

-The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> > >
> > > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > Thanks for your note, Kevin.
> > > >
> > > > I'm sure this isn't the end.
> > > >
> > > > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> > > >
> > > > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> > > >
> > > > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> > > >
> > > > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
> > > >
> > > > Happy new year,
> > > > Meyer

On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:

> Hi Meyer,
>
> I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
>
> Happy Holidays!
>
> On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
>
> > Hi, Meyer,
> >
> > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> >
> > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> >
> > Best,
> > Jesi
> >
> > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> >
> > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> >
> > --
> > **Jesi Harris**
> > *Sr Project Manager + Partner*
> > M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--



David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org



--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

---

shelly rothschild <rothschildlaw@yahoo.com> Fri, Jan 26, 2024 at 11:33 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, David Woon <david.woon@lacity.org>
Cc: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

For the form for notices, what is the case number?
Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:

Good Morning Shelly and Meyer,

A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.

If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.

Best,

David

On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Thank you David.
>
> There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
>
> We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
>
> Sincerely,
> Meyer
>
> On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
> > Thank you Shelly and Meyer for your comments. They will be added to our records.
> >
> > Best,
> >
> > David
> >
> > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > >
> > > Shelly Rothschild
> > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background

comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: “So in regards to the idea of scaling down the project, that’s not something that’s on the table.”

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a “poorly constrained” Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block,

which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about**

narrow streets in Salt Lake City and the other few cities studied.

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and

will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of

enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, “any agreement between us and the developers will need to be included as part of the plans. It’s the only way that a 3rd party will be able to provide us a meaningful guarantee.”

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering

that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near

the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done. When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.
>
> -The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.
>
> -The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive

the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
>
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> >
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!

On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Thanks for your note, Kevin.

I'm sure this isn't the end.

Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.

If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.

If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.

Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.

Happy new year,
Meyer

On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:

Hi Meyer,

I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.

Happy Holidays!

On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:

Hi, Meyer,

Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.

I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.

Best,
Jesi

On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?

--
Jesi Harris
Sr Project Manager + Partner
M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

shelly rothschild <rothschildlaw@yahoo.com> Fri, Jan 26, 2024 at 11:34 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, David Woon <david.woon@lacity.org>
Cc: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

For the form for notices, who is the planner staff contact?

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:

Good Morning Shelly and Meyer,

A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.

If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.

Best,

David

On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Thank you David.

There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?

We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.

Sincerely,
Meyer

On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
Thank you Shelly and Meyer for your comments. They will be added to our records.

Best,

David

On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to

curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault

rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.
>
> Shelly Rothschild
> Email: rothschildlaw@yahoo.com Phone: 310-622-3470
>
> On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: "So in regards to the idea of scaling down the project, that's not something that's on the table."

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and

all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust

or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never

meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no

setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-**CONCLUSION:** Per Meyer, "any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee."

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant*

> *effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done. When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact

of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the

property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.

-The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.

-The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Just back last night - I'm sorry but I have plans this evening.

On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:

> Hey Meyer and Shelly,
>
> Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
>
> Lemme know what you think!
>
> On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
>
> > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> >
> > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> >
> > > Thanks for your note, Kevin.
> > >
> > > I'm sure this isn't the end.
> > >
> > > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> > >
> > > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> > >
> > > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> > >
> > > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
> > >
> > > Happy new year,
> > > Meyer
> > >
> > > On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:
> > >
> > > > Hi Meyer,
> > > >
> > > > I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
> > > >
> > > > Happy Holidays!
> > > >
> > > > On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
> > > >
> > > > > Hi, Meyer,
> > > > >
> > > > > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> > > > >
> > > > > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> > > > >
> > > > > Best,
> > > > > Jesi
> > > > >
> > > > > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > >
> > > > > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?

--
Jesi Harris
Sr Project Manager + Partner
M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--
David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--
David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

David Woon <david.woon@lacity.org> Fri, Jan 26, 2024 at 11:54 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Hi Shelly,

The case numbers associated with this Project are:

CPC-2023-6115-DB-HCA
VTT-84089-SL-HCA

The planner staff contact is myself, David Woon.

You can list one of these, and the form will go through.

David

On Fri, Jan 26, 2024 at 11:33 AM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> For the form for notices, what is the case number?
> Shelly Rothschild
> Email: rothschildlaw@yahoo.com Phone: 310-622-3470
>
> On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:
>
> Good Morning Shelly and Meyer,
>
> A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.
>
> If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.
>
> Best,
>
> David
>
> On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
>
> > Thank you David.
> >
> > There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
> >
> > We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
> >
> > Sincerely,
> > Meyer
> >
> > On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
> >
> > > Thank you Shelly and Meyer for your comments. They will be added to our records.
> > >
> > > Best,
> > >
> > > David
> > >
> > > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > >
> > > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > > >
> > > > Shelly Rothschild
> > > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > > >
> > > > On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > > >
> > > > I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
> > > > I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?
> > > >
> > > > Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
> > > > Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws,

regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached

a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance.

However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: “So in regards to the idea of scaling down the project, that’s not something that’s on the table.”

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: “If revising the project is not open for discussion, what is it exactly that we’re discussing?”

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a

sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the

properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those

against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the

property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly

common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your

construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, "any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee."

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

> > > If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.
> > >
> > > Shelly Rothschild
> > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> >
> > On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.
> >
> > I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.
> >
> > On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?
> >
> > Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.
> >
> > On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Shelly,
> >
> > I will try my best to answer your questions here.
> >
> > So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.
> >
> > Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.
> >
> > As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was

checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study

area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done.
When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.
>
> -The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.
>
> -The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.
>
> -One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> > >
> > > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > Thanks for your note, Kevin.
> > > >
> > > > I'm sure this isn't the end.
> > > >
> > > > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.

If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.

If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.

Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.

Happy new year,
Meyer

On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:

> Hi Meyer,
>
> I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
>
> Happy Holidays!
>
> On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
>
> > Hi, Meyer,
> >
> > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> >
> > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> >
> > Best,
> > Jesi
> >
> > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> >
> > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> >
> > --
> > **Jesi Harris**
> > *Sr Project Manager + Partner*
> > M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

---

shelly rothschild <rothschildlaw@yahoo.com> Fri, Jan 26, 2024 at 12:09 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, David Woon <david.woon@lacity.org>
Cc: Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Thanks! I submitted it under both of my emails to make sure I get notice.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:

Good Morning Shelly and Meyer,

A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.

If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.

Best,

David

On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> Thank you David.
>
> There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
>
> We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
>
> Sincerely,
> Meyer
>
> On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
>
> > Thank you Shelly and Meyer for your comments. They will be added to our records.
> >
> > Best,
> >
> > David
> >
> > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> >
> > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > >
> > > Shelly Rothschild
> > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > >
> > > On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > >
> > > I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
> > > I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?
> > >
> > > Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
> > > Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
> > > All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.
> > >
> > > How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!
> > >
> > > Shelly Rothschild
> > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > >
> > > On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: "So in regards to the idea of scaling down the project, that's not something that's on the table."

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of

dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you

cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers

pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which

you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-**CONCLUSION:** Per Meyer, "any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee."

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT

calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done. When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and

other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?

-Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?

This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.

-Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.

-The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.

-The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development.

Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> > >
> > > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > Thanks for your note, Kevin.
> > > >
> > > > I'm sure this isn't the end.
> > > >
> > > > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> > > >
> > > > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> > > >
> > > > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> > > >
> > > > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
> > > >
> > > > Happy new year,
> > > > Meyer
> > > >
> > > > On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > > > Hi Meyer,
> > > > >
> > > > > I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
> > > > >
> > > > > Happy Holidays!
> > > > >
> > > > > On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
> > > > > > Hi, Meyer,

Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.

I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.

Best,
Jesi

On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

> I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?

--
Jesi Harris
Sr Project Manager + Partner
M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--
LOS ANGELES CITY PLANNING

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--
LOS ANGELES CITY PLANNING

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

Kevin Scott <kevin@bsilveira.associates> Mon, Jan 29, 2024 at 10:35 AM
To: shelly rothschild <rothschildlaw@yahoo.com>, Meyer Shwarzstein <meyer@brainstormmedia.com>

Cc: David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Meyer,

I appreciate your taking time to stay engaged on this project right now. Without knowing the details of your daughter's condition, it sounds like you and your family are going through an incredibly difficult period, and I wish you strength and hope in that.

I know you're probably tired of hearing me go on about this point, but at the end of the day, the need for more housing in LA has to be prioritized. And no one is suggesting that this project alone will fix, or even make a dent, in a crisis that's been decades in the making. The situation we find ourselves in is largely due to a hyper-local concentration of decision-making power–a regime of opposition to new construction that dominated the discourse and influenced elected officials and planners for generations. The upshot is that we fell way behind as a city. This project represents a tiny piece in a much larger response to the housing crisis, a response that needs to happen all over the city and may take many years for its benefits to be fully realized.

Your tradition of planting trees in your yard every year is truly beautiful, and it saddens me to think some of them could be harmed by receiving less sunlight. I wish I had a satisfying answer to that. But one broader way to look at the environmental issue, which I admit doesn't address your specific concern, is that building housing more densely in urban areas, such as your neighborhood, ultimately preserves open space by limiting urban sprawl. While the need to create and preserve green space within a city like Los Angeles is incredibly important, the strategy of building in the outskirts of the city, instead of where there is already development, clearly has serious implications for greenhouse gas emissions and vulnerability to wildfires as well as traffic and transportation safety impacts.

In regards to the height of the buildings, again this neighborhood is zoned for multifamily dwellings, and this zoning has a height limit of 45 feet, which is essentially four stories. The only reason that we are using a density bonus request to go up to 48'3" is because of the slope of the lot. Since the 1940's, when many of the houses on your block were built, single family homes were sufficient to house everyone who wanted to live there. That's not the case anymore. There's much more demand for housing in the neighborhood.

Shelly, to your point about the price of the units – again, we can't say what these units will cost at this point, there is too much uncertainty to be able to project that. What we can say is that land, labor, and materials are incredibly expensive in Los Angeles, and those are factors in the price we can't control. For perspective, however, we had a licensed real estate agent put together some comp reports of new home sales in the area. These reports reflect new construction (built up to 2021) within 1 mile of the project site, and show the massive difference between condo/small lot home types and single family homes on standard lots. They show that most condo and small lot homes are selling for around $1.5M while the single family homes on larger lots are selling for around $4.5M.

While you're right that the median Angeleno is probably not going to be able to afford new construction of any type, that's frankly true everywhere in Los Angeles. However, even construction of market rate units relieves pressure on the housing market, slowing price growth.

I really hope that we can find some common ground here, and have a conversation. I previously mentioned that we're open to talking about internet service, construction hours, getting you permits once they're issued, and Meyer, about power banking for your solar and your landscaping suggestions. Would you be available this week tomorrow,

Wednesday, or Thursday afternoon to discuss these issues? Please let me know if there's a time that works for you and I can set up a Zoom call.

Thank you,
Kevin

On Fri, Jan 26, 2024 at 12:09 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> Thanks! I submitted it under both of my emails to make sure I get notice.
>
> Shelly Rothschild
> Email: rothschildlaw@yahoo.com Phone: 310-622-3470
>
> On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:
>
> Good Morning Shelly and Meyer,
>
> A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.
>
> If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.
>
> Best,
>
> David
>
> On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
>
> > Thank you David.
> >
> > There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
> >
> > We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
> >
> > Sincerely,
> > Meyer
> >
> > On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
> >
> > > Thank you Shelly and Meyer for your comments. They will be added to our records.
> > >
> > > Best,
> > >
> > > David
> > >
> > > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > >
> > > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > > >
> > > > Shelly Rothschild
> > > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > > >
> > > > On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > > >
> > > > I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing

for the rich.
I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would

be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: “So in regards to the idea of scaling down the project, that’s not something that’s on the table.”

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with

the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only

has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their

misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant

general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know**

about narrow streets in Salt Lake City and the other few cities studied.

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, “any agreement between us and the developers will need to be included as part of the plans. It’s the only way that a 3rd party will be able to provide us a meaningful guarantee.”

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:
Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs

Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins

Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the “Alquist-Priolo Fault Study Zone.” This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5’ from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property’s rear boundary. So in essence, the city’s requirement is that there be a 5’ buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City’s approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you’re referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the “final plans” are done.
When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what’s being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven’t uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let’s chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be

permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.

-The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.

-The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,

Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.

Lemme know what you think!

On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:

> I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
>
> On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
>
> > Thanks for your note, Kevin.
> >
> > I'm sure this isn't the end.
> >
> > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> >
> > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> >
> > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> >
> > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
> >
> > Happy new year,
> > Meyer
> >
> > On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:
> >
> > > Hi Meyer,
> > >
> > > I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
> > >
> > > Happy Holidays!
> > >
> > > On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
> > >
> > > > Hi, Meyer,
> > > >
> > > > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> > > >
> > > > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> > > >
> > > > Best,
> > > > Jesi
> > > >
> > > > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > >
> > > > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> > > > >
> > > > > --
> > > > > **Jesi Harris**

Sr Project Manager + Partner
M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--



David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--



David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

2 attachments

Comps SFR-1904 Preuss Rd.pdf
5K

Comps Condos & SLD-1904 Preuss Rd.pdf
7K

shelly rothschild <rothschildlaw@yahoo.com> Mon, Jan 29, 2024 at 10:58 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>
Cc: David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Hoping to be well enough to respond in near future.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 29, 2024 at 10:35:55 AM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Meyer,

I appreciate your taking time to stay engaged on this project right now. Without knowing the details of your daughter's condition, it sounds like you and your family are going through an incredibly difficult period, and I wish you strength and hope in that.

I know you're probably tired of hearing me go on about this point, but at the end of the day, the need for more housing in LA has to be prioritized. And no one is suggesting that this project alone will fix, or even make a dent, in a crisis that's been decades in the making. The situation we find ourselves in is largely due to a hyper-local concentration of decision-making power–a regime of opposition to new construction that dominated the discourse and influenced elected officials and planners for generations. The upshot is that we fell way behind as a city. This project represents a tiny piece in a much larger response to the housing crisis, a response that needs to happen all over the city and may take many years for its benefits to be fully realized.

Your tradition of planting trees in your yard every year is truly beautiful, and it saddens me to think some of them could be harmed by receiving less sunlight. I wish I had a satisfying answer to that. But one broader way to look at the environmental issue, which I admit doesn't address your specific concern, is that building housing more densely in urban areas, such as your neighborhood, ultimately preserves open space by limiting urban sprawl. While the need to create and preserve green space within a city like Los Angeles is incredibly important, the strategy of building in the outskirts of the city, instead of where there is already development, clearly has serious implications for greenhouse gas emissions and vulnerability to wildfires as well as traffic and transportation safety impacts.

In regards to the height of the buildings, again this neighborhood is zoned for multifamily dwellings, and this zoning has a height limit of 45 feet, which is essentially four stories. The only reason that we are using a density bonus request to go up to 48'3" is because of the slope of the lot. Since the 1940's, when many of the houses on your block were built, single family homes were sufficient to house everyone who wanted to live there. That's not the case anymore. There's much more demand for housing in the neighborhood.

Shelly, to your point about the price of the units – again, we can't say what these units will cost at this point, there is too much uncertainty to be able to project that. What we can say is that land, labor, and materials are incredibly expensive in Los Angeles, and those are factors in the price we can't control. For perspective, however, we had a licensed real estate agent put together some comp reports of new home sales in the area. These reports reflect new construction (built up to 2021) within 1 mile of the project site, and show the massive difference between condo/small lot home types and single family homes on standard lots. They show that most condo and small lot homes are selling for around $1.5M while the single family homes on larger lots are selling for around $4.5M.

While you're right that the median Angeleno is probably not going to be able to afford new construction of any type, that's frankly true everywhere in Los Angeles. However, even construction of market rate units relieves pressure on the housing market, slowing price growth.

I really hope that we can find some common ground here, and have a conversation. I previously mentioned that we're open to talking about internet service, construction hours, getting you permits once they're issued, and Meyer, about power banking for your solar and your landscaping suggestions. Would you be available this week tomorrow, Wednesday, or Thursday afternoon to discuss these issues? Please let me know if there's a time that works for you and I can set up a Zoom call.

Thank you,

Kevin

On Fri, Jan 26, 2024 at 12:09 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> Thanks! I submitted it under both of my emails to make sure I get notice.
>
> Shelly Rothschild
> Email: rothschildlaw@yahoo.com Phone: 310-622-3470
>
> On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:
>
> Good Morning Shelly and Meyer,
>
> A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.
>
> If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.
>
> Best,
>
> David
>
> On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
>
> > Thank you David.
> >
> > There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?
> >
> > We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.
> >
> > Sincerely,
> > Meyer
> >
> > On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:
> >
> > > Thank you Shelly and Meyer for your comments. They will be added to our records.
> > >
> > > Best,
> > >
> > > David
> > >
> > > On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > >
> > > > How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?
> > > >
> > > > Shelly Rothschild
> > > > Email: rothschildlaw@yahoo.com Phone: 310-622-3470
> > > >
> > > > On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:
> > > >
> > > > I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.

I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse

income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: “So in regards to the idea of scaling down the project, that’s not something that’s on the table.”

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: “If revising the project is not open for discussion, what is it exactly that we’re discussing?”

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating

their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct,

another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is

solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, “any agreement between us and the developers will need to be included as part of the plans. It’s the only way that a 3rd party will be able to provide us a meaningful guarantee.”

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees

covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:
Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near

the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone. We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done.
When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.
>
> -The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.
>
> -The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive

the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!

> On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > Thanks for your note, Kevin.
> >
> > I'm sure this isn't the end.
> >
> > Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.
> >
> > If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.
> >
> > If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.
> >
> > Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.
> >
> > Happy new year,
> > Meyer
> >
> > On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > Hi Meyer,
> > >
> > > I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
> > >
> > > Happy Holidays!
> > >
> > > On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
> > > > Hi, Meyer,
> > > >
> > > > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> > > >
> > > > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> > > >
> > > > Best,
> > > > Jesi
> > > >
> > > > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> > > >
> > > > --
> > > > **Jesi Harris**
> > > > *Sr Project Manager + Partner*
> > > > M: 704.277.7332
>
> --
> **Kevin Scott**
> *Associate Planner/Policy Analyst*
> M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

Meyer Shwarzstein <meyer@brainstormmedia.com> Mon, Jan 29, 2024 at 2:33 PM
To: Kevin Scott <kevin@bsilveira.associates>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Thanks, Kevin.

I'm pretty busy this week - next week would be better for me.

Meyer

On Mon, Jan 29, 2024 at 10:35 AM Kevin Scott <kevin@bsilveira.associates> wrote:

> Meyer,
>
> I appreciate your taking time to stay engaged on this project right now. Without knowing the details of your daughter's condition, it sounds like you and your family are going through an incredibly difficult period, and I wish you strength and hope in that.
>
> I know you're probably tired of hearing me go on about this point, but at the end of the day, the need for more housing in LA has to be prioritized. And no one is suggesting that this project alone will fix, or even make a dent, in a crisis that's been decades in the making. The situation we find ourselves in is largely due to a hyper-local concentration of decision-making power–a regime of opposition to new construction that dominated the discourse and influenced elected officials and planners for generations. The upshot is that we fell way behind as a city. This project represents a tiny piece in a much larger response to the housing crisis, a response that needs to happen all over the city and may take many years for its benefits to be fully realized.

Your tradition of planting trees in your yard every year is truly beautiful, and it saddens me to think some of them could be harmed by receiving less sunlight. I wish I had a satisfying answer to that. But one broader way to look at the environmental issue, which I admit doesn't address your specific concern, is that building housing more densely in urban areas, such as your neighborhood, ultimately preserves open space by limiting urban sprawl. While the need to create and preserve green space within a city like Los Angeles is incredibly important, the strategy of building in the outskirts of the city, instead of where there is already development, clearly has serious implications for greenhouse gas emissions and vulnerability to wildfires as well as traffic and transportation safety impacts.

In regards to the height of the buildings, again this neighborhood is zoned for multifamily dwellings, and this zoning has a height limit of 45 feet, which is essentially four stories. The only reason that we are using a density bonus request to go up to 48'3" is because of the slope of the lot. Since the 1940's, when many of the houses on your block were built, single family homes were sufficient to house everyone who wanted to live there. That's not the case anymore. There's much more demand for housing in the neighborhood.

Shelly, to your point about the price of the units – again, we can't say what these units will cost at this point, there is too much uncertainty to be able to project that. What we can say is that land, labor, and materials are incredibly expensive in Los Angeles, and those are factors in the price we can't control. For perspective, however, we had a licensed real estate agent put together some comp reports of new home sales in the area. These reports reflect new construction (built up to 2021) within 1 mile of the project site, and show the massive difference between condo/small lot home types and single family homes on standard lots. They show that most condo and small lot homes are selling for around $1.5M while the single family homes on larger lots are selling for around $4.5M.

While you're right that the median Angeleno is probably not going to be able to afford new construction of any type, that's frankly true everywhere in Los Angeles. However, even construction of market rate units relieves pressure on the housing market, slowing price growth.

