CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
City Hall 200 North Spring Street Los Angeles CA 90012

NOTICE OF PUBLIC HEARING

To Owners:
- ☐ Within a 100-Foot Radius
- ☒ Within a 500-Foot Radius
- ☐ Abutting a Proposed Development Site

And Occupants:
- ☐ Within a 100-Foot Radius
- ☒ Within a 500-Foot Radius

And:
- ☒ Interested Parties/Others

This notice is sent to you because you own property or are an occupant residing near a site for which an appeal from a Department action was filed with the Department of City Planning. All interested persons are invited to attend the public hearing where you may listen, ask questions, and/or present testimony regarding the project. The environmental document, if applicable, will be among the matters considered at the hearing. The Commission may consider all the testimony presented at the hearing, written communications received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. **Please note that your attendance at the hearing is optional.**

Project Site: **825-837 Holt Avenue**

Case No.	ZA-2020-2164-ELD-SPR-1A
CEQA No.	ENV-2020-2165-CE
Held By:	Central Los Angeles Area Planning Commission
Date:	**April 27, 2021**
Time:	**After 4:30 p.m.**
Place:	In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Central Los Angeles Commission meeting will be conducted entirely telephonically by Zoom [https://zoom.us/]. The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at https://planning.lacity.org/about/commissions-boards-hearings and/or by contacting apccentral@lacity.org
Staff Contact:	Alexander Truong, City Planning Associate 200 North Spring Street, Room # 763 Los Angeles, CA 90012 alexander.truong@lacity.org (213) 978-3308 apccentral@lacity.org

Council No:	5 - Koretz
Related Cases:	none
Plan Area:	Wilshire
Zone:	[Q]R3-1-O
Plan Overlay:	none
Land Use:	Medium Residential
Applicant:	Daniel Kianmahd, The Panorama Group, Inc.
Representative:	Stephen Kia, Urban Concepts
Appellant No. 1:	Nikki Vescovi (839 Holt Townhomes Association), Shelly Lavin, Kyle Miller, Jeremiah Loeb, Andrea Ward, Erica Goldberg, Angela Efros and P. Dumican Cheryl Holstrom
Appellant No. 2:	Daniel Sidis
Appellant: No. 3: Representative:	Joshua Greer, Berger Greer, LLP

PROPOSED PROJECT:
Demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which

62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

APPEAL:
Partial appeals of the February 9, 2021 Zoning Administrator's determination which:

1. Determined based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects), and that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies;
2. Approved, pursuant to Section 14.3.1 of the Los Angeles Municipal Code (LAMC) an Eldercare Facility Unified Permit for the construction, use, and maintenance of an Eldercare Facility/Dementia Care Housing in the [Q]R3-1-O Zone;
3. Approved, pursuant to Section 16.05 of the LAMC, a Site Plan Review for a development which creates or results in an increase of 50 or more dwelling units or guest rooms or 50,000 gross square feet or more of nonresidential floor area; and
4. Adopted the Conditions of Approval and Findings.

Specifically:

Condition #8 – The following deviations have been granted in conjunction with the Eldercare Facility, as shown on plans stamped Exhibit A:

a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10 C,4;
b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1;
d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335;
e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335;
f. A six-foot side yards in lieu of the otherwise required eight-foot side yards pursuant to Ordinance No. 167,335; and
g. Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21 A.16(a)(2).

Condition #15 – All vendors deliveries shall be restricted between the hours of 7:00 a.m. and 2:00 p.m. daily.

Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300

GENERAL INFORMATION

FILE REVIEW - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. **Files are not available for review the day of or day before the hearing.**

AGENDAS AND REPORTS- Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

TESTIMONY AND CORRESPONDENCE - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

REQUIREMENTS FOR SUBMISSION OF MATERIALS - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. The case number must be written on all communications, plans and exhibits.

Please see revised submission guidelines below which have been modified in order to accommodate the conduct of the public hearing telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020).

- **Regular Submissions –** Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page.

- **Secondary Submissions -** All written materials in response to an Appeal Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting).** Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.

- **Day of Hearing Submissions -** Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation. These must be submitted electronically to the Commission email identified on the front of this page.

- **Non-Complying Submissions -** Submissions that do not comply with these rules will be stamped *"File Copy. Non-complying Submission"*. Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW - 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 agenized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. 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.

ACCOMMODATIONS - 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. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other services, such as translation between English and other languages, may also be provided upon written request submitted a minimum of seven (7) working days in advance to: per.planning@lacity.org. Be sure to identify the language you need English to be translated into, and indicate if the request is for oral or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

MASTER APPEAL FORM

WITH ATTACHMENTS

APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

☑ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: ZA-2020-2164-ELD-SPR

Project Address: 825-837 Holt Avenue

Final Date to Appeal: 02/24/2021

2. APPELLANT

Appellant Identity: (check all that apply)
❒ Representative ☑ Property Owner
❒ Applicant ❒ Operator of the Use/Site

☑ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Shelly Lavin, Kyle Miller, Jeremiah Loeb, Andrea Ward, Erica Goldberg, Angela Efros, P. Dumican

☐ Person affected by the determination made by the **Department of Building and Safety**

❒ Representative ❒ Owner ❒ Aggrieved Party
❒ Applicant ❒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Nikki Vescovi

Company/Organization:

Mailing Address: 839 S. Holt Avenue, #107

City: Los Angeles State: CA Zip: 90035

Telephone: (310) 801-7995 E-mail: nikkiv@att.net

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

☐ Self ☑ Other: 839 Holt Townhomes Association

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☑ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____. Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☑ Part

b. Are specific conditions of approval being appealed? ☑ Yes ☐ No

If Yes, list the condition number(s) here: 8a, 8b, 8c, 8e, and 8f

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

☑ The reason for the appeal ☑ How you are aggrieved by the decision

☑ Specifically the points at issue ☑ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: _____ Date: _____

GENERAL APPEAL FILING REQUIREMENTS

B. ***ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES***

1. Appeal Documents

a. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

☑ Appeal Application (form CP-7769)
☑ Justification/Reason for Appeal
☑ Copies of Original Determination Letter

b. Electronic Copy

☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.

☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC

☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☑ Part

b. Are specific conditions of approval being appealed? ☑ Yes ☐ No

If Yes, list the condition number(s) here: 8a, 8b, 8c, 8e, and 8f

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☑ The reason for the appeal
- ☑ How you are aggrieved by the decision
- ☑ Specifically the points at issue
- ☑ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: Nikki Vesson Date: 02/22/2021

GENERAL APPEAL FILING REQUIREMENTS

B. *ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES*

1. Appeal Documents

a. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- ☑ Appeal Application (form CP-7769)
- ☑ Justification/Reason for Appeal
- ☑ Copies of Original Determination Letter

b. Electronic Copy

☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.

☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC

☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

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C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC
Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:
- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.

- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:
- Waivers for By-Right Projects, can only be appealed by the owner.

- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

☐ **1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement
☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

☐ **2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement
☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:
- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

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.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
☐ Determination authority notified	☐ Original receipt and BTC receipt (if original applicant)	

February 21, 2021

Case # ZA-2020-2164-ELD-SPR
825-837 Holt Eldercare Determination Appeal

The Zoning Administrator's decision rendered on February 9, 2021, was an abuse of discretion. In reference to Findings for Approval (Amended by Ord. No. 182,095, Eff. 5/7/12.), the Zoning Administrator shall not grant the approval unless he or she finds that the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

This appeal is on behalf of the Homeowner's Association of 839 S. Holt Avenue, the property directly south of the proposed project.

In this decision, the Zoning Administrator abused his discretion through the following findings:

1.) The project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.
2.) The project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

The Zoning Administrator abused his discretion in granting the following deviations:

8a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;

8b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;

8c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.;

8e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.; and

8f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

The above five conditions demonstrate the Zoning Administrator's error in discretion. The above will adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. These deviations are not compatible with the scale and character of the adjacent properties and surrounding neighborhood.

Financial hardship is not one of the findings upon which a decision is made, as referenced in the five findings below. On page 23 of the Zoning Administrator's decision, the applicant states, "The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property." For the Zoning Administrator to make a decision based on this is an errant use of discretion. Making a decision based upon financial viability is irrelevant to any of the findings for approval of this property and its required deviations.

Councilmember Koretz recommended that this project be denied (refer to page 18, paragraph 6). The proposed property is a mid-block location, and the Councilmember indicates that combined with excessive height and reduced setbacks it adversely affects or degrades the adjacent properties.

The strict application of the land use regulations was not adhered to and therefore the Zoning Administrator should not have erred in his decision to grant these deviations. The zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner.

They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners. This zoning laws are not being adhered to in this case, resulting in a deleterious impact to our community.