I really hope that we can find some common ground here, and have a conversation. I previously mentioned that we're open to talking about internet service, construction hours, getting you permits once they're issued, and Meyer, about power banking for your solar and your landscaping suggestions. Would you be available this week tomorrow, Wednesday, or Thursday afternoon to discuss these issues? Please let me know if there's a time that works for you and I can set up a Zoom call.

Thank you,
Kevin

On Fri, Jan 26, 2024 at 12:09 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> Thanks! I submitted it under both of my emails to make sure I get notice.
>
> Shelly Rothschild
> Email: rothschildlaw@yahoo.com Phone: 310-622-3470
>
> On Friday, January 26, 2024 at 08:50:58 AM PST, David Woon <david.woon@lacity.org> wrote:
>
> Good Morning Shelly and Meyer,

A hearing for this Project has not yet been scheduled. If you would like to receive notice of any future hearings and the determination letter, please complete the Interested Parties Form that can be found here.

If there are neighbors who are interested in providing written comments, they can do so by emailing me at david.woon@lacity.org.

Best,

David

On Thu, Jan 25, 2024 at 9:00 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:

Thank you David.

There are other neighbors who are interested in staying engaged regarding this project. Should we encourage them to write to you and your team?

We appreciate the challenges you face in balancing the various city needs. Thank you your consideration.

Sincerely,
Meyer

On Thu, Jan 25, 2024 at 5:13 PM David Woon <david.woon@lacity.org> wrote:

Thank you Shelly and Meyer for your comments. They will be added to our records.

Best,

David

On Wed, Jan 24, 2024 at 2:02 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

How do you think the media will react to Los Angeles approving 11 luxury townhouses that will be sold at **$2,000,000.00 each** as "affordable" housing?

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Wednesday, January 24, 2024 at 11:31:30 AM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

I am not well: the physical and emotional stress of this project, destroying my home and block, is killing me, all to satisfy the greed of a developer who seeks to build **UNaffordable** luxury housing for the rich.
I will reply when I am feeling better. In the meantime, when is the next hearing/meeting about this project?

Someone needs to subpoena the tax returns and bank account records of those who may be paying off, and who may be paid off, to approve this monstrosity.
Someone needs to investigate all prior complaints and claims against this developer and his phony alter egos, due to their history of prior litigation alleging violations of California and LA laws, regulations, building plans, and permits.
All of this should be done before any approvals are solicited, and copies provided to the poor souls whose lives will be irreparably damaged so that this developer can get even richer.

How does it feel to injure, damage, and harm old, sick, and disabled people, families struggling with cancer, just to line your pockets with big bucks at their expense? Shame on you and any LA officials who approve this!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Monday, January 22, 2024 at 12:18:50 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Shelly and Meyer,

Thank you for your patience as we put together a reply to your email. I want to start by reiterating something that we've mentioned here before, and at the Neighborhood Council meeting as well-- The neighborhood is changing, and I'm sure what you're seeing on your block makes that abundantly obvious. There will certainly be annoyances, some temporary, some permanent, as a neighborhood zoned for multi-family housing transitions from mostly single-family homes to a mix of single-family and multi-family home types. This transition is happening in neighborhoods like yours all over the city, and the reality is that you're right, there will not be zero effects, and densification means more competition for parking in almost all circumstances. These reasons are not sufficient to curtail the construction of new homes. Cities need to be able to respond to the demand for more housing by creating supply, and the housing crisis we experience in LA is primarily a result of LA's historic sclerosis in building more supply.

The point is, the transition that's happening is not something we believe should stop. But we want to find areas of common ground to help ease that transition to an extent that's reasonable, so I will try to respond to the points you made that I haven't responded to already below:

You mentioned the State and City's goals for housing not being specific to your block. The City of LA's RHNA allocation is explained here and it mentions an emphasis on building more housing in "High Resource" neighborhoods being part of the goal. If you use this tool , which catalogs adequate sites for more housing in the City, and find your block, you'll see that the properties on Preuss come in as orange, meaning it's been identified as a potential site for future housing. Also, the background comes in dark gray, meaning that it's among the highest resourced areas in the City. I've attached a screenshot, and although it's a bit difficult to read because of the dark gray, you use the tool yourself to find your block, and toggle the "Adequate Sites Inventory" and "TCAC/HCD Opportunity Areas" on and off to see. I would also point out that as far as your block is concerned, using the Small Lot ordinance, this project is actually much smaller than what would be legal to build using the Density Bonus law, and is still building single-family homes, and not several dozen smaller apartments.

It is common practice in development all over the city for an LLC to be created for a new housing project, and Marc will be required to abide by all laws and regulations governing an LLC as a developer. The entitlement and permitting processes themselves are designed to avoid risk to the public. As an example of what is expected of a developer in terms of indemnification, I've attached a City Planning Letter of Determination - the document that grants the entitlement - for another of our projects at 1854 Pandora Ave. Refer to condition #40 on page C-5.

That attached LOD also will give you an idea of what some standard "Conditions of Approval" are for a development. This might shed some light on some of the concerns you mentioned in the previous email about the permitting process and enforcement of City regulations during the building process.

Regarding the Geology report, I have re-attached the City's Letter of Approval and double-checked that all 6 pages are viewable. We are certainly not trying to hide anything, so please let me know if for some reason they still appear blank for you and I will find another way to get you

the letter. And yes, the project will be subject to all 47 of those conditions. We are able and happy to get you permits when they are issued, but no permits can be issued until the entitlement process is complete. We expect the entitlement portion of this process to be complete sometime in Q1 or Q2 of this year, and then after that it can take 12-18 months to get all the permits.

We are also happy to send you final plans for the project, but these will not be final until all the permits have been issued and the city has had a chance to weigh in on every detail.

In regards to the Fault Zone, the geologic report completely acknowledges the Fault Zone, that Fault Zone does not necessarily preclude construction in those areas, since not all areas of the Fault Zone are active. Page 46 of that report shows a map of the zone, and there is certainly no lack of development, old and new alike, in that area. This is true of myriad properties labeled on ZIMAS as being in a "Slip Zone" and "Poorly Contained." These are general descriptions of a Fault Zone, and only a small corner of the property is in a Fault Zone. The purpose of the Alquist Priolo Act is to identify areas where there is the potential for risk, and require studies like the one completed to determine whether and how construction should proceed. If there was a trace of an active fault rupture, the report would say so and I imagine construction would not be allowed, but the report and approval letter say otherwise. The report's conditions that you mentioned are the roadmap for *how* to proceed given the situation, and those conditions will be adhered to.

And regarding your question about the automobile access via the alley and the 5 ft setback, it is the livable spaces which are required to be setback 5 ft from the study area, not driveways.

With respect to CEQA, we believe this project qualifies as a Class 32 infill development. The person who prepares these reports is an environmental planner with years of experience and a Masters in Environmental Planning and Analysis from USC. However, ultimately, the City is the Lead Agency and the City approves the review that our environmental planner conducts.

Further, the threshold for the acceptable levels of dust is set by the SCAQMD, and projects of this scale are very well below that threshold. You can read about their methodology here. As for noise, the threshold for acceptable noise is set by the Los Angeles Municipal Code.

As far as the Community Plan you reference, there is much in the plan that mentions creating multi-family housing, and suggests creating new homeownership opportunities and for diverse income levels.

Regarding your mention of contract rights as they pertain to internet access, the applicants are developing private property in an urban area, and in accordance with the Small Lot Ordinance. However, we are certainly willing to work with you on this issue, keeping in mind the project's timeline.

As for the hours of operation during construction, the City provides allowable hours of operation that will be adhered to. A conversation about how to mitigate these hours within reason is also one we're willing to have with you.

Shelly and Meyer, I think that from here on out, a back-and-forth email exchange attempting to reconcile a broad array of points is not a good use of time-- yours or ours. There are places where we've said we'd like to work with you. The issue of the internet, the construction hours, getting you copies of permits as the development timeline advances, Meyer, furthering the

conversation you had with Marc about power banking for your solar panels--these are negotiable, and of course any agreements made will be in writing.

I know that this project has been a great source of stress for both of you, and Shelly especially so because of your health situation. I truly appreciate your willingness to discuss these matters with the civility and regard you've shown, and I hope we can continue to connect and find areas to agree on.

Thank you,

On Fri, Jan 5, 2024 at 3:56 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

There are some corrections below. I missed them because I am very physically and emotionally stressed by this project.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Friday, January 5, 2024 at 03:28:15 PM PST, shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi Kevin and Jesi

Our Responses to Your Replies:

-Your Reply: "So in regards to the idea of scaling down the project, that's not something that's on the table."

Our Response: This unilateral, absolute refusal is the quintessential embodiment of the applicants acting in bad faith.

Per Meyer: "If revising the project is not open for discussion, what is it exactly that we're discussing?"

These emails are nothing more than a phony PR ploy to make it look like the developers are willing to talk to us, when, in fact, it is a nothing more than a fake, false, and meaningless gesture.

-Your Reply: You refer to "Regional Housing Needs Assessment housing goals," and state that "this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods."

Our Response: These conclusory statements have no evidentiary support. You do not cite or attach anything that

would prove these statements to be true or applicable **to our block.** Accordingly, they have no weight or merit.

To the contrary, if LA needs Affordable Housing, it is not $2 million luxury townhouses. These may be purchased by foreign investors, who may lease each unit to tenants for thousands of dollars of monthly rent, which is hardly "affordable" for most LA residents.

Get honest: This is a greedy developer who is willing to damage, torment, and harass his elderly, sick, and disabled neighbors in return for making a buck.

-**Your Reply:** the project applicants are Marc and Risa Dauer, **under** the firm Preuss Development, LLC.

Our Response: You did not answer our question. What does "under" mean? Nothing This is evasive and does not answer us: "Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?"

Again, which of these parties are responsible for and liable if there is a violation of regulations, permits, agreements, and plans, as these same developers allegedly already violated before with the one of the same properties? Who is liable when this project interferes with and/or damages our property?

We also need to know who will be liable if the developers file bankruptcy. Their LLC has limited liability, as its name reflects. As such, the individual developers seek to escape responsibility by hiding behind an alter ego that may have little or no assets, a sham. Thus, we need to know who is liable; what are their assets; and review their financial statements.

-Your Reply: As for the owners being willing to indemnify project risks,

Our Response: No answer to our question, which means no. Just conclusory statements that the project has permits, although

elsewhere you admit there are no final plans, and no final permits are attached or cited. Even the one alleged approval is subject to 47 conditions and will be rendered nugatory if not satisfied.

-Your Reply: The City's permitting process is meant to minimize that risk and protect neighboring residents from harms.

Our Response: Please identify with specificity each and every measure that the City and the developers are currently taking to minimize the risk and protect neighboring residents such as 1908 Preuss Road.

-Your Reply: As part of that process, the development team hired consultants to obtain the Geological and Methane reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City.

-Our Response: Your reports were based on there not being a fault zone. That is categorically false. Per Zimas, this project is located in an actual fault zone. I quoted it word for word in my last email and you ignored it. It says **"within fault zone."**

It also is within a "poorly constrained" Slip Zone per Zimas, and your experts admit that the project currently only has **uncertified** fill. When will this be remedied if ever?

In point of fact, there was an earthquake last week, and it shook my second floor, my office, and bedroom. It was only 4.1, and I still was tossed up and down in my bed.

In addition, these methane and earthquake reports are primarily based on illegal tests conducted long ago in 2017 on one of the properties apparently without permits and required approvals. This was alleged in a lawsuit against the applicants, who apparently have a history of violating regulations and damaging those who live on the premises. Although those lawsuits were settled or defaulted due to years of litigious harassment by the

applicants, they may reflect a history of misconduct by applicants and therefore require that guarantees be provided.

Moreover, I saw only one alleged approval only yesterday while being sick. I have not had a chance to fully review, but I note that it is subject to 47 conditions, which may never happen, and it is missing attachments. It is thus completely illusory.

If there other approvals, especially "as is," without 47 conditions, please provide them**.**

We also need to know when the final plans will be completed and submitted, and if the applicants will guarantee that the actual construction will be in absolute compliance with those plans and all permits and approvals. Please provide us with copies of the final plans as soon as they are completed as well as all other approvals and backup.

In short, the applicants are putting ***our*** personal assets and homes at risk, and as such, they should stand behind this project by putting their own personal assets and homes at risk through a secured guaranty, indemnity, bond, or letter of credit.

I learned in previously practicing law for 46 years, that a party who will not guarantee a project is a party that assumes it will default or breach and wants to escape liability for their misconduct. It is simply logic: If they do not anticipate violating their agreements, there is no reason not to guarantee their compliance.

Plus, we hereby request that you provide us with copies of all claims and complaints filed against each of the applicants and the LLC by third parties regarding their projects including those against the other limited liability entities used by the applicants. On information and belief, there are many such alter egos.

-Your Reply: The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

Our Response: When exactly will these be obtained? Please provide the actual dates that each permit will be acquired and copies as soon as they are issued, with all conditions thereto and all current efforts to comply with those conditions.

-Your Reply: The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance

Our Response: The Categorical Exemption you sent me is merely your lobbyist report. It is not an approval, and it is not by an expert. It is filled with conclusory statements based on general statistics and does not take into account the unique character of our block or neighbors. Plus, none of the devices to counter noise, dust or pollution has been contracted. They are merely speculative and thus uncertain of completion.

-**Your Reply**: as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Our Response: Your report is 75 pages long. It is subjective PR by a lobbyist and obfuscates any specific relevance to our block, which is the affected area, by burying it in reams of irrelevant general data. Please reply with a specific citation for each of your statements above as to these laws and **our block**.

-**Your Reply**: **we expect on-street parking to become less abundant.**

Our Response: Thank you for this admission that your project will adversely affect the already intolerable parking our block.

-Your Reply: Another reference to the Categorical Exemption document about average, general conditions, ignoring the impact on our specific block.

Our Response: This report is nothing more than a subjective, biased, conclusory propaganda report by a lobbyist, not an expert, that buries the impact on us by using 75 pages of general data. Hire an expert to view and analyze conditions on **our specific block.**

-Your Reply: And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets**.** In support, you cite the study done by the Johns Hopkins Bloomberg School of Public Health

Our Response: This is so disingenuous. You are stating, based on sheer speculation, that unknown people will drive more slowly on our block, people who you do not know and who you may never meet, and that there is no danger in our particular narrow street for children, guests, and people walking on our block to worship? As such, give us this as a personal guarantee in writing.

FYI: the study done by the Johns Hopkins Bloomberg School of Public Health did not examine this issue in Los Angeles. It was not one of the only 7 cities on which this report was based. As such, it is inapplicable and irrelevant, **unless you want to know about narrow streets in Salt Lake City and the other few cities studied.**

-Your Reply: As to your question about a mistake in the Earthquake Report, I think I can provide some clarification.

There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property; **there is no trace of fault near the property, just the generously drawn Study Zone.**

-Our Response: I have put the addresses for the project in Zimas several times. Each time, it states that the property actually is in a fault zone, "within fault," and that the fault runs through the properties. It is disturbing you deny this as that is a lie. We therefore question your credibility as to all other statements.

As noted, it also is in a Slip Zone and "poorly constrained," per Zimas.

In addition, as noted above, I personally experienced an earthquake last week at 1908 Preuss Road.

-Your Reply: We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary.

Our Response: How is this possible when they are building another entrance in the rear alley for this project? There is no setback of this alley. **Please explain in writing.**

-Your Reply: I have also attached the City's approval letter, recognizing the validity of the Geology report.

Our Response: Query why are we only just receiving this yesterday? It is dated eight months ago and kept hidden.

In addition to hiding the report, only 2 pages of the six-page attachment are provided. Please provide all pages of the 6-page attachment.

We have not had sufficient time to review this alleged approval, but I note that it is entirely illusory as it is based on 47 detailed conditions, expansive requirements, and future and further inspections, plans, construction, and approvals that may never take place. It is the equivalent of approving a constantly moving target, an imaginary wish list, based solely on speculation.

We note, for example, that the current foundation is based on **uncertified** fill, which must be replaced; noise and pollution controls are based on future contracts, never signed; and the consent of neighbors will be required. We do **NOT** consent. There may be other issues, and we need more time to review.

We also need to review and get your input on whether the project is consistent with the Community Plan for this district. https://planning.lacity.gov/odocument/78984e0b-a63d-4533-ba57-4f84b8fd7696/West_Adams-Baldwin_Hills-Leimert_Community_Plan.pdf. **Please provide your input. Per Meyer, it is not consistent with the Plan.**

-**Your Reply**: LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Our Response: A prior lawsuit filed against these developers by tenants **actually living on the premises** alleged that they conducted work on the property without permits and contrary to regulations and representations. Accordingly, there must be secured personal guarantees that this will not reoccur on this project, which is located on the same property.

A refusal by these profiteers to provide a guarantee is tantamount to an admission that the developers do NOT intend to comply and will NOT stand behind this project. Rather, it appears that they seek to escape and evade liability for any and all misconduct, another example of their bad faith in pursuing this. They need have no fear of guaranteeing their own work unless they know it will be faulty and in breach of their obligations.

-Your Reply: Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the

part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and **which is subject to review by the City**.

Our Response: As noted above, the Categorical Exemption is a puff piece of propaganda by a lobbyist, not a report by an expert, and relies on general statistics rather than percipient witnesses of the particular and special circumstances on our block, who can attest to the contrary. **It also is subject to review by the City.**

-Your Reply: To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access.

This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate.

Our Response: This is the equivalent of a blatant admission that the developers will be engaging in tortious interference with our internet contracts, which is actionable under California law.

It is a general principle of law that if you damage or diminish the contract rights of others, you must compensate them in full for this conduct.

In this regard, the developers are destroying the contract rights of private parties with Spectrum and others for the sole purpose of enriching themselves. Spectrum does not need to mitigate; it is solely the developers who have taken unilateral action that has interfered with their services.

We also request that this issue be specifically addressed in any further hearings or filings. It is my understanding that one of the fundamental concerns of city planning and zoning is to protect

the location's existing neighbors and services, not just to enrich a greedy developer.

Please contact Spectrum ASAP about how you will ameliorate this and report back.

-Your Reply: As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used.

Our Response: You are admitting that you are seeking approval for a project based solely on speculative future contracts, which you have not signed, or spent a penny, and which may never take place.

-Your Reply: As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

Our Response: Please provide citations for thresholds set by the city for **this particular block**.

Plus as noted, Zimas reveals that the project is in a Slip Zone: "Right Lateral - Strike Slip; Poorly Constrained." This is never addressed.

-**Your Reply:** We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us.

Our Response: Thank you for this admission that the project will acutely impact us as immediate neighbors including a deleterious impact on my health as an elderly cancer patient who will be suffering noise and breathing dust and pollution for long term construction next door. This project will use a large

number of trucks and equipment for removal and building, at all hours and days, including at night and on our Sabbath. Our required rest, recovery, and our medical condition will be severely affected by the constant damage inflicted on our lives and property by your construction. None of the alleged abatement devices **is** in effect or even the subject of a contract. None is specifically identified for use as to 1908 Preuss Road, our home. You never replied to our questions regarding the specious allegation that it only will affect our "unused property."

-Your Reply: I know there are several other development projects happening near you and I imagine it must feel incredibly jarring to see the neighborhood changing so rapidly.

Our Response: As you well know, these **other** projects are not immediately next to our house and do not place it in immediate jeopardy. They do not destroy our internet access, create an immediate risk of subsidence, methane, dust, noise, and pollution. They do not directly and proximately interfere with our property and our lives as yours does.

In short, it is disingenuous and is just hiding the ball for you to raise this issue, while ignoring the proximate and immediate impact of your own project.

-CONCLUSION: Per Meyer, “any agreement between us and the developers will need to be included as part of the plans. It’s the only way that a 3rd party will be able to provide us a meaningful guarantee.”

-In sum, we need those who are building and profiting from this project to the tune of **$22,300,000.00** to personally indemnify, provide a bond, letter of credit and/or secured guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane, no building without or in violation of permits and not in accord with all regulations, and the community plan; no increased noise, dust and pollution from the construction; no work at night or on the

Sabbath; no impact on internet service, and no increase in traffic and parking issues.

If instead these profiteers seek to escape liability for this project by refusing to provide guarantees, they have shown that they do not and will not stand behind it, to the severe detriment to the lives, health, and property of their neighbors, and for no reason other than their unconscionable greed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Fri, Jan 5, 2024 at 2:04 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
Further to my email from yesterday, Shelley and I have reviewed the LA City plan for our area and it appears that this development would run counter to the goals set out in that document. At the very least, we now know that the project is not supported by the neighborhood. That doesn't take into consideration so many of the other specific elements stipulated therein.

I think it's increasingly clear that development is needed in Los Angeles but not at the expense of everything else.

On Thu, Jan 4, 2024 at 1:23 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
I'm confused. If revising the project is not open for discussion, what is it exactly that we're discussing?

Also, any agreement between us and the developers will need to be included as part of the plans. It's the only way that a 3rd party will be able to provide us a meaningful guarantee.

On Thu, Jan 4, 2024 at 12:47 PM Kevin Scott <kevin@bsilveira.associates> wrote:
Shelly,

I will try my best to answer your questions here.

So in regards to the idea of scaling down the project, that's not something that's on the table. We don't believe 12 units in a multi-family zoned neighborhood destroys the block, even if it's different from most of what's been there previously. Building more housing during a housing crisis is essential, even if it's mostly market rate housing. In fact, according to the State of California, the majority of the housing needed to reach the state's Regional Housing Needs Assessment housing goals is market rate, and this project is completely in line with the City and State's policy goals to densify multi-family zoned neighborhoods.

Next, the project applicants are Marc and Risa Dauer, under the firm Preuss Development, LLC.

As for the owners being willing to indemnify project risks, the project will comply with all standard City practices for development, but will not go beyond those practices. There is, of course, risk involved in building any project anywhere. The City's permitting process is meant to minimize that risk and protect neighboring residents from harms. As part of that process, the development team hired consultants to obtain the Geological and Methane

reports I previously sent you, and those consultants are responsible for their process - which was checked and approved by the City. The project will, of course, obtain all additional required permits before building, and comply with all regulations during construction.

The Categorical Exemption document I sent you also shows that any increases in noise and dust will be below the level of significance, as defined by the Los Angeles Municipal Code and the South Coast Air Quality Management District, respectively. This document uses standards set and verified by the City.

Additionally, we have never claimed that the project will not affect parking and traffic on the street. The project is following the City's requirement of 2 off-street parking spaces per single-family dwelling. However, as multi-family neighborhoods in Los Angeles densify to meet our desperate need for housing, we expect on-street parking to become less abundant.

As for traffic, again, I would refer you to the Categorical Exemption document, and the portion that shows average increase in Daily Trips and VMT (Vehicle Miles Traveled). The VMT calculator was designed by the City's Department of Transportation and the Categorical Exemption memo that uses it was reviewed by the City. See excerpt below:

- *"The VMT Calculator (included as Attachment B) determined that the project's 12 new townhouse uses would generate 47 average daily trips (ADT) and 320 daily VMT. Additionally, the project would remove the two existing single-family residences, which currently generate a combined total of 15 ADT and 106 daily VMT. Therefore, the project would result in a project-related net increase of 32 ADT and 214 daily VMT, which would be below the City's screening criterion of 250 ADT for a VMT analysis to be required. As such, the VMT generated by the project would not result in a significant effect relating to transportation, and further analysis of the project's VMT contribution would not be warranted."*

And like you said, two cars often cannot pass each other without one pulling over. However, the effect of this will be that people will need to drive *more slowly*. Wider streets where cars are going much faster are much more dangerous to pedestrians and motorists alike than slower, narrower streets. Here's a link to a summary of a study done by the Johns Hopkins Bloomberg School of Public Health extolling what is now common knowledge in the transportation design world.

As to your question about a mistake in the Earthquake Report, I think I can provide some clarification. There is a portion of the parcel located in the "Alquist-Priolo Fault Study Zone." This does not mean that the fault runs through the property. The fault is actually nowhere near the property, as the study area contains a generous buffer zone around where any traces of that fault run. However, because a portion of the parcel is in that buffer zone, it is required that the building footprint have an *additional buffer* of 5' from the edge of that zone.

We are certainly following that requirement by making the rear unit smaller and maintaining a five-foot setback from the edge of the Alquist-Priolo Fault Study Zone that runs across the property's rear boundary. So in essence, the city's requirement is that there be a 5' buffer from the study area, which itself is a large buffer around any traces of the fault. I have also attached the City's approval letter, recognizing the validity of the Geology report.

The requirement of the Alquist-Priolo Act that you're referring to about developed properties needing to disclose proximity to a fault to prospective buyers will be adhered to once units are for sale, but again, there is no trace of fault near the property, just the generously drawn Study Zone.

Regarding potential changes in the project and what they might mean vis-a-vis the reports obtained, all projects in Los Angeles have these reports done before the "final plans" are done.
When the city issues a development permit, there are conditions that say that the plans used in development have to match the plans approved by the planning department. LADBS checks at every single phase of the construction to make sure that the plans are followed, and they make sure nothing is changed that could affect the validity of previously obtained Geological (and other) reports. We assure you that the process accounts for this, and the city monitors what's being built.

Your question about zero supporting documents under the case number ENV-2023-6517-EAF is an error on the part of the City. They simply haven't uploaded it, and this is fairly common. The supporting document would be the Categorical Exemption memo, which you have and which is subject to review by the City.

To the question of the internet, unlike the impact new development has on public goods like parks, which developers pay development fees to mitigate, no report is required on the impact of the new units on internet access. This is a privately transacted good and is the responsibility of the private provider to mitigate. However, we would be willing to reach out to Spectrum to look into ways to ensure internet speed is adequate. Let's chat about this.

As to your query about noise control devices, it is much too early in the process for any of those contracts to be made. I can refer you to page 24 and 25 of the Categorical Exemption memo for examples of the types of noise abatement materials used. As is true of any construction in any urban area, there will not be zero impact on surrounding properties, however this project is below the threshold set by the city that would make additional impact studies and further mitigation required.

We realize that as an immediate neighbor of the development, its impacts will affect you more acutely than others. And Shelly, your health is certainly a concern to us. I know there are several other development projects happening near you and I imagine it must feel

incredibly jarring to see the neighborhood changing so rapidly. I hope that although we might not be able to eliminate all of your concerns, we can at least keep communication lines open and find common ground on some matters.

Please let me know when you're available to continue the conversation about the proposed project.

Best,

On Tue, Jan 2, 2024 at 3:50 PM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> As preliminary matters:
>
> -Would the owners be willing to scale down the development? As presently projected, this massive project will destroy our block for the sole purpose of making more money for the developers. "Affordable housing" and
> "density bonuses" incentives are not intended or designed to provide more luxury housing for the 11 rich people who can afford to pay $2 million for each unit..
>
> -Who are the parties liable for this project: the individual Dauers or the single asset LLC, or both?
>
> -Would the owners be willing to personally indemnify, provide a bond, letter of credit and personal guarantees covering that: there will be no subsidence, no increased earthquake damage risk, no release of methane,
> no building without permits and not in accord with all regulations, no increased noise, dust and pollution from the construction, no impact on internet service, and no increase in traffic and parking issues?
>
> This would require personal liability, secured by their personal assets, along with protections in case they file for bankruptcy.
> I would need to see the personal financial statements of the parties behind the project to ensure they can follow through with such guarantees.
>
> -Would the owners be willing to correct the mistake in their earthquake report that the project is not in an earthquake zone. It is, and this error is misleading and disturbing. Per Zimas, the property is located in the Alquist-Priolo Earthquake Fault Zone, "a regulatory zone that encompasses surface traces of active faults that have a potential for future surface fault rupture. There is an active fault present within the zone and the fault may pose a risk of surface fault rupture to existing or future structures. If the property is not developed, a fault study may be required before the parcel can be subdivided or before most structures can be permitted. For developed property, the Alquist-Priolo Act requires that the seller disclose to a prospective buyer that the property is situated within an earthquake fault zone." Not disclosed.
>
> -The reports of the experts are primarily based on tests done long ago in 2017, and allegedly without the required permits and approvals. They may be unreliable. This is not disclosed.
>
> -The experts' reports state that their findings do not apply if there are any changes made in or after the final plans. As such, the owners cannot rely on the experts' reports until they receive the final plans and the owners must guarantee no changes will be made in the actual construction.

-One of the cases on this project cited in your notice has no documents whatsoever filed in support: "0 Initial Submittal Documents found for Case Number: ENV-2023-6517-EAF." We need to see these documents.

-The traffic and parking statements are by your firm, as lobbyists, not by experts. They are conclusory, rely on general statistics, and do not take into account percipient witnesses who live on the block. The block is so narrow that two cars in traffic usually cannot pass each other at the same time and one has to pull over. The parking situation is known to be intolerable. The street often has children playing and people walking to places of worship, making increased traffic hazardous. The owners of the apartments may each rent them to numerous subtenants, who will not have sufficient parking. The project also will affect the narrow alley and neighboring streets as there will be an entrance in the alley. None of this is taken into account.

-Per Meyer, the project will adversely affect the internet of those living on the block. I saw no report on this adverse impact.

-The report on the construction cites my address, 1908 Preuss Road, several times with conclusory statements that the impact on us will not substantial or will be ameliorated by controls contracted for by the developer. I need to see backup for these statements along with with specific contracts that have been entered into to reduce this impact. For example, you state that certain materials will be used for noise control. In addition, you state that the imposing construction will be near an area on our property that is not in use. To the contrary, we use all of our property, inside and out, and none of it is subject to intrusive development. Please identify each specific location on our property that will be impacted by your project and the specific efforts that will guarantee no adverse impact.

-I would like to have a written response to each of the above before a call.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Tuesday, January 2, 2024 at 02:47:41 PM PST, Kevin Scott <kevin@bsilveira.associates> wrote:

Oh yeah, no problem. I was actually thinking maybe later this week or sometime next week, depending on when everyone is free.

On Tue, Jan 2, 2024 at 2:45 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> Just back last night - I'm sorry but I have plans this evening.
>
> On Tue, Jan 2, 2024 at 2:42 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > Hey Meyer and Shelly,
> >
> > Meyer, I'm not sure if you're back in town yet, and I hope you've had a great trip, but I'm wondering if you two would like to schedule a zoom meeting with our team. Shelly and I had talked about doing that previously on a different email thread, but seeing as you're close neighbors, maybe we could just all talk at once.
> >
> > Lemme know what you think!
> >
> > On Fri, Dec 22, 2023 at 3:19 PM Kevin Scott <kevin@bsilveira.associates> wrote:
> > > I was surprised too, that really was a lot of people. And I understand your feelings about the project, and we will be in touch! Enjoy Hawaii!
> > >
> > > On Fri, Dec 22, 2023 at 1:01 PM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> > > > Thanks for your note, Kevin.

I'm sure this isn't the end.

Even I was surprised by the number of people who came out and the resistance to the project by SORO. I agree with the sentiment of all of those who came.

If I were Sim, I'd scale back the project and try to win support from the neighbors for a more modest development.

If this turns into a negotiation between the neighbors and Sim, any agreements between us and him will need to be part of the approved plans so we don't enter into a fight if and when the project is approved.

Until then, I'm off to Hawaii where I hope to have more pleasant things to consider.

Happy new year,
Meyer

On Fri, Dec 22, 2023 at 11:51 AM Kevin Scott <kevin@bsilveira.associates> wrote:

> Hi Meyer,
>
> I wanted to reach out to thank you for coming out to the meeting last night. Please know that our team is here if you have any questions or concerns or ideas going forward.
>
> Happy Holidays!
>
> On Thu, Dec 21, 2023 at 9:49 AM Jesi Harris <jesi@bsilveira.associates> wrote:
>
> > Hi, Meyer,
> >
> > Looking at the agenda (attached), it would appear that the 1904-1906 Preuss item is near the bottom so I'd suspect that you'd be on time to comment at 8pm but I can't promise anything since I've never been to a SoRo General Board meeting and I'm not sure how likely they are to, say, take items out of order or move through the other agenda items rather quickly.
> >
> > I can text you when the item is coming up if that's helpful. I can also let the Board know that we'd like to wait on their discussion of the item if you're on the way when the item comes up.
> >
> > Best,
> > Jesi
> >
> > On Thu, Dec 21, 2023 at 8:26 AM Meyer Shwarzstein <meyer@brainstormmedia.com> wrote:
> >
> > > I have a previously scheduled meeting tonight at 7pm. I may be able to get out by 7:30. Will Inmake it on time to make comments if I'm there by 8?
> >
> > --
> > **Jesi Harris**
> > *Sr Project Manager + Partner*
> > M: 704.277.7332

--
Kevin Scott
Associate Planner/Policy Analyst
M: 651.210.3652

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

Meyer Shwarzstein <meyer@brainstormmedia.com> Sun, Feb 4, 2024 at 5:06 PM
To: Kevin Scott <kevin@bsilveira.associates>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Dear Kevin,

I haven't gotten a reply. In the meantime, I've thought long and hard about your note.

For the record, we're living on a different property than we bought. It was rezoned without our knowledge or input.

Overall, it is increasingly clear that we're merely statistics in a game and, despite the polite verbiage, there is no real sympathy or humanity. All of the empowered parties are casting aside our individual needs. Okay, so a couple of neighbors don't matter. But the Neighborhood Council is against this plan. I'm naive enough to be shocked that the neighborhood group's opinion is being cast aside. What is the point of neighborhood councils? Are only helpful if they rubber-stamp projects that the developers and city want?

Someone on your team told me that the life expectancy of a house is 80 years old. So, all old houses are to be torn down - that's good for the environment?

I assume the same is true for people too. We are all senior citizens. It feels like we're being treated like collateral damage in your employment of $2 million homes in the supposed war against homelessness. Thankfully, my wife and I are healthy, but Shelly is fighting a terminal illness and this construction will likely exacerbate her situation. That makes me angry.

Is this the kind of city you prefer? One where the elderly and the sick are recklessly cast aside for taxes and profit along with their homes and their neighborhoods? Clearly, the answer is "yes".

The statistics/studies are great tools used to justify all kinds of things. As I think I mentioned, I studied solar energy in college and I stay abreast of the statistics related to the environment. There is not one thing in this project that helps the environment or the city. Yes, density in cities like New York which have great public transportation can make sense. It's a walking city. LA isn't - and the public transportation is just not that good. Meanwhile, it appears that this city is stuffing units into small spaces to score political points.

Your comps only emphasize a completely different point. Where you live matters. The expensive homes are on the other side of Robertson - in the Beverlywood Homeowners Association area. You've proven that it's the wealthy who call the

shows. Indeed. How many MFDs are going up in that neighborhood? It's only a block away from our house. On the other side of the tracks...um....Robertson.

As for the details of our situation (without addressing issues of noise, convenience and how the construction will affect our health):

- Less sunlight will mean that our solar power creation will be diminished substantially. Will storage make up the difference?
- There will be a huge loss of trees - both from the ones that are cut on the developed property and the choking of the ones on our land.
- We will lose privacy. Sim talked about putting up a fence between our properties and bamboo near the buildings (not near the fence).
- There will be much less parking on the street and the already-bad traffic will be much worse. I walk - it's already dangerous to do so in this neighborhood.
- Our driveway gate is attached to the current structure. What will happen when it's torn down?
- There is only one high-speed internet provider in this neighborhood, Spectrum. They told me that our speeds will diminish once the units are populated.
- The developers gardeners have attached a garden hose to our ADU - over the property line. The trash cans are also routinely backed up to that wall. I use the ADU quite a bit so I'm aware of this. I wonder how that will be addressed with the new development.

I don't know how you plan to address all of these issues. Money can't buy everything.

Sincerely,
Meyer

Kevin Scott <kevin@bsilveira.associates> Tue, Feb 6, 2024 at 2:29 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Meyer,

I appreciate your thoughtful email and continued engagement. I understand you're angry and still not satisfied with our position here, but I think we've responded as thoroughly as we can to the questions you've brought up regarding this project's relationship to our City and regional planning direction. I want to reiterate that we're not saying one housing project will change the trajectory of the crisis in Los Angeles. The homelessness you see in LA is the tip of the iceberg -- a symptom of the lack of sufficient housing to meet existing demand at every income level. This must be addressed on a massive scale, all over the city, one project at a time. Realizing a Los Angeles that's different from the one we have now, one with more density and better transit, requires a long-term vision that this project aligns with.

Many of the issues in your bullet points are ones we could talk about in a meeting, along with the issues we previously outlined. I'm not sure if Meyer, you and Shelly would want to be on the same Zoom call or separate ones. I had been waiting to hear from both of you to find a time that would work. Meyer, if you prefer, we can find a time this week to meet.

Best,
Kevin
[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Tue, Feb 6, 2024 at 2:36 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>
Cc: David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Hi Kevin, I still am battling Shingle, this time on my hand. I still hope to respond later this week. Please let me know if a meeting or hearing is scheduled.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Meyer Shwarzstein <meyer@brainstormmedia.com> Tue, Feb 6, 2024 at 3:42 PM
To: Kevin Scott <kevin@bsilveira.associates>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

I don't think there's a need to reiterate what has already been said.

I don't believe that you're working on this project in my interest as a citizen of Los Angeles - you are gainfully employed by a developer who has hired you to get a job done. That's understandable but, if you were as responsive to the wishes of the neighborhood as you were to your client and the city, this project would look different than it does now.

While there isn't redlining, there are some neighborhoods that are off limits and others that are not. Clearly, some places, neighborhoods and people are being treated differently. If and when we're all treated the same, we can talk about the common good. Clearly, this development would never happen in Beverlywood. We're conveniently outside of that beautific zone.

As for scheduling...

Last week, you suggested a call for last week. I wrote on the 29th letting you know that this week would be better and I didn't hear from you. In your reply to my email of February 4th, you suggested that you were waiting to hear from me. That is not the case.

As to your question, I'm okay participating with Shelley. Is there an impending deadline? What is the projected timeline?
[Quoted text hidden]

Kevin Scott <kevin@bsilveira.associates> Tue, Feb 6, 2024 at 4:48 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

For clarification, I meant that I was waiting to hear back from both you and Shelly before finding a time. Shelly, with your current health difficulties, would you be up for being part of a meeting this week? Or would you rather we schedule one with Meyer, let you know, and you can make the decision to attend or not closer to the meeting?

There is no impending deadline, and there is still no hearing scheduled with the city.
[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Tue, Feb 6, 2024 at 5:46 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>
Cc: David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Kevin, it was never my understanding that you were waiting to hear back ***from me*** in order to do a call ***with Meyer.***

In fact, it is my understanding that you have been negotiating alone with Meyer to offer him a separate deal that does not include my property.
Divide and conquer.
Silence and isolate the opposition.
For the sole purpose of permitting your client to build and sell 11 homes for ***$2 million each*** under the false pretense of creating **"affordable housing"** in LA,
while destroying our neighborhood in the name of greed.

It is this what city planning is about in LA: Letting greedy developers destroy Los Angeles, by driving out existing residents, destroying less affluent neighborhoods so a few can get richer at their expense?
To preserve rich areas like Beverlywood, where this developer lives, free from any such projects; targeting instead poorer prey in LA like those in my area? Is this what LA stands for?

In fact, that inequality is why it is projected that 1.7 million people will be leaving LA in the next few years. This is NOT affordable housing:
Who can afford these $2,000,000.00 homes? Foreign investors, who then will lease them out at exorbitant rentals.
The same thing has happened in other cities, where they have had to enact laws to stop foreign speculators and greedy developers from destroying their neighborhoods.
NB: Vancouver's Speculation tax.

You already told us that you will not even discuss any changes to this project-the very epitome of bad faith. What is the purpose of a call if you will do nothing to help us?
It is just a gimmick, a false pretense, so that you can say you spoke to us before destroying our lives.

I am fighting Shingles, an extremely painful condition, brought on by the stress of this project. I will respond as soon as I can. When I do, I want to see a real proposal of specific remedies
for each of the issues: constructive ideas, not PR, not games, but solutions.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Meyer Shwarzstein <meyer@brainstormmedia.com> Tue, Feb 6, 2024 at 6:23 PM
To: Kevin Scott <kevin@bsilveira.associates>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Got it. I'm overwhelmed this week, let's schedule something next week. How's midday next Wednesday?
[Quoted text hidden]

Kevin Scott <kevin@bsilveira.associates> Thu, Feb 8, 2024 at 11:28 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Hey Meyer, looks like noon on Wednesday will work for us. I'll send a zoom invite if that works for you.

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 8, 2024 at 11:36 AM
To: Kevin Scott <kevin@bsilveira.associates>, Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Please send Zoom invitation to me too.

Sent from Yahoo Mail for iPhone

[Quoted text hidden]

Meyer Shwarzstein <meyer@brainstormmedia.com> Thu, Feb 8, 2024 at 2:30 PM
To: Kevin Scott <kevin@bsilveira.associates>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

That works for me.
[Quoted text hidden]

Kevin Scott <kevin@bsilveira.associates> Thu, Feb 8, 2024 at 3:09 PM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>
Cc: shelly rothschild <rothschildlaw@yahoo.com>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Sounds good, I'll send out that invite to everyone.
[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Fri, Feb 16, 2024 at 10:00 AM
To: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>
Cc: David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Brian Silveira <brian@bsilveira.associates>

Without waiving our objections to the project previously stated or that may be stated by us, by Meyer, and other neighbors, and without limitation to requesting additional remediation, we need the following mitigation measures and request specific details on how they will be completed on our upcoming call:

-Impact on internet; you said you would contact Spectrum; did you? Result? Since I am disabled and we are home all day, the internet is our contact with the world, work, friends and family.

-Impact on privacy, trespass by workers, looking into our rooms and yards - Install new front and green fences between our properties, and bamboo, same as requested by Meyer

-No late night construction work. We are elderly and I am batting cancer for the second time.

-No work on Shabbat and Jewish holy days. The developer should not desecrate our religion.

-No entry into our property by construction workers and equipment, and residents.

-Include us on all developer and contractor insurance in case they damage our property.