Following is a delineation of the findings and the relevant facts to the same:

1. That the project's location, size, height, operations, and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety:

The project's location, size, height, operations, and other significant features are not compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

This height and massing of this proposed project is not in keeping with the envelope of this community. The proposed building envelope is larger than all other structures in the immediate area. It is not compatible with envelope of the community. The proposed 58-foot high, 57,680 square-foot, five-story Eldercare Facility is larger in height and massing than all other structures in the immediate area. There are no buildings on Sherbourne, Holt, or Le Doux between Gregory Way and Chalmers that are five-stories and take up three adjacent lots.

The new project is best described by one neighbor, Rabbi Kesherim, as"an elephant in a bird's nest" as it is plopped right in the middle of the block. The community is in an established low-rise neighborhood predominantly comprised of two and three-story duplexes and apartment buildings (refer to Exhibit 1 in the case files) that are built on single lots. The project is incompatible with, and shall adversely affect, adjacent properties, the surrounding neighborhood, and the public, health, welfare, and safety of the homeowners and renters that have resided in this community for decades.

The 834 S. Sherbourne Drive property is two adjoining duplexes directly behind the proposed site to the west. The owner has lived in this community for over 50 years. This project would impact her property, blocking her light. Even though the applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings, it would impact the foliage and trees in her garden – a garden planted, grown, and nurtured over 50 years.

Additionally, the shade/shadow report referred to on page 43 does not address the building directly to the south of this property, only the buildings to the east and west. The proposed property will loom over 839 S. Holt Avenue, which is only a three-story building. The apartments at 839 S. Holt Avenue on the northern side of the proposed property, will have their natural light dramatically reduced. The light and privacy of the rooftop decks at 839 S. Holt Avenue will also be seriously impacted.

Overall, the excessive height and reduced setbacks of this property will adversely affect and degrade the adjacent properties at 839 S. Holt Avenue, as well as other adjacent properties in the community.

The character of this community is unique. The one existing modern four-story building on Holt is incongruent with the neighborhood of Spanish Revival Architecture. At least that building is toward the end of the block, not right in the middle, and not encompassing three lots. As designed, this is a monolith, especially from the north, south, and west. This should adhere to the existing City Planning Guidelines. 360° tiering and articulation are critical to making this more congruent with the envelope of the community. Light and air to breathe would allow this to be more compatible with the community. Only the east-facing frontage of the building is being broken up.

The project does not fit the land space as it would narrow the sideyard setbacks between the adjacent buildings from the required 8 feet to 6 feet. The mass, alone, on this project predicates adherence to this requirement. Other setbacks in the area may be less than 8 feet, but they are not setbacks next to a 5-story, 57,680 square-foot, 3-lot structure.

The 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335 is an unwarranted deviation. This neighborhood is comprised of young children who play freely on the sidewalks, riding scooters and bicycles. There are also many elderly residents that would be impacted, as well as neighbors walking their dogs. It would be tragic for someone to be unfortunately injured in the community. Given the existing traffic and parking on the street (please refer to pictures submitted to the case files) it is already a challenge with the visibility of pedestrians.

Vans like FedEx and Amazon already block and congest this street. Deliveries such as these cannot be made on-site and will create additional congestion in the area, increasing visibility concerns and impacting the safety of the community. Adjoining properties, such as 839 S. Holt, also need to be able to back out of the driveway, so this causes another issue

The daily deliveries such as food, medical supplies, and other items that are necessary to support this project are also of concern. Medical emergencies are also inevitable and will impact the existing peaceful community. Street parking is already extremely limited. At 7am in the morning there will be no spaces on the street for a vehicle to park. As outlined above, many vehicles will not be able to deliver on-site and will result in double-parking, thus contributing to adverse traffic flow at a critical time.

Besides the height and massing issues, the density and FAR deviations of the proposed facility are unnecessary deviations. The subject 18,018 square-foot facility is zones [Q]R3-1-O, which permits a maximum of 36 guest rooms per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total of 57,680 square feet for an FAR of 5.06:1.

The Density and FAR deviations are not necessary. They are only necessary to provide a financially feasible project (refer to page 24, paragraph 4 of the decision). That is not a finding and is an errant abuse of discretion by the Zoning Administrator. On page 25, paragraph one, the applicant states that the increase floor area is devoted to common areas serving the needs of the residents. If this is necessary, then reduce the density and FAR by reducing the number of guest rooms, thereby reducing the need for deviations.