-Immediate notice to us by email and text of any damage to our property.

-Enter into a covenant/contract with us that they will fix any damage they cause to our property and/or let us hire someone and they pay.

-They will install Infill and Shoring if they cause subsidence. Recent rains and spate of earthquakes may increase impact since their 2017 reports.

-They need a Traffic Control Plan. Two cars cannot pass each other currently on our block.

-The need an Emergency Response plan in case something goes wrong, i.e., earthquake, subsidence, cut off of utilities, flooding, methane release.

-They should check with all utilities about location underground that may be disturbed by construction and impact us and make plans to ensure all keep working.

-Immediate notice to us by email and text of any damage to or cessation of utilities.

-Use of only licensed contractors; provide us with name and contact info.

-Obtain all required permits, approvals, and consents, and strictly abide by all conditions therein. In prior litigation, it was alleged that this developer does not do so.

-Give notice to us by email and text of work schedule, days and times.

-Provide good drainage into street so no flooding onto our lots.

-Install mitigation measures re shaking caused by construction that may damage our homes.

-No parking overnight of vehicles/machines on our street.

-No blocking of our street by their vehicles and equipment at any time.

-Clean up lot each day; remove garbage, cover equipment: put away tools and anything that could be dangerous used to cause damage.

-No outhouse next to our properties: smell, disease.

-Would like to have them advocate for the city to require preferred parking permit

-Mitigate project and construction blocking our views, essential to our right to quiet enjoyment.

-They must enter into mitigation/remediation contracts to reduce noise and dust control. We are home all day. I have head and neck cancer; asthma; and no immunity. Provide us with fully signed copies as to all such measures.

-Nothing will impinge on or overhang our property.

-Contrary to their noise report, we use all areas of our property.

-Provide us immediately with copies of all permits and final plans when and as issued.

-Advise us immediately of any changes to plans and reports.

-No parties on roof tops. Noise, danger of thrown items onto our lots; no privacy for us.

-Immediate notice by email and text, not snail mail, and not buried in an lengthy list of all projects in LA, of any and all hearings or meetings on the project, including without limitation, the case being handled by Steve Ruiz, not David Woon, ENV-2023-6117-EAF. I emailed the planning person, Steve Ruiz, to ask for when hearing would be set, but never heard back

-Many of the reports you sent us or submitted as grounds for approval are based on old data from 2017, 2018, 2019, and 2021. Update reports to bring current.

-Some of prior expert reports relied on are only for 1904 and do not include 1906 Preuss, which adjoins our property. Update reports to include 1906.

-Prior reports relied upon also were for a smaller project, fewer buildings. These reports also do not take into account recent torrential rains; flooding; and swarms of earthquakes in LA. They should update.

-The report they sent us on 1854 Pandora is inapplicable since that property is not in our area and under a different Community Plan; it was already a duplex/triplex site, not single residence housing; it was 1 building, not 4.

-One chart they sent, Housing Element-Adequate Sites, is incomprehensible. It is just orange blobs. They should replace it with one that could be reviewed.

The foregoing does not constitute a waiver of any other objections that have stated or may be stated against this project by us, Meyer or other neighbors. It is also without limitation to other mitigation measures that we may suggest going forward.

We have lived on this block for 37 years in a single family residence that we chose for its peace, quiet, and expansive city views, so that we can age in place. It is a narrow street that cannot accommodate more traffic or parking. We are disabled, elderly, sick, and battling cancer. Under California law, we have the right to quiet enjoyment of our property. This project of eleven $2 million apartments will destroy it and is not affordable housing. These luxury residences may only be affordable by rich foreign investors, not LA residents. It is a sign of the inequality that governs Los Angeles-the developer lives in Beverlywood, but he does not build there, to protect his rich neighbors from what he inflicts on poorer areas, while “the aging in place”guaranteed to us by our Community Plan is destroyed.That inequality is one of the reasons why an estimated 1.7 million people will leave LA in the near future.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Brian Silveira <brian@bsilveira.associates> Fri, Feb 16, 2024 at 11:09 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Hi Shelly,

I don't believe we've spoken/emailed before - I've thus far been an observer. It's a pleasure to connect with you.

The next step for us is a zoom meeting or an in-person meeting as a show of good faith for all parties involved. We're happy to wait for a day/time that's convenient for you and Meyer.

We absolutely would like to address your concerns, but this really ought to be a conversation.

[Quoted text hidden]

--

Brian Silveira
Founder + Principal
M: 310.753.1090

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Fri, Feb 16, 2024 at 11:19 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Hi Brian. We have a preliminary Zoom call set up by Kevin on February 22. It is a short call, so I wanted to get my concerns on record, as my urban planning professor, George Lefcoe, taught me to do.
I also want to memorialize them in case I am unavailable. My daughter just underwent surgery overseas and is having problems in recovery. I am battling cancer for the second time, after metastatic breast cancer, and now head and neck cancer. I also have Shingles on my hand and painful lesions in my mouth, which can make writing and speaking difficult. I know this will be a process and I welcome the chance to work with your team to mitigate and remediate.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Brian Silveira <brian@bsilveira.associates> Fri, Feb 16, 2024 at 11:54 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Hi Shelly,

You are on record, and I look forward to chatting with you on the 22nd.

Wishing you and your daughter strength and healing.

Brian
[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Fri, Feb 16, 2024 at 11:58 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>

Thank you Brian!

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 7:29 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Before the call today, I would like to know if you are going to provide my adjoining property with any specific remediation or mitigation for the items I listed,
or instead if you are just going to tell me again that everything is "off the table?"
Thanks.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Brian Silveira <brian@bsilveira.associates> Thu, Feb 22, 2024 at 7:51 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Hi Shelly,

We will discuss everything on the call. Thanks!
[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 7:55 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Hi Brian, I am trying to find out if the call is just PR or will actually offer solutions.
Please advise. This situation is giving chest pains from stress.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Brian Silveira <brian@bsilveira.associates> Thu, Feb 22, 2024 at 7:57 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Hi Shelly,

The call is definitely not just PR.
[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 8:28 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Thanks, accordingly, I will expect you to offer specific solutions for each of the items I listed.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:06 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Hi Brian, someone taped a piece of paper on our house yesterday saying our water would be turned off for two days to put in a new meter.
It was not mailed and could have been typed on any computer. I have tried but cannot reach LADWP.
Does this notice relate to your contiguous project? Are you turning off our water for two days?

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

Susan Kahn <susan@brainstormmedia.com> Thu, Feb 22, 2024 at 9:29 AM
To: shelly rothschild <rothschildlaw@yahoo.com>, Brian Silveira <brian@bsilveira.associates>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Hi Shelley – we also got a notice on our door yesterday; however it says the water will be off from 9 to 3 on one day, 2/23 (tomorrow). And it indicates for water meter or water main.

-

--

Susan Kahn

from: shelly rothschild
Sent: Thursday, February 22, 2024 9:06 AM
To: Brian Silveira
Cc: Meyer Shwarzstein; Kevin Scott; David Woon; Jesi Harris; Mayra Guevara; Susan Kahn; barkh1234@gmail.com; hakeem.parke-davis@lacity.org; steve.ruiz@lacity.org
Subject: Re: 1904-1906 Preuss Rd

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
>
> > [Quoted text hidden]
> > [Quoted text hidden]
> > [Quoted text hidden]
> > [Quoted text hidden]
> > [Quoted text hidden]
> > [Quoted text hidden]
> >
> > > [Quoted text hidden]
> > > [Quoted text hidden]
> > > [Quoted text hidden]
> > > [Quoted text hidden]
> > >
> > > > [Quoted text hidden]
> > > > [Quoted text hidden]
> > > > [Quoted text hidden]
> > > > [Quoted text hidden]
> > > >
> > > > > [Quoted text hidden]
> > > > > [Quoted text hidden]
> > > > >
> > > > > > [Quoted text hidden]
> > > > > > [Quoted text hidden]
> > > > > >
> > > > > > > [Quoted text hidden]
> > > > > > >
> > > > > > > Last week, you suggested a call for last week. I wrote on the 29th letting you know that this week would be better and I didn't hear from you. In your reply to my email of February 4th, you suggested that you were waiting to hear from me. That is not the case.
> > > > > > >
> > > > > > > [Quoted text hidden]
> > > > > > > [Quoted text hidden]

--

[Quoted text hidden]

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

[Quoted text hidden]

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:35 AM
To: Brian Silveira <brian@bsilveira.associates>, Susan Kahn <susan@brainstormmedia.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Thanks Susan! Our says to 2/24 and only water meter. Can you tell who sent it? On cameras? I am home-bound, struggling with cancer, need water, and it does not take 6 hours to change a water meter.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:36 AM
To: Brian Silveira <brian@bsilveira.associates>, Susan Kahn <susan@brainstormmedia.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

We also did not get notice by mail or by water alerts we get from LA, which makes this suspicious.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:39 AM
To: Brian Silveira <brian@bsilveira.associates>, Susan Kahn <susan@brainstormmedia.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Cameras show man wearing unidentified vest taping at 10:21 am yesterday.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:40 AM
To: Brian Silveira <brian@bsilveira.associates>, Susan Kahn <susan@brainstormmedia.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

He is wearing a construction company vest.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

---

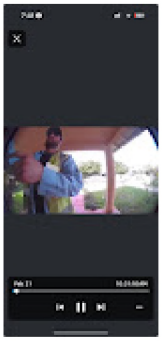
shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:43 AM
To: Brian Silveira <brian@bsilveira.associates>, Susan Kahn <susan@brainstormmedia.com>
Cc: Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Pictures below. Brian, is he yours?

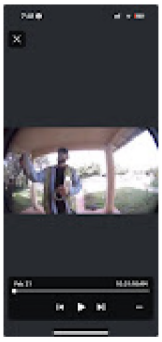
Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

2 attachments



WhatsApp Image 2024-02-22 at 9.41.43 AM.jpeg
54K



WhatsApp Image 2024-02-22 at 9.42.05 AM.jpeg
53K

Brian Silveira <brian@bsilveira.associates> Thu, Feb 22, 2024 at 9:53 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Susan Kahn <susan@brainstormmedia.com>, Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Hi Shelly,

It sounds from your description like someone from LADWP posting a notice of temp water shutoff. Whoever it is, it has nothing to do with us or this project.
[Quoted text hidden]
[Quoted text hidden]

[Quoted text hidden]

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, Feb 22, 2024 at 9:58 AM
To: Brian Silveira <brian@bsilveira.associates>
Cc: Susan Kahn <susan@brainstormmedia.com>, Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, "barkh1234@gmail.com" <barkh1234@gmail.com>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, "steve.ruiz@lacity.org" <steve.ruiz@lacity.org>

Thanks!

Sent from Yahoo Mail for iPhone

[Quoted text hidden]

Siamak & Soroh Barkhordar <barkh1234@gmail.com> Thu, Feb 22, 2024 at 11:44 AM
To: shelly rothschild <rothschildlaw@yahoo.com>
Cc: Brian Silveira <brian@bsilveira.associates>, Susan Kahn <susan@brainstormmedia.com>, Meyer Shwarzstein <meyer@brainstormmedia.com>, Kevin Scott <kevin@bsilveira.associates>, David Woon <david.woon@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Mayra Guevara <mayra.guevara@lacity.org>, Susan Kahn <susan@brainmedia.com>, hakeem.parke-davis@lacity.org, steve.ruiz@lacity.org

Thank you for everybody's feedback.
We would like to express our understanding why another Multiunit is not the right choice for this neighborhood.
The street is already too saturated with cars.
Even if they make parking, people will have people come over. In addition in case of an emergency we need to have available room for cars so that people who want to help are able to do so without blocking the street. At this point already many times construction vehicles are blocking the roads making it already a danger for a case of emergency.
Whoever wants to approve, this project will be liable in case of a life-threatening emergency. I don't think anyone wants to be responsible for that. Therefore, we are asking you to please think it over make the right choice for your own sake.
Thank you for your understanding

Sent from my iPhone

> On Feb 22, 2024, at 9:58 AM, shelly rothschild <rothschildlaw@yahoo.com> wrote:
>
> Thanks!
> [Quoted text hidden]
>
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]
> [Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

<4EB52B3D698D46719AE1515A2545BEDF.png>

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

<D1A9A44DE6DA4E1EACEFE188CF0A67C3.png>

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

<332D32910DF845AFB8D61E3486E15A5F.png>

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

<A141B00E4CD941ED9291C1DEA9C645FB.png>

Brian Silveira & Associates | Venice, California | bsilveira.associates

--

Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates | Venice, California | bsilveira.associates

<332D32910DF845AFB8D61E3486E15A5F.png>
<D1A9A44DE6DA4E1EACEFE188CF0A67C3.png>
<A141B00E4CD941ED9291C1DEA9C645FB.png>
<4EB52B3D698D46719AE1515A2545BEDF.png>

David Woon <david.woon@lacity.org>

Preuss Road Development - Issues I've raised related to the impact on our property

Meyer Shwarzstein <meyer@anotherbrainyidea.com> Mon, Apr 15, 2024 at 10:19 AM
To: David Woon <david.woon@lacity.org>
Cc: Shelly Rothschild <rothschildlaw@yahoo.com>, Susan Kahn <susan@brainmedia.com>, hakeem.parke-davis@lacity.org, Mayra Guevara <mayra.guevara@lacity.org>, Jesi Harris <jesi@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Brian Silveira <brian@bsilveira.associates>, Barkhordar <barkh1234@gmail.com>, Michael Lynn <michaellynn@soronc.org>, Terry Gomes <terrencegomes@soronc.org>, Amy Morando <akmorando@yahoo.com>, Grace Yoo <grace@graceforla.com>, heather.hutt@lacity.org

Dear David,

I assume that the hearing has not yet been scheduled. Unfortunately, I will be out of town for much of the next four weeks. Is there some way I can provide some input into the hearings without attending them in person?

It's been a couple of weeks since Brian told me that he would get back to me (see below) but I have not received a reply.

After months of back-and-forth, the developer has not come back with recommendations which address fundamental concerns such as access to our ADU, the border along our property line or the impact on our solar energy collection system.

Months ago, when I raised the solar issue with the developer directly, he assured me that he'd work with us to mitigate the damage. All Brian offered was a $6k battery storage unit which will not address the fundamental issue - the buildings he intends to build will block sunlight part of the year (a $30,000 problem). The developer also told me that he'd work with us on the green wall to enhance the project's appearance. We've received no solution which takes into consideration the shade it will produce on our trees.

While us neighbors are angry and frustrated that our concerns aren't being addressed, we also know that we're running against the prevailing tide which believes in overriding any neighborhood concerns related to housing development.

But does that give developers a license to damage the environment, diminish access to property and have the exclusive right to say as to what can stand as a border between the properties?

How far will you go?

Perhaps I'm a fool to think so, but I refuse to believe that the city intends to completely abandon its role as a representative of its citizens.

Thank you again for your time, attention and consideration.

Sincerely,
Meyer Shwarzstein
1902 Preuss Road

[Quoted text hidden]

David Woon <david.woon@lacity.org>

https://share.ring.com/7573484f-e807-4839-be98-43904fb8c6cd.mp4

2 messages

shelly rothschild <rothschildlaw@yahoo.com> Thu, May 9, 2024 at 6:23 AM
To: David Woon <david.woon@lacity.org>, Terrence Gomes <terrence.gomes@lacity.org>, "danielfain@gmail.com" <danielfain@gmail.com>, Meyer Shwarzstein <meyer@anotherbrainyidea.com>, Barkhordar <barkh1234@gmail.com>, sharon ross <rossharon@aol.com>, Kevin Scott <kevin@bsilveira.associates>, Brian Silveira <brian@bsilveira.associates>, Jesi Harris <jesi@bsilveira.associates>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Mayra Guevara <mayra.guevara@lacity.org>, Michael Lynn <michaellynn@soronc.org>, Susan Kahn <susan@brainmedia.com>, Amy Morando <akmorando@yahoo.com>, Grace Yoo <grace@graceforla.com>, "heather.hutt@lacity.org" <heather.hutt@lacity.org>

Click on link above to view video of cars parked at illegal airbnb immediately next to us, recorded by our front door cameras. It shows the developer breaking the law and the fact that the illegal airbnb is almost directly on top of our yard. No fences, not hedges. Now think about demolition, construction, trucks, parking, equipment, toilets, noise, dust, vibration, subsidence, methane, air pollution, and constant invasion, traffic and parking of the foregoing plus workers, residents, guests and invitees of a massive project, who will destroy our property, trespass, and invade our privacy for almost 2 years during construction, and forever thereafter.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

---

shelly rothschild <rothschildlaw@yahoo.com> Thu, May 9, 2024 at 6:24 AM
To: David Woon <david.woon@lacity.org>, Terrence Gomes <terrence.gomes@lacity.org>, "danielfain@gmail.com" <danielfain@gmail.com>, Meyer Shwarzstein <meyer@anotherbrainyidea.com>, Barkhordar <barkh1234@gmail.com>, sharon ross <rossharon@aol.com>, Kevin Scott <kevin@bsilveira.associates>, Brian Silveira <brian@bsilveira.associates>, Jesi Harris <jesi@bsilveira.associates>, "hakeem.parke-davis@lacity.org" <hakeem.parke-davis@lacity.org>, Mayra Guevara <mayra.guevara@lacity.org>, Michael Lynn <michaellynn@soronc.org>, Susan Kahn <susan@brainmedia.com>, Amy Morando <akmorando@yahoo.com>, Grace Yoo <grace@graceforla.com>, "heather.hutt@lacity.org" <heather.hutt@lacity.org>

You will need to cut and paste and play the link.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

[Quoted text hidden]

David Woon <david.woon@lacity.org>

Pictures of Illegal Airbnb today by applicant next to us and impinging on our property

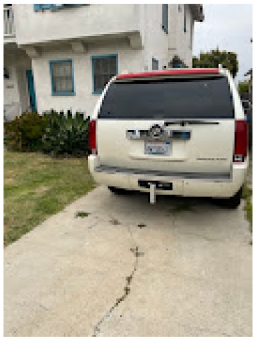
1 message

shelly rothschild <rothschildlaw@yahoo.com> Thu, May 9, 2024 at 8:10 AM
To: David Woon <david.woon@lacity.org>, "danielfain@gmail.com" <danielfain@gmail.com>, Brian Silveira <brian@bsilveira.associates>, Kevin Scott <kevin@bsilveira.associates>, Jesi Harris <jesi@bsilveira.associates>, Meyer Shwarzstein <meyer@anotherbrainyidea.com>, Barkhordar <barkh1234@gmail.com>, sharon ross <rossharon@aol.com>, Yosef Yekutiel <yosef5858@yahoo.com>

1906 Preuss is part of applicant's project seeking approval: pictures show that he violates LA law and impinge on our property.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

2 attachments



IMG_4333.jpg
3947K



IMG_4332(2).jpg
4592K

David Woon <david.woon@lacity.org>

Re: 1904-1906 Preuss Road Hearing May 22: Why is the illegal airbnb extremely relevant to project approval?

shelly rothschild <rothschildlaw@yahoo.com> Thu, May 9, 2024 at 2:01 PM
To: Daniel Fain <danielfain@gmail.com>, David Woon <david.woon@lacity.org>
Cc: Barkhordar <barkh1234@gmail.com>, sharon ross <rossharon@aol.com>, Meyer Shwarzstein <meyer@anotherbrainyidea.com>, Alanna Barak <alannabarak@gmail.com>, Dan Gerber <mrdangerber@gmail.com>

Hi David: the illegal airbnb further demonstrates the pattern of the applicant's not observing city laws.
In my view and those of my concerned neighbors, he cannot be trusted to follow any conditions or restrictions placed by planners on the project for which he seeks approval.
We are worried that the applicant may be engaging in further illegal conduct, such as by housing human trafficking victims in the airbnb.
The lawlessness of applicant further is alleged in the complaints filed against the applicant that are quoted in the comments I submitted.

The planners need to know with whom they are dealing, before they approve his project, which will adversely affect our neighborhood.
They may not be able to rely on any representations, warranties, or agreements by or with applicant.
That should be considered in granting approvals that require such reliance.

Yes, I am scared by the van loads of strange people, being brought by applicant into the illegal airbnb house that is practically on top of my home.
Please consider whether this applicant is someone that LA wants to reward by approving more projects.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

On Thursday, May 9, 2024 at 01:42:00 PM PDT, David Woon <david.woon@lacity.org> wrote:

Hi Mr. Fain,

I am unaware of any Airbnb activities that may be happening on this site. As the project planner for the proposed project, my role is to process the requested entitlements which include the subdivision of two lots into 12 small lots for the construction of a 12-unit small lot development and the requested Density Bonus Incentive and Waiver of Development Standard.

You can contact the Applicant directly about the use of the property for Airbnb. You can also contact and obtain more information from our Home Sharing Unit by clicking on the following link:
https://planning.lacity.gov/plans-policies/initiatives-policies/home-sharing

Thank you,

David

On Thu, May 9, 2024 at 12:34 AM Daniel Fain <danielfain@gmail.com> wrote:
> Hi David,
>
> Thank you so much for your help and time!

Has the city, zoning or other regulatory committees been appraised of and tracking the land owners/developers potentially illegal Air bnb activity that has persisted and clearly been active in both residences ?

Given the complexity of how the Air bnb system has been navigated and run under management through property managers, foreign visitors, construction employees, cleaning crews, etc, I would happen to suggest that no material has been presented regarding any of the activity. Albeit years worth of commercial activity run in the seemingly presented appearance of residential dwellings, in which none of the owners live, or reside, given their residences listed elsewhere.

Thank you again so much for putting this together and compiling so many of the local residential opinions, perspectives, and understandings of the proceedings.

We really appreciate all of your help!
Stay safe!

Warmly
Mr Daniel Fain

On Mon, May 6, 2024, 9:58 AM shelly rothschild <rothschildlaw@yahoo.com> wrote:

> FYI
>
> Shelly Rothschild
> Email: rothschildlaw@yahoo.com Phone: 310-622-3470
>
> ----- Forwarded Message -----
> **From:** Meyer Shwarzstein <meyer@anotherbrainyidea.com>
> **To:** David Woon <david.woon@lacity.org>
> **Cc:** shelly rothschild <rothschildlaw@yahoo.com>
> **Sent:** Monday, May 6, 2024 at 09:55:49 AM PDT
> **Subject:** Re: 1904-1906 Preuss Road Hearing May 22
>
> Thank you, David,
>
> I intend to stay on topic and I plan to keep it brief.
>
> I would like to share a video of the solar study provided by the developer which shows how the shade will affect our house (and solar panels) in the winter months.
>
> Is that something I can send to you?
>
> Meyer
>
> On Mon, May 6, 2024 at 12:41 PM David Woon <david.woon@lacity.org> wrote:
>
> > Hi Meyer,
> >
> > Members of the public will not have the opportunity to share their screens during the hearing. Therefore, if there are any visuals that you would like to share for commentary I would recommend that you send them with your comments via email.
> >
> > There isn't a strict time limit on how long members of the public can speak. However, we do ask that they limit the length of their comments and keep them concise and related to the subject matter of the hearing. If the Deputy Advisory Agency or Hearing Officer finds that the comment is not related to the project, they will ask that you stay on the subject matter and may ask that you wrap up your comment.
> >
> > David
> >
> > On Mon, May 6, 2024 at 9:15 AM Meyer Shwarzstein <meyer@anotherbrainyidea.com> wrote:
> >
> > > Hi, David,

During the Zoom, will we have the opportunity to share our screen? How long will we have to talk?

Thanks again for your guidance,
Meyer

On Mon, May 6, 2024 at 12:12 PM David Woon <david.woon@lacity.org> wrote:

Good Morning Shelly,

We do not get copies of any letters or comments that were filed with the SORO. Therefore, please send me any letters or comments that you would like to have for our record by Friday, May 17th.

The May 22nd hearing date is not the final decision date for this project as the Density Bonus entitlement request will also be presented to the City Planning Commission at a future date. You can continue to provide comments after this hearing.

Best,

David

On Mon, May 6, 2024 at 8:26 AM shelly rothschild <rothschildlaw@yahoo.com> wrote:

Hi David,
As you know, I have objections to this project. The hearing is on May 22. However, I will be traveling to Israel on a 15-hour flight on May 15, arriving May 16. I am 75 years old and disabled. It takes me a while to recover from jet lag from such a long trip, and I have been battling cancer for the second time. There is a 10-hour time difference. I have new lesions in my mouth that make it painful to talk. In short, I do not think I will be able to attend the hearing by Zoom on May 22.
Do the decision-makers at the hearing on May 22 get copies of what I filed before with SORO, or do I need to send them again to you so I can get them on record? If the latter, by when must I submit them to you? I have two days of medical appointments before I leave, which is coming up soon.

Shelly Rothschild
Email: rothschildlaw@yahoo.com Phone: 310-622-3470

--

LOS ANGELES CITY PLANNING

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

--

LOS ANGELES CITY PLANNING

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763

Los Angeles, CA 90012
(213) 978-1368 planning4la.org/e-news
E-NEWS

--

David Woon
Pronouns: He, His, Him
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
T: (213) 978-1368 | Planning4LA.org
E-NEWS

David Woon <david.woon@lacity.org>

1904-1906 Preuss Road Hearing May 22

Meyer Shwarzstein <meyer@anotherbrainyidea.com> Tue, May 14, 2024 at 3:42 PM
To: David Woon <david.woon@lacity.org>
Cc: shelly rothschild <rothschildlaw@yahoo.com>

Hi, David,

Here are PDF's of a couple of emails from Brian Silveira in which a) he acknowledges that we'll lose power generation due to the development and b) he refuses to mitigate the damage.

Also attached is a quote from a commercial solar company who installed a 300k system on our synagogue - this was a project that I spearheaded. As part of our deal with them, they offered residents reduced cost solar systems for our houses. Attached is a quote they gave me for our house. Even at a reduced rate, it would cost us $28,000 to upgrade our system to mitigate the damage.

Thanks,
Meyer

[Quoted text hidden]

3 attachments

Sunistics Quote - Solar.pdf
101K

Brian Silveira re Solar.pdf
91K

Brian Silveira re- Solar - refusal.pdf
78K

Re: Preuss Road - Issue 1 - Solar: CPC-2023-6115-DB-HCA; ENV-2023-6117-EAF; and VTT-84089-SL-HCA

Brian Silveira <brian@bsilveira.associates> Tue, Apr 16, 2024 at 5:46 PM
To: Meyer Shwarzstein <meyer@anotherbrainyidea.com>
Cc: Susan Kahn <susan@brainstormmedia.com>, hakeem.parke-davis@lacity.org, David Woon <david.woon@lacity.org>, Mayra Guevara <mayra.guevara@lacity.org>, Terry Gomes <Terrence.Gomes@lacity.org>, Grace Yoo <grace@graceforla.com>

Hi Meyer,

I understand that your solar will be diminished during the winter, and I really wish there were a workaround. I've spent a considerable amount of time researching options that would allow you to bank your solar. We remain open to any solution, but Marc is not willing to give you $25k for new solar panels.

Thanks,

B

[Quoted text hidden]

Brainstorm media

Meyer Shwarzstein <meyer@anotherbrainyidea.com>

Preuss Road - Issue 1 - Solar

Brian Silveira <brian@bsilveira.associates> Tue, Apr 16, 2024 at 3:09 PM
To: Meyer Shwarzstein <meyer@anotherbrainyidea.com>
Cc: Susan Kahn <susan@brainstormmedia.com>

Hi Meyer,

Apologies for the communication delay. I had to take some time off for personal reasons.

Marc is willing to provide the solar battery or other solar accommodations in that cost range, which I believe was around $5-10k. The amount you quoted for new panel would not be possible, but we could contribute to that cost.

Let me know if that works and I'll have Marc put something in writing.

Thanks,

B

[Quoted text hidden]

--

Brian Silveira
Founder + Principal
M: 310.753.1090

Brian Silveira & Associates I Venice, California I bsilveira.associates

Brainstorm media

Meyer Shwarzstein <meyer@anotherbrainyidea.com>

Solar for my house

Michael Knight <mknight@sunisticsgroup.com> Fri, May 3, 2024 at 3:34 PM
To: Meyer Shwarzstein <meyer@anotherbrainyidea.com>
Cc: David Kidman <dkidman@sunisticsgroup.com>

Hi Meyer:

It looks like a 6kW system works best for you. Ballpark pricing would be around $28K, all-in. A recent update to the tax credits allows a new solar project to enjoy the tax benefits even if you already realized them from the prior system, so you would be eligible for the ITC on a new system at 40%.

Thanks,
Michael Knight
Senior Partner
Sunistics Group: Simply Better Energy

Cell: 323.896.3247 | Email: mknight@sunisticsgroup.com | Website: www.sunisticsgroup.com |

CONFIDENTIALITY STATEMENT: This email and any files transmitted with it may contain information from Sunistics Group, which may be privileged and/or confidential and protected from disclosure and intended solely for the use of the recipients named. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or use of the contents of this message is prohibited. If you have received this transmission in error, please notify the sender by reply e-mail, and then destroy all copies of this transmission. Thank you.

Please consider the environment before printing this email or its attachments.

[Quoted text hidden]

Meyer Shwarzstein & Susan Kahn
1902 Preuss Road
Los Angeles, CA 90034
meyer@brainmedia.com

May 19, 2024

City of Los Angeles
Department of City Planning
Attention: Mr. David Woon
david.woon@lacity.org

RE: CPC-2023-6115-DB-HCA; ENV-2023-6117-EAF; and VTT-84089-SL-HCA
Dear hearing participants,

My name is Meyer Shwarzstein, and my wife is Susan Kahn. We have lived at 1902 Preuss Road since July 2000. When we moved in, the zoning was more limited than it is now, and we appreciated the privilege of living in an ethnically diverse neighborhood largely populated with single family homes and little traffic.

All that has changed. While we have concerns about traffic, noise, pollution, the cutting down of trees, and of the politics related to the development next door, we're going to primarily focus our comments on how this development will uniquely affect us and our home.

We will refer to various documents provided under separate cover.

1. The environment: this development is damaging in many ways.

   I'm a life-long environmentalist, having done solar research in college in the 1970s. As soon as we could afford to get solar panels for our house, we made the investment – realizing full well that it would take a long time to see a return on that investment. That was 15 years ago. We have owned 4 electric cars which have been powered by the solar energy produced by our home.

   Once this project is built, our ability to depend on that source of energy will be damaged. As you can see from the solar study that was done by the project's developers and from the statement from Brian Silveira;

a. the production capacity for our solar plant during many months of the year will be impeded.
b. the only way to mitigate the damage would be by adding more panels. Unfortunately, because our system is old, the panels we'd need to add are no longer available (new or used).
c. the only way to compensate for the loss of light would be to build a new system. Among the papers we provided is an email quote for $28,000 from a commercial solar contractor, Sunistics. This quote is below market; as part of a deal I negotiated with Sunistics on behalf of our synagogue, they agreed to offer members solar panels at their cost. By the time the Preuss Road development is built, this deal will expire, and the cost will be much more.
d. The California Solar Mandate instructs developers to add solar capacity to our energy grid. The city of Los Angeles has also given voice to support for alternative energy. This project fails on several counts. Instead of diminishing LA's carbon footprint, it will expand it:
    i. They are not providing a source of alternative energy
    ii. They are ripping out many trees and a lot of greenery to build structures which will absorb and radiate heat
    iii. We have almost 30 trees on our property – all but two of which we've planted since we lived here – and now many of them will be shaded much of the year
    iv. They are not using green techniques to build the structures – it will be a lot warmer near and at our house, forcing us to run our HVAC more frequently during the year.
e. The developers offer: A battery or $5,000. Given the extend of the damage, this offer is grossly insufficient.

2. Communication.

Brian Silveira has done a good job trying to find a middle ground on the structure of the fences between our properties and relating to our driveway gate. He's worked with the architect to provide accommodations that will work for both of us but, as of today, we haven't received any guarantees from the developer in writing. We have also not been given any assurances from the developer that we will have access to them or their representatives over the course of the project. We're on a hillside and the damage to our yard, our ADU and/or our 85-year-old home could be significant.

3. Given the limited control you have, what can do about it?

   Say "no" to the zoning variances requested.

   By keeping the front two units farther from the street and only 3 stories tall, there will be less shade over our house. It's not a perfect solution for the developer, for the neighbors, for the environment or for the neighborhood.

   It's a compromise that encourages development and tells neighbors that our voices still count.

Thank you for your time and consideration. We appreciate having had the opportunity to comment on the project and we hope our concerns will be taken into consideration as you consider their proposal.

Sincerely,

Meyer Shwarzstein and Susan Kahn

5/22/24 HEARING ON PROPOSED PROJECT AT 1904/1906 PREUSS ROAD: OBJECTION BY COTERMINOUS, ADJOINING SENIOR NEIGHBOR SHELLY ROTHSCHILD

I live at 1908 Preuss Road, directly next to, contiguous with, and adjoining the proposed project for which approvals are sought at this hearing at 1904-1906 Preuss Road. I am 75 years old, and my husband is 78. We have lived here for 38 years. I am battling cancer for the second time. and I am disabled from years of multiple spinal, hip, knee, abdomen, chest, and oral surgeries. This construction will endanger my health and destroy my home, as set forth in the Objections below.

I will be overseas on May 22 and unable to attend the hearing. Please distribute these to all decisionmakers at the hearing as my comments on the project.

-OBJECTION 1: An Updated Environmental Impact Statement was not filed for this project re subsidence of and earthquake damage to the entire block.

Our block is on a small hill that does not appear to be strong enough to hold such a massive project. It could cause the entire block of buildings on both sides to subside and fall down, destroying houses on all sides of the block. This includes my house at 1908 Preuss that is coterminous with and adjoining this massive project.

Per ZIMAS, this massive project is in Active Fault Near Earthquake Zone. A notice for this block states: "Please be advised that this parcel is located within the Alquist-Priolo Earthquake Fault Zone."

I note that the expert reports filed in support of this project are several years old; may be outdated as having been done before the recent spate of earthquakes and destabilizing torrential rains in California; and have not been updated.

In addition, a search of court files reveals a complaint was filed alleging that this applicant previously caused dangerous subsidence in other projects. It stated in relevant part that the applicant ("Defendants" in that lawsuit) destabilized the soil and foundation of Plaintiffs' property and, in the process undermined the support for Plaintiffs' property which caused damage to Plaintiffs' property:

> "Defendants failed to exercise ordinary care and skill when excavating the soil and when constructing the shoring system and Defendants failed to take reasonable precautions to sustain the adjoining land of Plaintiffs in its natural state.
>
> In addition, Defendants failed to give Plaintiffs reasonable notice of their true intentions as to the depth of the excavation, the construction of the shoring system including but not limited to, the excessive and severe vibration.

As a proximate result to Defendants excavating and construction of the shoring system in the negligent manner alleged in this complaint, Plaintiffs' land was deprived of its lateral support, and Plaintiffs' soil has subsided and slipped and the structural improvements on Plaintiffs' property have been threatened and are in danger of falling into the excavation or otherwise being damaged.

Defendants breached their duty to Plaintiffs and failed to exercise ordinary care and skill in making the excavations and failed to take reasonable precautions to sustain the adjoining land of Plaintiffs in its natural state.

As a proximate result of Defendants' Defendants' excavations, the lateral and subjacent support to Plaintiffs' land was undermined and compromised.

The property is not constructed so as to materially comply with the design criteria for earthquake and wind load resistance, as set forth in the applicable government building codes, regulations, and ordinances in effect at the time of original construction."

End of excerpts.

Although this was not the property that is the subject of the planning requests, it is located nearby, and the lawsuit was settled without trial after a massive deluge of retaliatory filings by the applicant, it may show a pattern of misconduct by applicant that may be repeated if the multiplicity of the exceptions sought by applicant is granted.

Based on the foregoing, an updated Environmental Impact Statement or other required permits must be required before any planning approvals are granted.

-OBJECTION 2: An Updated Environmental Impact Statement was not filed for this project regarding the release of deadly methane gas immediately next to us.

Per ZIMAS, this massive project is located in a Methane Buffer Zone. Review of court files reveals that a complaint was filed alleging that one of the subject properties at issue for approval previously was dug up for methane testing without the required permits. In relevant part, the Complaint alleged: "Defendant began tearing up the backyard [of 1904 Preuss Road] under the pretense of that Defendants are conducting soil analysis and methane testing without any required City if Los Angeles or State of California permits."

This involved one of the very same properties that is the subject of the approvals, 1904 Preuss Road. Although it was ultimately dismissed due to default, this was after a

massive deluge of retaliatory filings by applicant against the pro se plaintiffs, a pattern I saw before. Applicant hires a top law firm to bury their opponents with litigation against the small family or pro se plaintiffs until it is too expensive for them to continue.

This methane testing took place years ago, in 2017, and no updated methane testing may have taken place. Based on the foregoing, an updated Environmental Impact Statement and other required permits and testing must be required due to the risk of toxic methane gas release next to us before any approvals are granted.

-OBJECTION 3: NO justification has been shown to merit the grant of approvals for this massive project on this block.

The massive project sought for approvals will destroy this quiet neighborhood, which consists largely of single-family homes and some small apartments that fit into the current block design. On this block, people of all colors, all classes, all religions, and all ethnicities live together in peace and harmony, and help each other, and this project will drive them out by building the equivalent of an entire city block in the middle of one small street. We have been told that people from other areas of LA come to our block to enjoy walking there due to its unique character, which is to be annihilated.

This is "block busting." Applicant will drive us out by building a massive project next to us to deprive us of the quiet enjoyment of our premises. We are 75 and 78 years old, seniors who want to age in place, as per the city plan for this block; we are retired, and I am disabled and battling cancer for the second time. We deserve to live in peace. This is our home and the asset we rely on to sustain us during our elder years. We are as your grandparents would have been if a greedy developer sought to displace them.

This is not a project that is designed to fix the housing problems in LA. It is a luxury project for the most part: 11 of the 12 units may be sold for as much as two million dollars each, if not more, which is beyond what most people can afford in our city. The market for which this project is being built is for outside investors who can afford multimillion dollar apartments, not LA residents.

It also may damage the value of existing houses like my home, due to the destruction of the neighborhood zeitgeist, the danger of subsidence, the hazard of methane, the hazardous increase in traffic on a tiny street, the intolerable lack of parking, and the disruption of massive buildings being constructed over a lengthy period of time.

In one of their reports, applicant admits that the following huge number of machines and equipment will be used right next to us for a considerable period of time. This constitutes constructive eviction from our home:

Demolition Concrete Industrial Saws 1 Stationary 90 Barrier 70
Rubber Tired Dozers 1 Mobile 82 Muffler 67
Tractors/Loaders/Backhoes 2 Mobile 80 Muffler 65 Site Preparation
Graders 1 Mobile 85 Muffler 75
Tractors/Loaders/Backhoes 1 Mobile 80 Muffler 65
Grading Graders 1 Mobile 85 Muffler 75
Rubber Tired Dozers 1 Mobile 82 Muffler 67
Tractors/Loaders/Backhoes 1 Mobile 78 Muffler 65 Building
Construction
Cranes 1 Mobile 81 Muffler 66
Forklifts 2 Mobile 75 None 75
Tractors/Loaders/Backhoes 2 Mobile 80 Muffler 65 Paving Cement and Mortar
Mixers 4 Mobile 79 Muffler 64 Pavers 1 Mobile 77 Muffler 62
Rollers 1 Mobile 80 Muffler 65
Tractors/Loaders/Backhoes 1 Mobile 78 Muffler 65 Architectural
Coating
Air Compressors 1 Stationary 78 Barrier 58

Review of court files reveals that a complaint was filed alleging that the applicant created unreasonable noise, dust, and disturbance in prior construction on 1904 Preuss Road, one of the parcels at issue, due to their use of heavy equipment during construction.

Moreover, there is no protection given to us by applicant from the inevitable trespass, noise, pollution, dust. theft, smelly, unhealthy portable toilets, blocking of traffic and parking, vibration, and massive invasion of privacy that we will suffer from the contractors, subcontractors, trucks, crews, and the new residents who can impinge on our property. NO fences, no hedges will be built by the applicant to screen their intrusions into our privacy and protect us from trespass.

In short, this is a massive project not suited to our neighborhood. It is block-busting. It will deprive existing residents of the enjoyment of their properties and decrease the value of their homes, their sole or major assets. It will defeat the "aging in place" for seniors like us, intended by the city plan. It will not provide affordable housing for LA residents, but rather investments for non-resident millionaires.

Is that what LA city planning seeks to achieve: to destroy the lives of its residents in favor of unaffordable apartments build by greedy developers for millionaire investors who do not live here?

There may be many other places applicant can build his project without destroying our

neighborhood, but as we are comprised of small working class and retired families, we may be viewed as "easy pickings" because we can be harassed and outspent with applicant's pattern of retaliatory tactics if we object.

Why doesn't the applicant build in his own home area, right across the street of Robertson in Beverlywood? Could it that he does not want to destroy his own neighborhood? Could it be because Beverlywood would never grant approvals for this massive, intrusive project? In contrast, our block may be viewed as easy prey and an easy target, with no planning authority protecting us from intrusive and unsuitable incursions.

I note that in one of its reports supporting the project, applicant admits: "Of the nearby sensitive land uses, the property which would experience the greatest level of noise from HVAC operation would be the single-family residence to the south of 1906 Preuss Road at 1908 Preuss Road (our home). Units G, H, and I are the nearest to1908 Preuss Road (with a composite reference noise level of 72.8 dBA) and have approximately 9 Units J, K, and L are located adjacent to the portion of 1908 Preuss Road's property that is not developed and would therefore not impact residents inside their home." (Emphasis added)

This is a false and misleading statement: all of our property at 1908 Preuss Road is our home, used and developed. We use the front and back yards constantly as our place of rest and respite. Our children and grandchildren play there. We have planted 27 fruit trees. It is our outdoor home to enjoy our last years, and it will be rendered unusable by this project.

Where is it written in LA planning directives that LA residents are condemned to only using "the inside" of their homes and therefore are unable to enjoy their entire property? Nowhere.