The applicant goes on to state that “to make Eldercare Facilities financially viable, certain costs such as land costs and architectural fees need to be divided across a sufficient number of Guest Rooms and beds” (page 25, paragraph 2). Again, this is an errant abuse of discretion in the Zoning Administrator’s decision as financial viability is not a finding to be satisfied.

Once again, the applicant states on page 25 paragraph 3 that, "The applicant has submitted a financial feasibility analysis, conducted by the Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed." Financial viability is, again, not a reason to approve a finding.

On page 27, the Zone Administrator found that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly. This is an errant use of discretion as financial viability is not a reason for a finding to be met.

3. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood:

This project will have an adverse impact on street access and circulation in the surrounding neighborhood with delivery trucks, ambulances and visitors coming and going and parking. Onsite parking for deliveries is provided but will not allow for certain deliveries due to vehicle height. The developer suggested having a loading zone in front of the building, which is appropriate for a commercial, not a residential setting. Also, there will not be enough spaces for workers and visitors, especially during holiday seasons when the community also has visitors.

There is already a tremendous parking problem in this community. Because Holt Avenue is so near to Wilshire Boulevard, many people park their cars on Holt Avenue for free and walk to their doctor's offices on Wilshire Boulevard. For the last three years, all the construction workers on nearby sites (especially sites in Beverly Hills) parked their vehicles and took up any remaining spaces. When owners or residents leave for work, or simply go to the market and return, the spaces are gone leaving no spaces to park on other than surrounding blocks.

Additionally, it is important to note that Holt Avenue is a narrow street and when two cars are driving in different directions there are incidents of cars being sideswiped as has happened to several individuals in the neighborhood.

4. That the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood:

As stated above, the project will not be compatible with the scale and character of the adjacent properties and surrounding neighborhood. There is nothing comparable in the neighborhood in relation to:

1) The scale – consuming 3 single lots with reduced setbacks – both front and sideyards;

2) Exceeding height with very little offset in elevations to reduce the oversized, block-like structure from a 360° view; and

3) Character – it does not lend itself to the architectural character of the existing Mediterranean and Mid-Century design so that it blends into the neighborhood. Rather the project projects is smack-dab in the middle of the block with a commercial hotel-like look, sitting up against the parkway in front of the property.

5. That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan and with any applicable specific plan.

The project is not in substantial conformance with the purposes, intent, and provisions of the General Plan, applicable community plan, and with any applicable specific plan of a quiet residential neighborhood. Councilmember Paul Koretz has already recommended that the project be denied due to the height and massing issues. Given everything that has been stated above, and evidenced by the additional documents provided in the case file, the project does not conform with the criteria being presented allowing deviations to be granted.

Again, zoning laws are intended to promote the health, safety, welfare, convenience, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner. They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic, the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of the neighbor property; the effect of the permitted use on land in surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

This appeal is on behalf of the of the 839 South Holt Townhomes Association. The members of this association are not opposed to the use – to an Eldercare facility. Height, density and massing issues, and the proposed property not being consistent with the community envelope, are the reasons that it does not meet the findings and should not have been approved. The Zoning Administrator's decision is an errant abuse of discretion and the requested deviations should be denied approval.

839 South Holt Townhomes Association:
Shelly Lavin, Owner - Unit #104 (Holt Townhomes Association President)

Kyle Miller, Owner - Unit #101
Jeremiah Loeb and Andrea Ward, Owners – Unit #102
Erica Goldberger, Owner – Unit #103
Angela Efros, Owner – Unit #105
Nikki Vescovi and Philip Dumican, Owners – Unit #107

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
JACK CHIANG
HENRY CHU
JONATHAN A. HERSHEY, AICP
THEODORE L. IRVING, AICP
CHARLES J. RAUSCH JR.
CHRISTINA TOY LEE

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

LOS ANGELES DEPARTMENT OF CITY PLANNING
EXECUTIVE OFFICES

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

planning.lacity.org

February 9, 2021

Daniel Kianmahd (A) (O)
The Panorama Group, Inc.
9171 Wilshire Boulevard #500
Los Angeles, CA 90210

Stephen Kia (R)
Urban Concepts
3731 Wilshire Boulevard
Los Angeles, CA 90010

CASE NO. ZA-2020-2164-ELD-SPR
ELDERCARE FACILITY UNIFIED PERMIT;
SITE PLAN REVIEW
825-837 Holt Avenue
Wilshire Community Plan Area
Zone: [Q]R3-1-O
C.D: 5
D.M.: 132B173
CEQA: ENV-2020-2165-CE
Legal Description: Lots 40-42, Tract 4666

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects), and that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code Section 14.3.1, I hereby APPROVE:

an Eldercare Facility Unified Permit for the construction, use, and maintenance of an Eldercare Facility c's/Dementia Care Housing in the [Q]R3-1-O Zone; and

Pursuant to Los Angeles Municipal Code Section 16.05, I hereby APPROVE:

a Site Plan Review for a development which creates or results in an increase of 50 or more dwelling units or guest rooms or 50,000 gross square feet or more of non-residential floor area.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.