Based on the foregoing, there must be found an irrefutable justification for the granting of the approvals that will destroy our home and our neighborhood. There is none.

-OBJECTION 4: No analysis was made of the parking problems this massive project will cause to existing landowners.

It almost impossible to find parking on our block under current circumstances for many times during the day. When our brother died, we had to limit condolence visits to our home because no one could find parking on our block.

Building this massive project will make it worse. A two-car garage will not be

sufficient. Each member of the family may need a car, and guests, relatives, service providers, workers, and other invitees also will need to park. The millionaire investors who buy these units probably will rent them out to a multiplicity of subtenants, who could not afford the high rents without sharing with a group of others. There is no provision for parking of these tenants, and their guests, workers, and other invitees.

This was not evaluated: the reports used by the applicant were general ones related to parking in LA and were not specific to our unique, narrow, and special block. Not only do residents on our block and their guests park on our street, but also those from adjacent streets who seek to avoid the car thefts and gang violence plaguing their areas. We all will be shut out, solely so that a greedy developer can make millions off our suffering.

Based on the foregoing, there must be an irrefutable justification for approval of a massive project on our tiny, unique block that will increase already intolerable parking problems. There is none.

-OBJECTION 5: NO analysis been done as to the impact of this project on the children playing and people walking to places of worship who live or visit on this block and will be impacted by the increased traffic on the block caused by this massive project.

Our tiny street is very narrow. Two cars cannot pass each other without one pulling aside. Increased traffic from this massive project will be a constant danger to those who live here.

Many families on this block have young children who walk or play in or near our tiny street, and guests like our grandchildren who do so when they visit. I witnessed a child being hit recently who had just stepped off the curb on our block. A car speeding down the street hit him.

In addition, many people walk on this block to nearby places of worship. They may be at risk due to the increase in traffic that may be caused by this project. A truck recently slammed into my husband as he sat in our car parked in front of our house.

This is a block where this massive, intrusive project will pose a danger to children, grandchildren, and Christian, Sikh, and Jewish worshippers living here. This has not been evaluated. My 78 year-old husband walks down Preuss Road every Friday night, Saturday, and Holy Days to pray, exposing him to the increased traffic that will be caused by this projects. He walks very slowly and in great pain because he has spinal stenosis and sciatica of his lumbar spine and bursitis of his hip. I use a walker and cane.

On our narrow little street, we would not be able to dodge the newly increased traffic of Ferraris, Lamborghinis, and Porsches that will be coming from the new Levittown to be built on our block, if this project is approved.

The applicant's reports justify this increase in traffic by referring to general traffic conditions in our city, not our specific street. He relies on a report that does not even relate to Los Angeles, but rather to different cities.

He says we should ride bicycles and give up our cars, to reduce traffic, with no thought of how difficult that would be for 75 and 78 year old seniors, especially me, an old lady fighting cancer, and disabled from years of multiple spine, hip, knee, abdominal, chest, and oral surgeries. This is ludicrous: Why should we suffer, we who live here and cannot walk without pain, not to mention ride bicycles to distant cancer appointments, so he can make millions.

Our tiny, special, unique, narrow street should be preserved for the safety of those who live here. It will be destroyed by this project, so that a greedy developer can make a buck. Is this what LA city planning is intended to achieve?

Based on the foregoing, there must an irrefutable justification for granting the approvals to create an unreasonable risk to our children, grandchildren, seniors, the disabled, and those seeking to pray in safety, a risk that will be caused by the increased traffic produced on our narrow block by this massive project.

-OBJECTION 6: The project will severely diminish our internet access in our homes, drastically affecting the livelihood and lives of those who live here.

We live in an era where people work remotely from their homes using the internet; children use the internet to learn at home; alarm and security systems that protect us use the internet; and everyone's source of information, news and entertainment is obtained through the internet in their homes, including movies, music, games, work and school research, elections, concerts, politics, city laws, and books for all ages.

Due to the massive nature of the project, it may detrimentally affect the crucial internet access and internet speed on our block, which is essential for me and other residents, as our sole source of the above information. This has been addressed with the applicant's lobbyists, who have offered no solution. They say that we must do the work, which they imposed on us, to contact our internet providers and pay for improvements that they unilaterally have caused to be needed.

To the contrary, it is a cardinal principle of California law that those who destroy the

quiet enjoyment of others must compensate them or pay for the needed resolution. themselves. Destroying our quiet enjoyment to make millions, and then forcing those who are injured to pay themselves for the damage inflicted is antithetical to our laws.

I note that SORO NC did not approve this project and urged its rejection. Although advisory, SORO NC is in charge of preserving and protecting its residents and their quality of life, including mine and my neighbors. As such, SORO NC's views and recommendations should be given some weight by LA City Planning.

Moreover, in one of the conditional approvals of this project, it is required that the applicant get the notarized consent of adjoining neighbors. We are adjoining neighbors, and for all of our objections, we do not consent.

FYI, the applicant will urge approval based on the existence other projects being built on our block. These projects are not directly contiguous and adjoining to our home as applicant's project will be. We further received no notice and opportunity to be heard as to these other projects, in violation of our right to due process to oppose them.

-OBJECTION 7: THE PROJECT WILL VIOLATE OUR FIRST AMENDMENT RIGHT TO FREEDOM OF RELIGION.

We have asked the applicant not to engage in construction on our Sabbath and Holy Days, on which I use our home, directly next door, to pray because I cannot walk to temple and on which we recite psalms on our day of rest, and engage in quiet meditation.

He refuses. He says it is up to his contractor, and therefore, he can and will use all of those demolition and construction activities, his multiplicity of trucks, machines and equipment to destroy the practice of our religion. He offered us a week in a hotel, but never put it in writing, and construction may last at least 12-18 months.

Moreover, it is untrue that it solely up to the contractor to decide whether to destroy the practice of our religion. The contractor is merely the agent of the applicant that he hires to work **for him** on **his** property and at **his** instructions. The applicant can control the days and time of work through his agreements with his contractor, who must comply. Plus, as the principal of the agent contractor, the applicant is responsible and liable for his agent's actions.

Thus, the applicant's activities, virtually on top of our home, will interfere with the practice of our religion, in violation of the First Amendment to the US Constitution.

-CONCLUSION: Based on all of the foregoing objections, the project at issue

should not be approved.

-Shelly Rothschild for herself and all other residents of Preuss Road, who will be irreversibly injured by approval of this massive project of $2 million, unaffordable, apartments for the benefit of non-resident millionaires and a greedy developer.

End of Document

EXHIBIT H

DEPARTMENT LETTERS

David Woon <david.woon@lacity.org>

Filing Notification and Distribution for: Case file No. VTT-84089-SL-HCA

Eng LandDev <eng.landdev@lacity.org> Tue, Apr 9, 2024 at 8:48 AM
To: Planning Expedited <planning.expedited@lacity.org>
Cc: Nora Morales <nora.morales@lacity.org>, Quyen Phan <quyen.phan@lacity.org>

Good Morning,

BOE has reviewed the revised VTT 84089-SL-HCA map stamp-dated April 8, 2024. We have no additional comments and our recommendation report dated December 11, 2023 is valid for this map. Please see the attached report and let me know if you have any questions. Thank you.

[Quoted text hidden]

--

Permit Case Management Division | Land Development Group
Bureau of Engineering | Department of Public Works
201 N. Figueroa St., Suite 290, Los Angeles, CA 90012 MS 901

****

84089-revised.pdf
59K

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

Date: December 11, 2023

To: Vincent P. Bertoni, Director
Department of City Planning
Attention: Deputy Advisory Agency

From: Bertram Moklebust, Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering (BOE)

Subject: **Vesting Tentative Tract Map No. 84089**

Transmitted is a print of vesting tentative map of Tract Map No. 84089, stamp-dated October 6, 2023 and located at 1904-1906 South Preuss Road in Council District 10.

This map has been filed for a 12-lot single-family residential **Small Lot Subdivision** purposes. Proposed lot lay-outs and common access easement shall be reviewed and approved by Planning Department.

Street dedication required on Preuss Road in conformance with Local Street standards under Mobility Plan 2035, is not shown on the vesting tentative tract map.

There are existing sewers available in Preuss Road and Alley adjoining the subdivision. The construction of mainline and house connection sewers within suitable easements may be required to serve the tract. This tract will connect to the public sewer system and will not result in violation of the California Water Code. I therefore recommend that you make the necessary determination.

In the event you approve the vesting tentative map of Tract No. 84089, then please include the engineering standard conditions issued by your department and the following special conditions:

1. That a 5-foot wide strip of land be dedicated along Preuss Road adjoining the tract to complete a 30-foot wide half right-of-way in accordance with Local Street standards.

2. That a 2.5-foot wide strip of land be dedicated along the alley adjoining the tract to complete 10-foot wide half alley.

3. That the 5-foot wide water easement within the tract boundary be shown on the final map.

4. That if this tract map is approved as" Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.

5. That if this tract map is approved as small lot subdivision, then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.

6. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.

7. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.

8. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.

9. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

10. That all pedestrian common access easements be shown on the final map.

11. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

    a) Improve Preuss Road being dedicated and adjoining the subdivision by the construction of the following:

        (1) A concrete curb, a concrete gutter, and a 12-foot wide concrete sidewalk with tree wells or a 5-foot Wide concrete sidewalk and landscaping of the parkway.

        (2) Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.

        (3) Any necessary removal and reconstruction of existing improvements.

        (4) The necessary transitions to join the existing

improvement.

b) Improve the alley adjoining the subdivision by the construction of a new 2-foot wide longitudinal concrete gutter and suitable surfacing to complete a 10-foot wide half alley, including any necessary removal and reconstruction of the existing improvements.

c) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

Any questions regarding this report may be directed to Quyen Phan of my staff via quyen.phan@lacity.org.

FORM GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: 10/11/2023

To: Mr. Vincent P. Bertoni, Director
Department of City Planning
200 N. Spring St., 5th Flr, MS-395

From: Gil De La Cruz, P.E.
Case Management Supervisor
Private Development Division
Bureau of Street Lighting

SUBJECT: STREET LIGHTING REQUIREMENTS FOR DISCRETIONARY ACTIONS

CITY PLANNING CASE No.: TRACT 84089 SL HCA
1904 S PREUSS ROAD

The Bureau of Street Lighting's recommended condition of approval for the subject city planning case is as follows: (Improvement condition added to S-3 (c) where applicable.)

IMPROVEMENT CONDITION: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, relocate and upgrade street light: one (1) on Preuss Road

NOTES:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

CC: Land Development Group MS 901
Engineering District Office: WLA

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: May 1, 2024

TO: Heather Bleemers, Deputy Advisory Agency
200 N. Spring Street, Room 721
Department of City Planning

FROM: Laura Duong, Subdivision Review
Minye Pak, Zoning Engineer
201 N. Figueroa Street, Room 1030
Department of Building and Safety

SUBJECT: **TRACT MAP NO. 84089 - SL - Vesting – HCA – Revised Map**
1904 S. PREUSS ROAD

The Department of Building and Safety Zoning Section has reviewed the above Subdivision Map, distributed on April 8, 2024 by the Department of City Planning. The site is designated as being in the **RD1.5-1 Zone**. This Small Lot Subdivision shall comply with the requirements pursuant to Ordinance No. 185,462. A clearance letter will be issued stating that no Building or Zoning Code violations exist on the subject site once the following items have been satisfied.

a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

b. Lot 7 shall provide a 20 ft. setback as per the 20 ft. Building Line along Preuss Road. Revise the map to show compliance with the required setback per the 20 ft. Building Line or obtain approval from the Department of City Planning to remove the existing 20 ft. Building Line.

c. The submitted map does not comply with the maximum density (1,500 s.f. of lot area/dwelling unit) requirement of the RD1.5 Zone. A half of the alley can be used for density purposes. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.

d. Show all street/alley dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Density and front and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication.

Notes:

There is a 20 ft. Building Line along portion of Preuss Road for Proposed Lot 7.

Owners are to record a Maintenance Agreement that runs with the land for the purpose of reciprocal private easements maintenance program to all common areas and shared facilities such as trees, landscaping, drainage, trash, parking, community driveway (ground floor width and width clear to sky above the ground floor level), including walkways as shown on the approved Small Lot Subdivision Map.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 or laura.duong@lacity.org to schedule an appointment.

cc: planning.expedited@lacity.org

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: October 13, 2023

TO: Heather Bleemers, Deputy Advisory Agency
200 N. Spring Street, Room 721
Department of City Planning

FROM: Laura Duong, Subdivision Review
Minye Pak, Zoning Engineer
201 N. Figueroa Street, Room 1030
Department of Building and Safety

SUBJECT: **TRACT MAP NO. 84089 - SL - Vesting – HCA**
1904 S. PREUSS ROAD

The Department of Building and Safety Zoning Section has reviewed the above Subdivision Map, distributed on October 6, 2023 by the Department of City Planning. The site is designated as being in the **RD1.5-1 Zone**. This Small Lot Subdivision shall comply with the requirements pursuant to Ordinance No. 185,462. A clearance letter will be issued stating that no Building or Zoning Code violations exist on the subject site once the following items have been satisfied.

a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

b. The following setbacks shall apply to the perimeter of the subdivision:

- The lot line for the subdivision shall apply to the perimeter of the subdivision as follows: front lot line along the street, side lot lines along north and south perimeter, and rear lot line along the east perimeter of subdivision along the alley.
- Revise the Setback Matrix on the Map to show compliance with the required designations or obtain approval from the Department of City Planning for the setbacks as indicated in the Setback Matrix.

c. Lot 7 shall provide a 20 ft. setback as per the 20 ft. Building Line along Preuss Road. Revise the map to show compliance with the required setback per the 20 ft. Building Line or obtain approval from the Department of City Planning to remove the existing 20 ft. Building Line.

d. The submitted map does not comply with the maximum density (1,500 s.f. of lot area/dwelling unit) requirement of the RD1.5 Zone. A half of the alley can be used for density purposes. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.

e. Show all street/alley dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Density and front and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication.

Notes:

There is a 20 ft. Building Line along portion of Preuss Road for Proposed Lot 7.

Owners are to record a Maintenance Agreement that runs with the land for the purpose of reciprocal private easements maintenance program to all common areas and shared facilities such as trees, landscaping, drainage, trash, parking, community driveway (ground floor width and width clear to sky above the ground floor level), including walkways as shown on the approved Small Lot Subdivision Map.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 or laura.duong@lacity.org to schedule an appointment.

cc: planning.expedited@lacity.org

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

JAVIER NUNEZ
PRESIDENT

ELVIN W. MOON
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL
LAUREL GILLETTE
GEORGE HOVAGUIMIAN

CITY OF LOS ANGELES
CALIFORNIA

KAREN BASS
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

JOHN WEIGHT
EXECUTIVE OFFICER

GEOLOGY AND SOILS REPORT APPROVAL LETTER

May 5, 2023

LOG # 125722
SOILS/GEOLOGY FILE - 2
AP-Newport Inglewood Fault Zone

Risa & Marc Dauer
2113 Duxbury Circle
Los Angeles, CA 90034

TRACTS: 12110 // 1250
LOTS: FR 24 // 44
LOCATION: 1904 & 1906 S. Preuss Road

CURRENT REFERENCE REPORT/LETTER	REPORT No.	DATE OF DOCUMENT	PREPARED BY
Geology/Soils Report	SG 9402-W	03/24/2023	Schick Geotechnical, Inc.
Oversized Doc(s).	``	``	``

PREVIOUS REFERENCE REPORT/LETTER(S)	REPORT No.	DATE OF DOCUMENT	PREPARED BY
Dept. Approval Letter	117724	08/03/2021	LADBS
Addendum Report	SG 9402-W	03/01/2021	Schick Geotechnical, Inc.
Dept. Approval Letter	101108-03	08/28/2018	LADBS
Response Report	SG 9402-W	08/23/2018	Schick Geotechnical, Inc.
Response Report	``	07/17/2018	``
Response Report	``	06/18/2018	``
Fault Report	``	06/14/2018	``
Geology/Soils Report	``	11/25/2017	``
Laboratory Test Report	SL17.2499	06/28/2017	Soil Labworks, LLC

The Grading Division of the Department of Building and Safety has reviewed the current reference report dated 03/24/2023 that provides recommendations for the proposed construction of twelve multi-level single family residences with basements and retaining walls. The earth materials at the subsurface exploration locations consist of up to 3 feet of uncertified fill underlain by up to 3 feet of native soil underlain by alluvium. The consultants recommend to support the proposed structures on conventional foundations bearing on native undisturbed soils.

The project is located within a Fault Zone identified by the State of California Alquist-Priolo Act. According to the referenced reports, no evidence of active fault rupture was found in the portion of the site within the limits of exploration. The reports conclude that the portion of the site to the west of the 5-foot fault setback zone is free from active fault rupture. This conclusion is predicated on subsurface data obtained from the subject site.

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

The Department previously conditionally approved the above previous reference reports for a surface fault rupture hazard investigation (fault report) the previously proposed construction of a 5-story multi-family structure with subterranean parking, shoring and retaining walls in a letter dated 08/28/2018, Log #101108-03 and for two, 3-level duplexes with basement and retaining walls in a letter dated 08/03/2021, Log #117724.

The referenced reports are acceptable for the currently proposed project, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis ( ) refer to applicable sections of the 2020 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. No structures for human occupancy shall be located to the east of the 5-foot fault setback zone depicted on the Site Map of the 03/24/2023 report. If structures for human occupancy are proposed in this area, submit a supplemental report to the Grading Division for review and approval.

2. The project engineering geologist shall observe all final removal excavations to verify that the conclusions of the current fault investigation are correct and that no fault trace or evidence of ground deformation are exposed in the excavation. Each panel of the shoring excavation shall be logged prior to installation of lagging and a field memo documenting that the panel has been logged shall be prepared for review by the Deputy Grading Inspector and Building Inspector(s). A supplemental report that summarizes the geologist's observations shall be submitted to the Grading Division of the Department upon completion of the excavations. If evidence of faulting is observed, the Grading Division shall be notified and a site meeting scheduled.

3. The entire site shall be brought up to the current Code standard (7005.9).

4. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Development Services and Permits Program for the proposed removal of support and/or retaining of slopes adjoining to public way (3307.3.2).

   201 N. Figueroa Street 3rd Floor, LA (213) 482-7045

5. Secure the notarized written consent from all owners upon whose property proposed grading/construction access is to extend, in the event off-site grading and/or access for construction purposes is required (7006.6). The consent shall be included as part of the final plans.

6. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans that clearly indicates the geologist and soils engineer have reviewed the plans prepared by the design engineer; and, that the plans include the recommendations contained in their reports (7006.1).

7. All recommendations of the reports that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

8. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans (7006.1). Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.

9. A grading permit shall be obtained for all structural fill and retaining wall backfill (106.1.2).

10. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95

percent relative compaction based on maximum dry density. Placement of gravel in lieu of compacted fill is only allowed if complying with LAMC Section 91.7011.3.

11. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill (1809.2, 7011.3).

12. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction (7013.12).

13. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cubic yards (7007.1).

201 N. Figueroa Street 3rd Floor, LA (213) 482-7045

14. All loose foundation excavation material shall be removed prior to commencement of framing. Slopes disturbed by construction activities shall be restored (7005.3).

15. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the General Safety Orders of the California Department of Industrial Relations (3301.1).

16. Temporary excavations that remove lateral support to the public way, adjacent property, or adjacent structures shall be supported by shoring, as recommended. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)

17. Prior to the issuance of any permit that authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation (3307.1).

18. The soils engineer shall review and approve the shoring plans prior to issuance of the permit (3307.3.2).

19. Prior to the issuance of the permits, the soils engineer and/or the structural designer shall evaluate the surcharge loads used in the report calculations for the design of the retaining walls and shoring. If the surcharge loads used in the calculations do not conform to the actual surcharge loads, the soil engineer shall submit a supplementary report with revised recommendations to the Department for approval.

20. Shoring shall be designed for a minimum EFP of 67 PCF; all surcharge loads shall be included into the design, as recommended.

21. Shoring shall be designed for a maximum lateral deflection of 0.5 inch, as recommended.

22. A shoring monitoring program shall be implemented to the satisfaction of the soils engineer.

23. All foundations shall derive entire support from native undisturbed alluvial terrace soils, as recommended and approved by the geologist and soils engineer by inspection.

24. Foundations adjacent to a descending slope steeper than 3:1 (horizontal to vertical) in gradient shall be a minimum distance of one-third the vertical height of the slope but need not exceed 40 feet measured horizontally from the footing bottom to the face of the slope (1808.7.2).

25. Buildings adjacent to ascending slopes steeper than 3H:1V in gradient shall be setback from the toe of the slope a level distance measured perpendicular to slope contours equal to one-half the vertical height of the slope, but need not exceed 15 feet (1808.7.1).

26. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4), ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top of the footing.

27. The foundation/slab design shall satisfy all requirements of the Information Bulletin P/BC 2017-116 "Foundation Design for Expansive Soils" (1803.5.3).

28. Slabs placed on approved compacted fill shall be at least 4 inches thick, as recommended, and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.

29. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 4 inches thick, as recommended, and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.

30. The seismic design shall be based on a Site Class D, as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.

31. Retaining walls shall be designed for the lateral earth pressures specified in the section titled "Retaining Walls" starting on page 9 of the 03/24/2023 report. All surcharge loads shall be included into the design.

32. Retaining walls higher than 6 feet shall be designed for lateral earth pressure due to earthquake motions as specified on the wall pressure analysis of the reference report (1803.5.12).

33. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted in a non-erosive device to the street in an acceptable manner (7013.11).

34. With the exception of retaining walls designed for hydrostatic pressure, all retaining walls shall be provided with a subdrain system to prevent possible hydrostatic pressure behind the wall. Prior to issuance of any permit, the retaining wall subdrain system recommended in the soils report shall be incorporated into the foundation plan which shall be reviewed and approved by the soils engineer of record (1805.4).

35. Installation of the subdrain system shall be inspected and approved by the soils engineer of record and the City grading/building inspector (108.9).

36. Basement walls and floors shall be waterproofed/damp-proofed with an LA City approved "Below-grade" waterproofing/damp-proofing material with a research report number (104.2.6).

37. Prefabricated drainage composites (Miradrain, Geotextiles) may be only used in addition to traditionally accepted methods of draining retained earth.

38. The structures shall be connected to the public sewer system per P/BC 2020-027.

39. All roof, pad and deck drainage shall be conducted to the street in an acceptable manner in non-erosive devices or other approved location in a manner that is acceptable to the LADBS and the Department of Public Works; water shall not be dispersed on to descending slopes without specific approval from the Grading Division and the consulting geologist and soils engineer (7013.10).

40. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS (7013.10).

41. Any recommendations prepared by the geologist and/or the soils engineer for correction of geological hazards found during grading shall be submitted to the Grading Division of the Department for approval prior to use in the field (7008.2, 7008.3).

42. The geologist and soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading (7008, 1705.6 & 1705.8).

43. Prior to pouring concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the work inspected meets the conditions of the report. No concrete shall be poured until the LADBS Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)

44. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction; shoring; protection fences; and, dust and traffic control will be scheduled (108.9.1).

45. Installation of shoring shall be performed under the inspection and approval of the soils engineer and deputy grading inspector (1705.6, 1705.8).

46. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included (7011.3).

47. No footing/slab shall be poured until the compaction report is submitted and approved by the Grading Division of the Department.

CASEY LEE JENSEN
Engineering Geologist Associate III

DAN RYAN EVANGELISTA
Structural Engineering Associate IV

CLJ/DRE:clj/dre
Log No. 125722
213-482-0480

cc: Billy Diep, Applicant
Schick Geotechnical, Inc., Project Consultant
LA District Office

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
Grading Division

District LA	Log No. 125722

APPLICATION FOR REVIEW OF IMPORT-EXPORT ROUTES

INSTRUCTIONS

A. Address all communications to the Grading Division, LADBS, 201 N. Figueroa St., 3rd Fl., Los Angeles, CA 90012
Telephone No. (213) 482-0480.
B. Submit one copy of application with items "1" through "4" and "10" completed.
C. Check should be made to the City of Los Angeles.

1. LEGAL DESCRIPTION
Tract: TR 12110 & TR 1250
Block: NONE Lots: 24, 44 & A PORTION OF 45

2. PROJECT ADDRESS:
1904-1906 PREUSS RD, LOS ANGELES, CA 90034

3. OWNER: RISA & MARC DAUER
Address: 2113 DUXBURY CIRCLE
City: LOS ANGELES Zip: 90034
Phone (Daytime): 310-753-2311

4. APPLICANT BILLY DIEP
Address: 127 ARENA ST
City: EL SEGUNDO Zip: 90245
Phone (Daytime): 310-322-3700
E-mail address: BILLY.D@BREAKFORMDESIGN.COM

5. GRADING PERMIT APPLICATION #:

6. PLAN CHECK #:

7. Status of project: ☑ Proposed ☐ Under Construction ☐ Storm Damage

8. Previous site reports? ☑ YES if yes, give date(s) of report(s) and name of company who prepared report(s)
03/01/2021, SG 9402-W SCHICK GEOTECHNICAL, INC.

9. Previous Department actions? ☑ YES if yes, provide dates and attach a copy to expedite processing.
Dates: 08/03/2021

10. Applicant Signature: Position: Project Manager

(DEPARTMENT USE ONLY)

REVIEW REQUESTED	FEES	REVIEW REQUESTED	FEES
☐ Soils Engineering		No. of Lots	
☐ Geology		No. of Acres	
☐ Combined Soils Engr. & Geol.		☐ Division of Land	
☐ Supplemental		Other	
☑ Combined Supplemental	363.00	☑ Expedite	181.50
☐ Import-Export Route		☐ Response to Correction	
Cubic Yards:		☐ Expedite ONLY	
		Sub-total	544.50
		One-Stop Surcharge	129.80
		TOTAL FEE	674.30

Fee Due: 674.30
Fee Verified By: ML Date: 4/8/23
(Cashier Use Only)

1554629 Pd 4/10/23

ACTION BY: _____

THE REPORT IS: ☐ NOT APPROVED
☐ APPROVED WITH CONDITIONS ☐ BELOW ☐ ATTACHED

For Geology — Date

For Soils — Date

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

1904 S. Preuss Rd.

Date: October 17, 2023

To : Deputy Advisory Agency
Department of City Planning

From: Jimmy Vivar, Transportation Engineering Associate
Department of Transportation

Subject: **VESTING TENTATIVE TRACT MAP NO. 84089**

Reference is made to your request for review of this case regarding potential traffic access problems. Based upon this review, it is recommended that:

1. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line or as shall be determined to the satisfaction of the Department of Transportation.

2. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk (not applicable when driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway), LAMC 12.21 A.

3. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org

4. That a fee in the amount of $205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

Please contact this section at ladot.onestop@lacity.org for any questions regarding the above.

Council District No. 10
Hollywood-Wilshire District

Los Angeles Department of Water & Power

BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners
Richard Katz, President
George S. McGraw, Vice President
Nurit D. Katz
Mia Lehrer
Wilma J. Pinder
Chante L. Mitchell, Secretary

Janisse Quiñones, Chief Executive Officer and Chief Engineer

June 18, 2024

Mr. Vince Bertoni
Department of City Planning
200 North Spring Street, Room 721
Los Angeles, California 90012

Dear Mr. Bertoni:

Subject: Tract No. 84089
1904-1906 Preuss Road (South of Sawyer Street and East of Preuss Road)

This is in reply to your letter dated June 17, 2024. This tract can be supplied with water from the municipal system subject to the Los Angeles Department of Water and Power's (LADWP) Water System Rules and upon payment of regular service connection charges. All required water mains have been installed.

On the basis of the map submitted with your form letter, the LADWP's Water Services Organization (WSO) will not object to the recording of the subdivision map.

Questions regarding WSO clearance should be directed to LADWP, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1225.

Sincerely,

Rafael Viramontes

Rafael Viramontes, P.E.
Engineer of Western District
Water Distribution Engineering

JC:rp

c: Bureau of Engineering (2)
Land Developing and Mapping Division
District Engineer
Map No. 128-171

Forma Engineering, Inc.
Los Angeles City Fire Department
Water Service Representative

Los Angeles Department of Water & Power

BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners
Cynthia McClain-Hill, President
Nicole Neeman Brady, Vice President
Nurit Katz
Mia Lehrer
George S. McGraw
Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

December 29, 2023

Mr. Vince Bertoni
Department of City Planning
200 North Spring Street, Room 721
Los Angeles, California 90012

Dear Mr. Bertoni:

Subject: Tract No. 84089
1904-1906 Preuss Road – South of Sawyer Street and East of Preuss Road

This is in reply to your letter dated October 10, 2023. This tract can be supplied with water from the municipal system subject to the Los Angeles Department of Water and Power's (LADWP) Water System Rules and upon payment of regular service connection charges. All required water mains have been installed.

On the basis of the map submitted with your form letter, the LADWP's Water Services Organization (WSO) will not object to the recording of the subdivision map.

Questions regarding WSO clearance should be directed to LADWP, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1225.

Sincerely,

Rafael Viramontes

Rafael Viramontes, P.E.
Engineer of Western District
Water Distribution Engineering

OT:rp

c: Bureau of Engineering (2)
Land Developing and Mapping Division
District Engineer
Map No. 128-171

Forma Engineering, Inc.
Los Angeles City Fire Department
Water Service Representative

Los Angeles Department of Water & Power

BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners
Cynthia McClain-Hill, President
Nicole Neeman Brady, Vice President
Nurit Katz
Mia Lehrer
George S. McGraw
Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

December 29, 2023

Forma Engineering, Inc.
400 San Fernando Mission Boulevard, 2nd Floor
San Fernando, California 91340

Ladies and Gentlemen:

Subject: Subdivision No. 84089

Enclosed is a copy of the Water System's letter to the Department of City Planning, setting forth the conditions under which water service can be provided to this subdivision. This response relates to the Water System's conditions only.

If improvements are proposed within existing dedicated streets, we must review your preliminary street improvement plans. If adjustments to water facilities are necessary, the developer may be required to pay for the cost of such adjustments. Please submit a copy of your street improvement plans after the City's District Engineer has signed them so that we can expedite determination of the need for adjustments.

After we receive the final plans and payment for the necessary adjustments, it will take us a minimum of 90 days to complete the design of the water facility adjustments and begin construction. The minimum duration is subjected to Bureau of Engineering's (BOE's) permitting conditions and requirements, and the availability of Los Angeles Department of Water and Power (LADWP) construction crews.

For additional information regarding the subdivision process, please refer to the enclosed fact may be addressed to LADWP, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700.

Sincerely,

Rafael Viramontes

Rafael Viramontes, P.E.
Engineer of Western District
Water Distribution Engineering

OT:rp
Enclosure

+FORM. GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

October 11, 2023

TO: Vincent Bertoni, AICP, Director of Planning
Department of City Planning
Attention: planning.expedited@lacity.org

FROM: Los Angeles Fire Department

SUBJECT: **VTT-84089.:1904-1906 Preuss**

Submit plot plans for Fire Department approval and review prior to recordation of Tract Map action.

RECOMMENDATIONS:

Access for Fire Department apparatus and personnel to and into all structures shall be required.

Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Fire Lane Requirements:

1) Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
3) Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
4) Submit plot plans indicating access road and turning area for Fire Department approval.
5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
6) Plans showing areas to be posted and/or painted, “FIRE LANE NO PARKING” shall be submitted and approved by the Fire Department prior to building permit application sign-off.

7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.

Site plans shall include all overhead utility lines adjacent to the site.

Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

Smoke Vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.

No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".

Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.

Standard cut-corners will be used on all turns
Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.

The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

FPB #105
5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

A. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.

B. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed or their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.

C. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.

D. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.

E. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.

Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6543**. You should advise any consultant representing you of this requirement as well.

Kristin M. Crowley
Fire Chief

David A. Perez, Fire Marshal
Bureau of Fire Prevention and Public Safety

DP:MRC:mrc

VTT-84089.:1904-1906 Preuss

FORM GEN. 160 (REV. 6-80)

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: June 27, 2024

TO: Shana M.M. Bonstin
Arthi L. Varma
Lisa M. Webber
Deputy Director of Planning
Department of City Planning

FROM: Kwasi Berko, Division Manager
Clean Water North Conveyance Division
LA Sanitation & Environment

SUBJECT:

ADM-2024-391-PMUL	408 E Manchester Ave, Playa Del Rey
CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI	3701 W Stocker St
TRACT MAP No. VTT-83382	2017-2045 E Violet; 2016-2040 E 7th PL
TRACT MAP No. VTT-83387	700-7800 W Beverly Blvd
TRACT MAP No. VTT-84053	657 S Westlake AV
AA-2020-3222-PMLA Revised	6456 W OLCOTT ST
AA-2023-3919-PMLA-SL-HCA	3120 Atwater Avenue
AA-2023-5838-PMLA-CN-HCA	2110 South Barry Ave
AA-2023-6458-PMLA-HCA	6443 N Columbus Ave
AA-2023-8017-PMLA-SL-HCA	1756 W Clinton ST
AA-2023-8394-PMLA-SL-HCA	1730 S Armacost Ave
AA-2024-1135-PMLA Rev	5915 & 5917 N RHODES AVE
AA-2024-1476-PM	6254 N ALLOTT AVE
AA-2024-947-PM	12549 W KLING ST
AA-2024-960-VPM	401-457 S Normandie
ADM-2023-2010-PMUL-HCA	5244 N Monte Bonito DR
ADM-2023-7401-PMUL	13035 W Rose Ave
ADM-2023-7845-PMUL	14349 W VALERIO ST
ADM-2024-1017-PMUL-HCA	15824 W COBALT ST
ADM-2024-1167-PMUL-HCA	10922 W PENROSE ST
ADM-2024-1421-PMUL-HCA	1016 E Nowita Pl)
ADM-2024-1688-PMUL-HCA	23002 W CALVERT ST
ADM-2024-1726-PMUL-HCA	8446 N PENFIELD AVE
ADM-2024-1772-PMUL-HCA	21050 W SAN MIGUEL ST
ADM-2024-1783-PMUL	6607 N NEWCASTLE AVE
ADM-2024-1839-PMUL-HCA	13510 W KITTRIDGE ST
ADM-2024-268-PMUL-HCA	7700 W Wentworth
ADM-2024-553-PMUL	5725 N ENFIELD AVE
ADM-2024-553-PMUL	5725 N ENFIELD AVE
ADM-2024-654-PMUL	2659 N NICHOLS CANYON RD
ADM-2024-742-PMUL	10959 W. Charnock Road

ADM-2024-980-PMUL	9287 N KEWEN AVE
APCNV-2023-8204-ZC-HCA	9247 N WAKEFIELD AVE, 91402
APCNV-2024-1740-ZC	11150 W STRATHERN ST 1-13
APCSV-2023-6831-ZC	4215-4225 N COLDWATER CANYON AVE
CPC-2024-1737-CU3	1862 E 55th St
CPC-2024-493-ZC	9119 N De Soto AV
TT-72966-M2	12900 - 12913 W Elana Lane
VTT-82988-HCA-M1	412-426 S Crocker; 411-425 S Towne AV
VTT-83873	11430 W. EXPOSITION BLVD
VTT-84059	130 College ST
VTT-84089-SL-HCA	1904 & 1906 S Preuss Road
VTT-84182-SL-HCA	9247 N WAKEFIELD AVE, 91402

Our office has reviewed the sewer/storm drain lines serving the subject tracts/areas, and found no potential problems to our structures and/or potential maintenance issues, with the exception of ADM-2024-391-PMUL (408 E Manchester Ave, Playa Del Rey); CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI (3701 W Stocker St); VTT-83382 (2017-2045 E Violet, 2016-2040 E 7th PL); VTT-83387 (700-7800 W Beverly Blvd); and VTT-84053 (657 S Westlake AV).

There are easements contained within the aforementioned properties. Any proposed development in close proximity to the easements must secure Department of Public Works approval. Note: This Approval is for the Tract Map only and represents the office of LA Sanitation/CWCDs. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of the Bureau of Engineering.

If you have any questions, please contact Rafael Yanez at (323) 342-1563.

LOS ANGELES UNIFIED SCHOOL DISTRICT

ALBERTO M. CARVALHO
Superintendent of Schools

PEDRO SALCIDO
Deputy Superintendent of Business Services and Operations

DAVID D. HART
Chief Business Officer

SUNG YON LEE
Deputy Chief Business Officer

TRANSPORTATION SERVICES DIVISION
115 N. Beaudry Avenue
Los Angeles, California 90012-2009
Telephone (213) 580-2920 | Fax (213) 580-4424
http://achieve.lausd.net/transportation

DANIEL KANG
Director of Transportation

DEBORAH DUARTE
Deputy Director of Transportation

April 29,2024

Preuss Development, LLC.
Marc and Risa Dauer
2313 Duxbury Circle
Los Angeles, CA 90034

The Transportation Services Division of Los Angeles Unified School District has received your letter concerning construction at 1904 Preuss Road Los Angeles, CA 90034.

Vesting Tentative Tract Map, No: TR 12110

The Transportation Services Division has no objection to your proceeding with this construction. However, we do ask that you or your designee notify the Transportation Services Division in advance of the expected start and end dates for the various portions of the project that may affect traffic through the area. You must contact the appropriate administrator at each school (Shenandoah Street Elementary, Hamilton High School) to resolve any safety concerns he/she/they may have regarding the construction project.

We also request that you ensure that contractors comply with the following items:

- Assure the maintenance of safe and convenient pedestrian and bus routes to schools in the vicinity of your project.
- Haul routes will not be routed past any school, except when school is not in session (including after-school activities).
- Contractors are to provide temporary fencing at appropriate portions of the construction site to deter the entry of student pedestrians.
- Contractors should avoid staging trucks and equipment along streets in the area to facilitate the movement of buses during peak traffic hours.
- Contractors are to provide flagmen and traffic controls to assist traffic when construction activities block traffic.
- Contractors shall restore affected street and sidewalk surfaces to reasonable smoothness to minimize the potential for bus accidents, and trip and fall injuries to student pedestrians.
- Contractors should remind their drivers of construction vehicles of the requirement to stop for the red flashing lights of any school bus.
- Contractors are to remind drivers and workers to be cautious of the presence of any student pedestrians and exercise care, especially during peak hours.
- Contractors should notify drivers that the presence of traffic signals, crossing guards, and/or school zone flashing lights do not exempt school buses from using the red flashing lights.

Thank you for your attention and diligence in this important issue. **Please advise me in writing of your agreement to comply with our recommendations by signing below and faxing or e-mailing this letter back to me.** If you need me to send an approval letter to the City of Los Angeles (or other entity) please advise me of the recipient's name and address. If you have any further questions or concerns, you may contact me at (213) 580-2912 or via fax at (213) 580-4427.

PAUL RAMOS
Paul Ramos, Relief Transportation Planner
paul.ramos@lausd.net
Transportation Services Division
Los Angeles Unified School District

I agree to comply with the recommendations set forth in this letter.

_____ (Printed name)

_____ (Signature)

_____ (Company)

_____ (Date)

David Woon <david.woon@lacity.org>

Filing Notification and Distribution for: Case file No. VTT-84089-SL-HCA

RAP ParkFees <rap.parkfees@lacity.org> Tue, Apr 9, 2024 at 9:58 AM
To: Nora Morales <nora.morales@lacity.org>, Planning Expedited <Planning.expedited@lacity.org>

Good Morning,

Please see attached Report and Recommendation requested for the case provided in the subject line. Please let us know if you have any questions regarding the recommendation.

Sincerely,

Park Fee Staff

Department of Recreation and Parks
4th Floor, Suite 400
221 N. Figueroa Street
Los Angeles, CA 90012
(213) 202-2682

For more information about Park Fees, visit http://laparks.org/planning/quimby-park-fees

On Mon, Apr 8, 2024 at 3:55 PM Nora Morales <nora.morales@lacity.org> wrote:
[Quoted text hidden]

RAP Report and Recommendations VTT-84089-SL-HCA.pdf
253K

DEPARTMENT OF RECREATION AND PARKS

BOARD OF COMMISSIONERS

RENATA SIMRIL
PRESIDENT

LUIS SANCHEZ
VICE PRESIDENT

FIONA HUTTON
MARIE LLOYD
BENNY TRAN

TAKISHA SARDIN
BOARD SECRETARY
(213) 202-2640

City of Los Angeles
California

KAREN BASS
MAYOR

JIMMY KIM
GENERAL MANAGER

MATTHEW RUDNICK
EXECUTIVE OFFICER

CATHIE SANTO DOMINGO
ASSISTANT GENERAL MANAGER

BELINDA JACKSON
ASSISTANT GENERAL MANAGER

BRENDA AGUIRRE
ASSISTANT GENERAL MANAGER

(213) 202-2633

Letter sent via email to:
Planning.expedited@lacity.org

October 16, 2023

Heather Bleemers
Senior City Planner
221 North Figueroa Street, 13th Floor
Los Angeles, CA 90012

DEPARTMENT OF RECREATION AND PARKS REPORT AND RECOMMENDATIONS RELATIVE TO VTT-84089-SL-HCA

Dear Heather Bleemers,

The City of Los Angeles Department of Recreation and Parks (RAP) has prepared the following report and recommendations in response to your request for comments relative to VTT-84089-SL-HCA (project), a proposed residential subdivision.

RAP's report and recommendation(s) regarding the proposed project are as follows:

General Comments:
The applicant is requesting approval of the proposed project, a residential subdivision. Los Angeles Municipal Code (LAMC) 12.33 requires most residential projects that create new dwelling units or joint living and work quarters to dedicate land or pay a fee for the purpose of developing park and recreational facilities and LAMC 19.17 specifies how those fees are to be calculated.

Effective January 11, 2017, RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, pursuant to LAMC 12.33, and issuing the fee calculation letters to applicants.