6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.

7. Approved herein is an Eldercare Facility subject to the following restrictions:

    a. The facility shall be limited to a maximum of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia Care guest rooms;

    b. At least seventy-five percent (75%) of the facility shall be devoted to Assisted Living Care Housing and not more than twenty-five percent (25%) of the facility shall be devoted to Alzheimer's/Dementia Care Housing.

    c. Plans submitted to the Department of Building and Safety for the purposes of obtaining a building permit shall indicate a minimum of 75% of the floor area, exclusive of common areas, consisting of Assisted Living Care Housing;

d. The license and subsequent renewals of the license from the California Department of Social Services, Community Care Licensing Division shall reflect a minimum of 75% of the floor area, exclusive of common areas, consisting of Senior Independent Housing and/or Assisted Living Care Housing.

e. The facility shall be licensed by the California Department of Social Services and comply with all assisted living and dementia care program regulations. A copy of the license shall be submitted to the Department of City Planning for verification and placed in the file.

f. Full-time medical services shall not be provided on-site.

8. The following deviations have been granted in conjunction with the Eldercare Facility, as shown on plans stamped Exhibit A:

a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;

b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;

c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.

d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.

e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.

f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

g. Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

9. Trees shall be planted on the property (including street trees) subject to the approval by the Street Tree Division, at a ratio of one tree for every 1,000 square feet of lot area. Trees may not be less than 24-inch box in size at the time of planting (Ordinance 167,335).

10. All employees who drive to work shall utilize the on-site parking garage.

11. Employee shifts shall be staggered to minimize on-site parking shortages.

12. Parking shall be provided in accordance with the Los Angele Municipal Code.

13. The applicant shall develop and implement an incentive program to encourage employee use of alternative modes of transportation to arrive to and depart from work. A copy of the incentive programs shall be submitted to the Department of City Planning for inclusion in the case file.

14. A separate men's and women's shower facility shall be provided to incentivize employees biking to work.

15. All vendor deliveries shall be restricted to between the hours of 7 a.m. and 2 p.m. daily.

16. All loading activities shall be conducted on-site or within a designated loading zone.

17. The applicant/operator shall be responsible for ensuring compliance vendor with Condition Nos. 14 and 15.

18. Trash and recycling bins shall be fully enclosed.

19. The project shall be landscaped in substantial conformance with the landscape plans stamped Exhibit A (Sheets LP-1 through LP-5)

20. Outdoor lighting shall be designed to shine downward, installed with shielding, and directed onto the project site, so that the light source does not directly illuminate any adjacent properties, the public right-of-way, or the above night skies.

21. Prior to the issuance of a building permit, access and internal circulation shall be reviewed and approved by the Department of Transportation.

22. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

23. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement (b).

e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **FEBRUARY 24, 2021**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at http://planning.lacity.org.** Public offices are located at:

Downtown	San Fernando Valley	West Los Angeles
Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2598

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.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. 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. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Department of Planning Staff thereon, the statements made at the public hearing on August 24, 2020, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing an Eldercare Facility Unified Permit under the provisions of LAMC Section 14.3.1 have been established by the following facts:

BACKGROUND

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

The property is improved with three two-story duplexes, one duplex on each lot, for a total of six dwelling units. None of the existing buildings are identified as historic resources designated in the City, state or federal programs or identified and recorded in SurveyLA as potentially eligible historic resources.

The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, with a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to "Q" Qualified Conditions pursuant to Ordinance 167,335 which

regulates open space, parking, building articulation, setbacks and tree planting requirements. The property is located within Tier 3 of a Transit-Oriented Communities area.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

According to the applicant's submitted information, the facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-

site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The applicant has submitted a financial feasibility analysis, conducted by The Panorama Group, dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Streets and Circulation

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

Transit

The following bus stops are located near the project site:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

The nearest freeway access is to the 10 Freeway via La Cienega Boulevard approximately 1.73 miles south of the project site. The subject property is not located within 1,000 feet of any freeway.