RAP Recommendation:
The applicant is requesting approval of a subdivision that will contain dwelling units. Therefore, pursuant to Los Angeles Municipal Code sections 12.33.E and 19.17, RAP recommends the following be added as a condition of the approval of the proposed project:

That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

Thank you for the opportunity to provide information relative to recreation and park issues related to this proposed project. Please provide the RAP contact listed below with any and all agendas, notices, and staff reports for the Advisory Agency actions and/or hearings related to this application.

If you have any questions or comments regarding this information please feel free to contact Park Fees staff, at 213-202-2682 or rap.parkfees@lacity.org, at your convenience.

Sincerely,

DARRYL FORD
Superintendent

DF:ep

cc: Marc & Risa Dauer, Preuss Development, LLC., 2313 Duxbury Circle, Los Angeles, CA 90034
Joshua Harris, Brian Silveira & Associates, P.O Box 291, Venice, CA 92904

cc: Reading file

FORM GEN. 160 (Rev. 8-12)

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: January 12, 2024

TO: Heather Bleemers, Senior City Planner
Department of City Planning

FROM: Bryan Ramirez, Street Tree Superintendent I
Bureau of Street Services, Urban Forestry Division

SUBJECT: **CPC-2023-6115-DB-HCA – 1904 S. PREUSS RD.**

In regard to your request for review of this case regarding Urban Forestry requirements, it is our recommendation that:

1. **NATIVE PROTECTED TREES**

   a. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. Project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on site native tree or shrub shall be replaced in kind at a 4:1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long term survival of the species.

   b. The applicant shall submit a Protected Tree Report with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report (PTR) shall contain the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

Note: Removal of Native Protected trees and shrubs requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of native protected trees and shrubs. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

2. STREET TREES

a. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

b. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

BR:djm

EXHIBIT I

MAPS

ZIMAS INTRANET

Generalized Zoning

City of Los Angeles
Department of City Planning

10/10/2023



Address: 1904 S PREUSS ROAD
APN: 4302020003
PIN #: 126B169 245

Tract: TR 12110
Block: None
Lot: FR 24
Arb: None

Zoning: RD1.5-1
General Plan: Low Medium II Residential

LEGEND

GENERALIZED ZONING

- OS, GW
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
- CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP, MU, NMU
- CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL, HJ, HR, NI
- P, PB
- PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

- Minimum Residential
- Very Low / Very Low I Residential
- Very Low II Residential
- Low / Low I Residential
- Low II Residential
- Low Medium / Low Medium I Residential
- Low Medium II Residential
- Medium Residential
- High Medium Residential
- High Density Residential
- Very High Medium Residential

COMMERCIAL

- Limited Commercial
- Limited Commercial - Mixed Medium Residential
- Highway Oriented Commercial
- Highway Oriented and Limited Commercial
- Highway Oriented Commercial - Mixed Medium Residential
- Neighborhood Office Commercial
- Community Commercial
- Community Commercial -Mixed High Residential
- Regional Center Commercial

INDUSTRIAL

- Commercial Manufacturing
- Limited Manufacturing
- Light Manufacturing
- Heavy Manufacturing
- Hybrid Industrial

PARKING

- Parking Buffer

PORT OF LOS ANGELES

- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
- General / Bulk Cargo - Hazard
- Commercial Fishing
- Recreation and Commercial
- Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

- Airport Landside / Airport Landside Support
- Airport Airside
- LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

- Open Space
- Public / Open Space
- Public / Quasi-Public Open Space
- Other Public Open Space
- Public Facilities

FRAMEWORK

COMMERCIAL

- Neighborhood Commercial
- General Commercial
- Community Commercial
- Regional Mixed Commercial

INDUSTRIAL

- Limited Industrial
- Light Industrial

CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)
- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway

MISC. LINES

- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

POINTS OF INTEREST

- Alternative Youth Hostel (Proposed)
- Animal Shelter
- Area Library
- Area Library (Proposed)
- Bridge
- Campground
- Campground (Proposed)
- Cemetery
- HW Church
- City Hall
- Community Center
- Community Library
- Community Library (Proposed Expansion)
- Community Library (Proposed)
- Community Park
- Community Park (Proposed Expansion)
- Community Park (Proposed)
- Community Transit Center
- Convalescent Hospital
- Correctional Facility
- Cultural / Historic Site (Proposed)
- Cultural / Historical Site
- Cultural Arts Center
- DMV DMV Office
- DWP DWP
- DWP Pumping Station
- Equestrian Center
- HQ Fire Department Headquarters
- Fire Station
- Fire Station (Proposed Expansion)
- Fire Station (Proposed)
- Fire Supply & Maintenance
- Fire Training Site
- Fireboat Station
- Health Center / Medical Facility
- Helistop
- Historic Monument
- Historical / Cultural Monument
- Horsekeeping Area
- Horsekeeping Area (Proposed)
- Horticultural Center
- Hospital
- Hospital (Proposed)
- HW House of Worship
- e Important Ecological Area
- e Important Ecological Area (Proposed)
- Interpretive Center (Proposed)
- JC Junior College
- M MTA / Metrolink Station
- M MTA Station
- MTA Stop
- MWD MWD Headquarters
- Maintenance Yard
- Municipal Office Building
- P Municipal Parking lot
- Neighborhood Park
- Neighborhood Park (Proposed Expansion)
- Neighborhood Park (Proposed)
- Oil Collection Center
- P Parking Enforcement
- HQ Police Headquarters
- Police Station
- Police Station (Proposed Expansion)
- Police Station (Proposed)
- Police Training site
- PO Post Office
- Power Distribution Station
- Power Distribution Station (Proposed)
- Power Receiving Station
- Power Receiving Station (Proposed)
- C Private College
- E Private Elementary School
- Private Golf Course
- Private Golf Course (Proposed)
- JH Private Junior High School
- PS Private Pre-School
- Private Recreation & Cultural Facility
- SH Private Senior High School
- SF Private Special School
- E Public Elementary (Proposed Expansion)
- E Public Elementary School
- E Public Elementary School (Proposed)
- Public Golf Course
- Public Golf Course (Proposed)
- Public Housing
- Public Housing (Proposed Expansion)
- JH Public Junior High School
- JH Public Junior High School (Proposed)
- MS Public Middle School
- SH Public Senior High School
- SH Public Senior High School (Proposed)
- Pumping Station
- Pumping Station (Proposed)
- Refuse Collection Center
- Regional Library
- Regional Library (Proposed Expansion)
- Regional Library (Proposed)
- Regional Park
- Regional Park (Proposed)
- RPD Residential Plan Development
- Scenic View Site
- Scenic View Site (Proposed)
- ADM School District Headquarters
- SC School Unspecified Loc/Type (Proposed)
- Skill Center
- SS Social Services
- Special Feature
- Special Recreation (a)
- SF Special School Facility
- SF Special School Facility (Proposed)
- Steam Plant
- sm Surface Mining
- Trail & Assembly Area
- Trail & Assembly Area (Proposed)
- UTL Utility Yard
- Water Tank Reservoir
- Wildlife Migration Corridor
- Wildlife Preserve Gate

SCHOOLS/PARKS WITH 500 FT. BUFFER

- Existing School/Park Site
- Planned School/Park Site
- Inside 500 Ft. Buffer

- Aquatic Facilities
- Beaches
- Child Care Centers
- Dog Parks
- Golf Course
- Historic Sites
- Horticulture/Gardens
- Skate Parks
- Other Facilities
- Park / Recreation Centers
- Parks
- Performing / Visual Arts Centers
- Recreation Centers
- Senior Citizen Centers
- Opportunity School
- Charter School
- Elementary School
- Span School
- Special Education School
- High School
- Middle School
- Early Education Center

COASTAL ZONE

- Coastal Commission Permit Area
- Dual Permit Jurisdiction Area
- Single Permit Jurisdiction Area
- Not in Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

- Tier 1
- Tier 2
- Tier 3
- Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

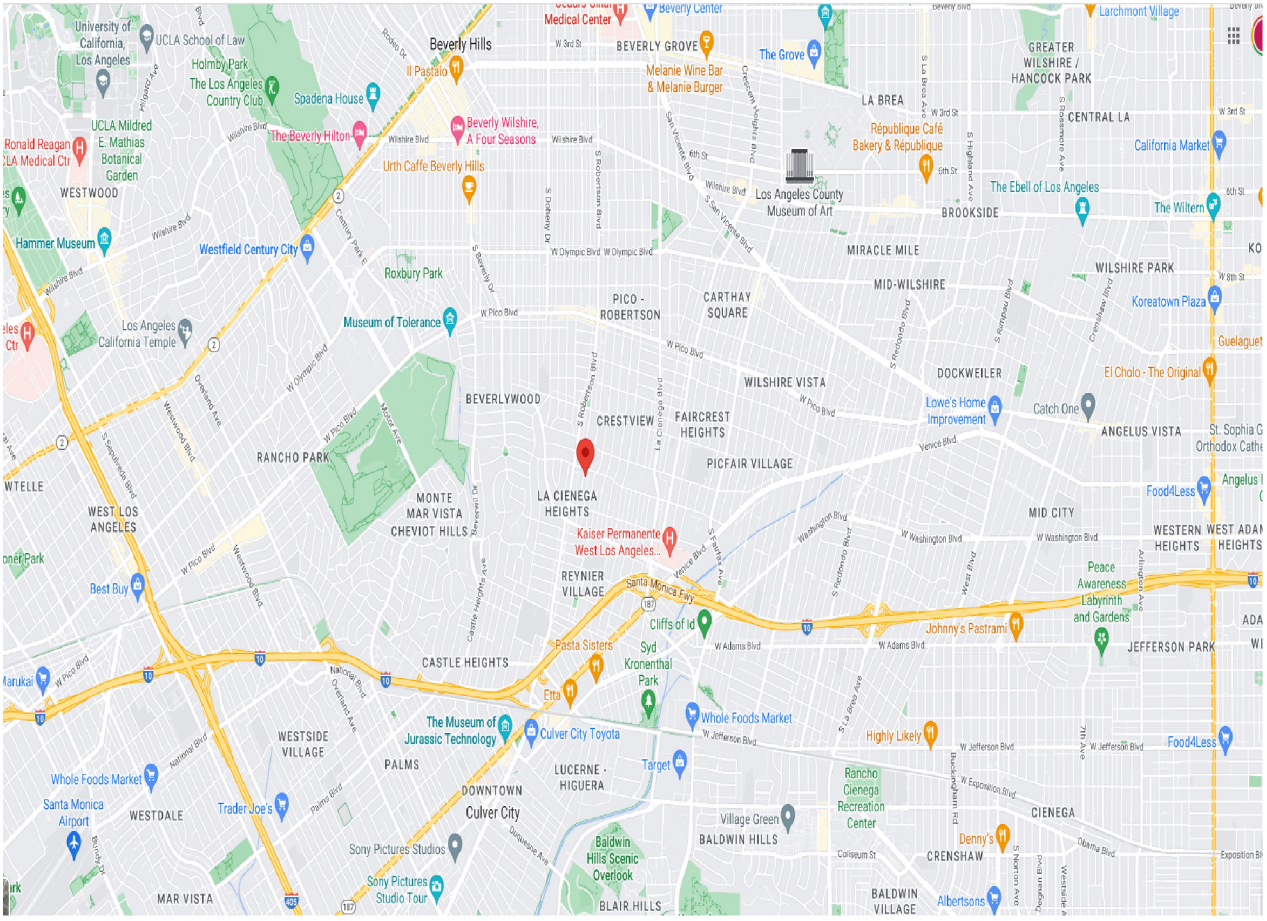
- Public Work Approval (PWA)
- Waiver of Dedication or Improvement (WDI)

OTHER SYMBOLS

- Lot Line
- Tract Line
- Lot Cut
- Easement
- Zone Boundary
- Building Line
- Lot Split
- Community Driveway
- Building Outlines 2020
- Building Outlines 2017
- Airport Hazard Zone
- Census Tract
- Coastal Zone
- Council District
- LADBS District Office
- Downtown Parking
- Fault Zone
- Fire District No. 1
- Tract Map
- Parcel Map
- Flood Zone
- Hazardous Waste
- High Wind Zone
- Hillside Grading
- Historic Preservation Overlay Zone
- Specific Plan Area
- Very High Fire Hazard Severity Zone
- Wells - Acitive
- Wells - Inactive

Vicinity Map

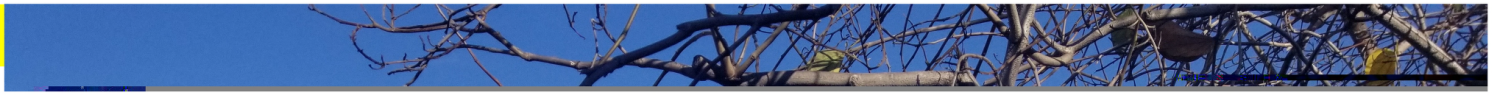
1904 - 1906 Preuss Rd



1904-1906 Preuss Rd

Photo Exhibit and Index Map

1



2



3



4



5



6



7



8



9



10



11




SAWYER ST
WOOSTER ST
PRESTON ROAD
SHENANDOAH ST
RD15-1
RD2-1
R5-1-CPIO
1
2
3
4
5
7
8
9
10
11
0.02 Miles
80 Feet
LARIAC6 2020 Color-Ortho

INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that "compliance" means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission's ROPs can be accessed at **http://planning.lacity.org**, by selecting "Commissions & Hearings" and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

**If you are using Explorer, you will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

LUNA & GLUSHON

A Professional Corporation

DENNIS R. LUNA
(1946-2016)

16255 VENTURA BOULEVARD, SUITE 950
ENCINO, CALIFORNIA 91436
TEL: (818) 907-8755
FAX: (818) 907-8760

July 29, 2024

VIA EMAIL

Los Angeles City Planning Commission
Los Angeles City Hall
200 North Spring Street, Room 340
Los Angeles, CA 90012

Email: david.woon@lacity.org; cpc@lacity.org

Re: VTT-84089-SL-HCA/CPC-2023-6155-DB-HCA
1904 – 1906 South Preuss Road

Honorable Commissioners:

Our firm represents Appellants Concerned Residents of Shenandoah Street and Arielle Mandell (collectively, "Appellants"), the owners and residents of properties in the immediate vicinity of the proposed 12 small lot subdivision home project at 1904 – 1906 South Preuss Road (the "Project"). As set forth herein, the Project, as proposed, should not be approved because the requisite findings cannot be made in the affirmative with substantial supporting evidence. Furthermore, the Categorical Exemption proposed in connection with the Project is in error.

1. The Findings of Fact Cannot be Made in the Affirmative with Substantial Supporting Evidence

    a. The Proposed Map and the Design and Improvement of the Subdivision will not be Consistent with the West Adams-Baldwin Hills-Leimert Community Plan, including the Design Guidelines.

The West Adams-Baldwin Hills-Leimert Community Plan ("Community Plan") sets forth the following goals and policies:

- Ensure that new construction maintains the consistent two-story character of the existing neighborhood.
-
- Preserve, conserve and enhance the positive characteristics of existing neighborhoods that are the foundation for community identity.

- Strive to protect existing single-family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

- Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential, including multi-family residential densities, are proposed.

- Strive to maintain neighborhood continuity by targeting new proposed affordable housing to serve existing residents and be designed to complement established neighborhood character.

- Maintain single-family neighborhoods that address the diverse socio-economic and physical needs of current and future residents.

- Seek a high degree of architectural compatibility and landscaping for new infill development as well as additions to existing structures in order to protect the character and scale of existing single-family and multi-family residential neighborhoods.

- Recommend that any proposed development be designed to enhance and be compatible with adjacent development and topography.

- Encourage development parameters that ensure multi-family designated lands provide for adequate housing that is contextually sensitive to desirable prevailing neighborhood character.

Furthermore, the proposed Project is uniquely situated within a neighborhood made up of single-family homes and modest two-story multi-family residential housing, explicitly described for design preservation in the Community Plan. The Community Plan provides design guidelines to assist developers to maintain this "two-story" identity of the area, both for single family and multi-family residential development, in addition to visual aides:

Single-Family



This neighborhood type comprises a large portion of the West Adams-Baldwin Hills-Leimert Community Plan Area. It is characterized by single story and two story main dwelling structures with a detached garage featuring generous front and back yards. Most of these neighborhoods were designed and constructed in the late Nineteenth and early Twentieth centuries.

Legacy Single-Family



These neighborhoods historically have accommodated several generations of relatives by allowing a second unit to be constructed behind the original house. These separate dwellings can be at-grade or built above a garage in the rear of the property.

Duplex



This type is mostly two attached units that appear like one house. In some cases property owners reside in one unit and rent the second unit out for rental income, making them more affordable than single-family houses.

Neighborhood Compatibility

G1. Should respect the existing predominant or historic building patterns.
G2. Should retain the original scale of a home at its elevation closest to the street.
G3. Should stay consistent with the historic use of materials and details.



Mid-Century Modern architecture, Baldwin Village, 2008.



Typical well-maintained streets, Baldwin Village, 2008.

Goal LU13: **A community that promotes efforts to conserve desirable neighborhood form and character as well as enhance the quality of life for residents within the Baldwin Village neighborhood.**

Policies

LU13-1 **Maintain Two Story Character.** Ensure that new construction maintains the consistent two story character of the existing neighborhood. (P66)

Without a question, the Project, at its height, fails to maintain the Community Plan described and illustrated "two-story" identity of the area.

By maxing out the envelope, the Project fails to protect the existing residential neighborhood from encroachment by higher density residential and incompatible uses; fails to adequately consider neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and fails to maintain neighborhood continuity. The Project fails to provide a high degree of architectural compatibility, instead proposing a cookie cutter, "box-shape," least affordable option, as if it were proposed in any other part of the City. It is not contextually sensitive to the prevailing neighborhood character or designed to enhance and be compatible with adjacent development. Accordingly, the project fails to maintain and address the socio-economic and physical needs of area's current residents.

As discussed hereinbelow, the Project also proposes access through a hazardous alley. This will impede ingress/egress to adjacent property owners and will exacerbate the conditions in the alley.

b. The Site is Not Physically Suitable for the Development

For all the reasons stated above, the site is not physically suited for the development or the Project. Most egregiously, it proposes access through a hazardous alley to the detriment of adjacent property owners.

c. The Subdivision is Likely to Cause Substantial Environmental Damage

For the reasons stated below, the Categorical Exemption was issued in error. Therefore, the Project is likely to cause substantial environmental damage.

2. The Categorical Exemption was Approved in Error

Under the California Environmental Quality Act ("CEQA"), a lead agency has the initial burden to show that substantial evidence supports its determination that the categorical exemption applies. The City has failed to do so here.

Under CEQA, a Class 32 categorical exemption applies only if the following criteria is met:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

As set forth above, the Project is not consistent with the Community Plan. Furthermore, Appellants would like to bring to the Commission's attention a recent case lost by City of Los Angeles, United Neighborhoods for Los Angeles v. City of Los Angeles (2023) 93 Cal.App.5th 1074. In United Neighbors, the Court did not agree with the City Planning Department that for purposes of a Class 32 Categorical Exemption, a project must be in "substantial conformance" with the General Plan and applicable general plan/zoning regulations and policies.

Here, as part of the Density Bonus requests, the Applicant is requesting deviations from the Zoning Code. While such incentives and waivers may be authorized in specific circumstances under state density bonus law, they do not affect the CEQA requirement that Class 32 Categorical Exemptions apply only to projects with are consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

Furthermore, the proposed Class 32 is not supported by substantial evidence because an increase in hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses is not assessed. The Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley.

The VMT calculations in the City's transportation analysis also do not include construction VMT analysis, or the VMT calculations for haul route. Under CEQA, the whole of the Project must be assessed. The omission constitutes lack of compliance with CEQA.

All categorical exemptions are also inapplicable when the cumulative impact of successive projects, over time, is significant. Cal.Code Regs. Tit. 14 §15300.2(b). One of the basic and vital informational functions required by CEQA is a thorough analysis of whether the impacts of a project, in connection with other related projects, are cumulatively considerable. *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal App.4th 1209. Cumulative impacts can result from individually minor but collectively significant projects taking place

over a period of time. *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; CEQA Guidelines §15355.

Proper cumulative impact analysis is vital under CEQA because the full environmental impact of a proposed project cannot be gauged in a vacuum. Indeed, one of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually but assume threatening dimensions when considered collectively with other sources with which they interact. Therefore, cumulative effects analysis requires consideration of "reasonably foreseeable probable future projects, if any." *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *Gentry v City of Murrieta* (1995) 36 Cal.App.4th 1359, 1414.

Here, the cumulative impact analysis narrowly focuses on three projects within 500 feet, missing many large multi-family residential projects and their impacts on the area immediately outside such narrow radius.

Finally, a categorical exemption cannot be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Cal.Code Regs. Tit. 14 §15300.2(c).

Here, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley. Furthermore, the Project is largely surrounded by single family homes and modest two-story multi-family residential housing, as specifically described to be the unique two-story character of the area. The aesthetic impacts of such a drastic change will have a significant impact on environment.

The Commission should grant the Appellants' appeal and deny the Project, as proposed.

Very truly yours,

LUNA & GLUSHON
A Professional Corporation



ROBERT L. GLUSHON