Previous Cases, Affidavits, Permits, and Orders on the Subject Property:

Ordinance No. 183,497 – On March 25, 2015, the City Council adopted an interim ordinance prohibiting the issuance of building permits for the construction of single-family dwellings on the RA, RE, RS, and R1 zoned lots in designated neighborhoods.

Ordinance No. 167,335 – On November 15, 1991 this ordinance became effective, resulting in a change of zone, implementing "Q" Qualified conditions new construction is subject to. The conditions regulate the maintenance of landscaping, the amount of private and common open space required, residential parking requirements, parking level screening requirements, building articulation, minimum side yard, front yard, and tree requirements.

Case No. ZA 17815 – On September 27, 1965, the Zoning Administrator approve a conditional use to permit surface and subsurface operations for the drilling and testing of one temporary geological exploratory hole, mainly associated with the site identified as 1114 South La Cienega Boulevard, but including a strip of land extending northwesterly therefrom, to a point near the southwesterly corner of Holt Avenue and Gregory Way.

Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:

Staff utilized a 1,000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Eldercare Facility Unified Permit or Site Plan Review determinations. No relevant case was found to be within 1,000 feet of the subject property:

Public Communication

Communications Opposed to the Project:

Nicole Zinman, local resident – In an email dated August 24, 2020, Ms. Zinman states her opposition to the request. In summary, the residential neighborhood is not the appropriate place for a commercial business; the project will negatively impact parking and traffic; frequent calls for emergency services will be a disruption to the neighborhood; the proposed setbacks will result in safety hazards and compliance issues for fire safety and accessibility; there are environmental and water use issues that need to be considered; there are considerations that need to be made for a five-

story building in the middle of a residential neighborhood; the project is not appropriate for Holt Avenue.

Kenneth Blaker – In an email dated August 20, 2020, Mr. Blaker expressed his opposition to the location of the project in this neighborhood.

Nikki Vescovi, local resident – In an email dated August 18, 2020, Ms. Vescovi states her opposition to the request and submits a petition against the project, containing 151 signatures, representing residents along Holt Avenue, Sherbourne Drive, Le Doux Road, Shenandoah Street, Bedford Street, Gregory Way, Chalmers Drive, and Carson Road. In particular, Ms. Vescovi states that she is not opposed to the eldercare use, but the deviations being requested, as they are in place for safety and density issues; a 5-foot side yard setback would create an obstacle for emergency equipment and could block evacuation routes.

Shuki Greer, legal council representing a property owner – In emails dated August 17 and August 21, 2020, it is stated that there is reason to believe that a significant number of residents in the area were not notified; the project will harm the neighborhood – the property owner being represented will have their views blocked and lose all their tenants; project-generated noise will be deafening for a significant amount of time; the project will result in traffic generated by caregivers, support staff, and visitors day and night, negatively impacting parking on the street; there are concerns about trash and ambulances; a nearby eldercare facility recently closed, is now operating as a hotel, and is a nuisance.

Barbara Marom-Pollack, local resident – In an email dated August 17, 2020, Ms. Marom-Pollack stated her opposition to the request. In summary, the project will be a commercial intrusion into a residential neighborhood; that the proposed height, setbacks, and yards would result in a building that is inconsistent with the neighborhood; that the proposed number of guest rooms, in conjunction with necessary support staff would result in undue congestion in an already congested area; and that the parking provided by the project is inadequate.

Levi Yitzhaq, local resident – In an email dated August 10, 2020, Mr. Yitzhaq states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Levi Garbose, local resident – In an email dated August 10, 2020, Mr. Garbose states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Darrell Benvenuto, local resident – In an email dated August 4, 2020, Mr. Benvenuto states his opposition to the request. In summary, he feels that there was inadequate notice given to the community, and objects to the development of a medical facility in the neighborhood.

Ben Cohen, local resident – In an email dated August 2, 2020, Mr. Stated his opposition to the request. In summary, the project is a commercial use in a residential area already suffering from a lack of parking; in addition to exacerbating the parking problems in the area, the project will result in frequent calls for emergency services multiple times a day at all hours.

Angela Efros – In an email dated June 23, 2020, Ms. Efros stated her opposition to the request.

Brad Neufeld, local resident – In emails dated August 4, August 10, and August 20, 2020, Mr. Neufeld states his opposition to the request. In summary, the community has not received adequate notification; the project will destroy the character of the quiet street; the proposed density, height, and setbacks are without precedent in the neighborhood; construction activity while the COVID-19 virus keeps us at home will expose us to increased noise, dust, and vibration.

Communications in Support of the Project:

Ira Yasnogorodsky, local resident – In an email received on August 21, 2020 and a letter dated May 30, 2020, Mr. Yasnogorodsky, who owns a duplex on the block, states that he is in support of the project, and that his father's, sister's, and grandmother's (deceased) name appears fraudulently on a petition in opposition to the project.

Mark Epstein, President, South Robertson Neighborhood Council – In a letter dated July 14, 2020, the Neighborhood Council indicates their support for the project.

45 individual letters and emails were received representing the west Los Angeles region in support of the project.

General Communication Received:

Aviv Kleinman, Planning Deputy, City Council District 5 – In an email dated August 21, 2020, a request was made to take the matter under advisement for a four-week period.

Declaration, 44 local residents – Individual letters, variously dated, state that they did not receive a hearing notice, was first informed of the project via a circulating petition opposed to the project, and if the hearing is postponed, would participate in assisting/coordinating a neighborhood response to the project.

Public Hearing

The public hearing was held on August 24, 2020 at 10:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. Associate Zoning Administrator Fernando Tovar conducted the

hearing. The applicant's representative and community residents were in attendance, and their testimony is summarized by the following:

Bill Christopher, Representative

- Provided a presentation summarizing the project.
- The property is zoned R3; a Tier 3 Density Bonus project would result in a 67-foot in height building.
- There is a shortage of both adult care and memory care beds.
- Project will have a ground-level courtyard, and open patio areas.
- Project proposed greater than 4:1 FAR; maximum height of 58 feet, which is lower that the 68 feet allowed by a TOC project.
- Have been in touch with the community.
- Residential housing facility is permitted here.
- This is a residential use, not a commercial use.
- Parking and staffing: 36 parking spaces provided
- Loading and food deliveries, shuttle transportation.
- Residents are quiet and don't drive.
- Compared to allowed TOC project, the proposal is smaller, less intense.
- Eldercare results in more trips during peak hour; ITE guidelines are on the high side.
- South Robertson Neighborhood Council Land Use Committee and Board voted to support the project; the meeting was spirited.
- 46% of FAR represents common areas.
- 10-foot front yard setback; south property has a 10-foot setback, north property has 8-1/2-foot; 12-14 feet is not out of character.
- There are 40 buildings in the area with 3-5 stories, the most recent building on Le Doux.
- A petition in opposition to the project contains questionable signatures, including one with the name of a deceased person.

The following is a summary of public testimony in support received:

- The project is in the perfect location, nestled among other multi-family uses; need more manageable facilities like this one; this is well done and well designed.
- I am a physician at Cedar Sinai; there is a huge need for patient care after discharge; this is a unique opportunity to provide a service to the community.
- We need this facility now; my grandfather passed away at another facility; the facilities on Olympic Boulevard are obsolete; 8733 Olympic, operated as a senior facility, couldn't obtain a license to operate.
- I live nearby, my parents are elderly; I 100% support this project; it's a great, overdue project.
- I am a pharmacist; I have seen the benefits of eldercare housing; my uncle is struggling with dementia, and he doesn't have care; they need to live a full life.
- I strongly support the project; I live 1-1/2 miles from here; there are very few opportunities; I have elderly parents; need more facilities and fully welcome this one; short term impacts are not pleasant, but there are long-term benefits.

- I support this project; my grandfather suffers from Alzheimer's and my grandmother cannot care for him; it would be amazing to have a place that meets their needs and is close by to visit.
- I support this project; I have studied the plans and the location; we need more senior housing; this will have a minimal impact; the residents don't drive; the project is better than an alternative TOC project.
- I am a Professor of Gerontology, studying population, health and aging; this is a very exciting and much needed project; should find ways to build assisting living; concerns are not difficult; this is a high-end design; regarding siren noise – there is a reduced need for emergency room visits – falls are not as common; there will be a reduced traffic/parking demand; this is a transitional care facility, and much more; according to the plans, there are interior/exterior high-end amenities; natural lighting is incorporated into the design; the site is ideal and walkable for independent residents.
- I support this project; I turn 70 in March; mother had dementia at 94 years and lived in a house; had to put her at Belmont; project serves a need; will be a quiet wonderful neighbor; will be good neighbor – no parties and asleep by 8 p.m.
- Live in the area 39 years; want to keep the family close together, keep mom and dad close to support them; this project helps to keep us close; should add more to bring down the price.
- I live in the area and support the project; parents have lived in the area 70 years.
- Live in area 20 years; I have older parents/in-laws; there is a shortage of senior housing; this would allow kids to stay close to their grandparents.
- I live in the area; my grandfather has Alzheimer's, and wife can't care for him; I am intrigued with the idea that I can house my grandfather here; project will benefit the community.
- I support the project; there are no quality assisted living facilities; lack of options increases cost.
- I work in Culver City – am founder of a youth movement against Alzheimer's; professionals work by Alzheimer's – had Alzheimer's in the family; projects like this are necessary; there are issues in 2020 – nothing like they will be in 2030; the trends are that older adults, older than 83, one-third will have Alzheimer's; we are under-providing.
- I live in the area and support the project; my in-laws can't find senior housing.
- I live in the area; my older family members are having a more difficult time as they age; I won't be able to help them; should allow seniors in more peaceful areas.
- Even though I don't live I the neighborhood, I have family members that need this; sacrifices for the greater good need to be made.
- I have lived in the area 16 years; may parents are getting older; I am in full support; the location is close to synagogues and kosher stores.
- I live in the area and support the project; having an in-patient dietician will improve the quality of life for residents compared to staying at home.
- I live on Le Doux, within 500-feet; I have two family members with Alzheimer's; My family and I believe the only way to address the housing shortage is to build more housing; there is no need for more parking – senior residents don't drive.

- I work at other eldercare facilities; there is a huge misconception about the project – this isn't a 24-hour nursing home; some level of care will be provided, but the focus is less on nursing and more on health and autonomy; eldercare facilities are affordable – in-home care costs at least $20/hr; regarding noise, 98% of medical calls are non-emergency; 6% of workers drive to work; helping seniors is everyone's business; they need to be treated with respect and dignity; I support the project.
- I live in the area; those opposing the project should pledge to house their parents at an existing facility; the apocalyptic image painted is not accurate; this will not be a breeding ground for disease or kids getting run-over, nor "wailing and moaning"; this is NIMBY-ism at its finest.
- I live in the area and I support the project.
- 80 units sounds like a lot – it should be considered as 80 small bedrooms instead.
- I have lived in the area since 1997 and work in the health field; I support the elderly population.

The following is a summary of public testimony in opposition received:

- Live on Holt Ave; it is terrible to find parking today; 32 units within a giant complex, and residential children, delivery trucks illegally parked on a major throughfare; only one level of parking proposed; where will staff and vendors park? Project will change the character of the neighborhood; the Code is there for our health and safety; should be limited to 36 units and 45 feet; no change in code should be approved.
- This project doesn't belong on a narrow street.
- I live within 500 feet of the project; we have been in lock-down since March; the virus is contagious and affects seniors; the development is proposing 5-foot balconies; project is a bait-and-switch; the code requirements are there for a purpose; should not approve any changes to code requirements.
- Live on Sherbourne; I am against the project; proposed setbacks are for safety and privacy; the project will increase crowding and reduce safety.
- I own two duplexes behind the project; will see and hear everything, as will the HOA next door; for 65 years, the quality of life has been wonderful for children, dog walkers; please keep it this way; don't need 80 rooms for seniors; there are other senior facilities all on major roads – why is this being proposed I the middle of a residential neighborhood; 36 units are okay – proposal for 80 is more than double allowed; project is a monstrosity and will increase noise levels; supporters of the location are the same as the developers; paid witnesses.
- This is not an affordable case – $180,000/year; should keep at home – will pay for private care; need to reject 5-foot setback variances; we've established our roots; why not place the building on Beverly Glen or re-build the Olympic Blvd. site; there's a reason why they're on the main thoroughfare – because its where we observe sabbath; this is profit versus quality of life; want to remain in house – enjoy the garden and light; Alzheimer's residents are not peaceful/quiet – moaning and crying; this location is not the place for this; needs to be smaller and unobtrusive.
- I live two lots away from the project; I am not opposed to the use, but I am opposed to the requested deviations; facility will not be affordable to most people.

- I live on Holt Ave; I support the use, but do not support the proposed deviations; should require more parking.
- I live on Holt Ave; this is a commercial business, and I am opposed to it.
- I live on Gregory Way; I am opposed to the project's height, lack of sufficient parking, and increased vendor and visitor traffic it would bring.
- I live on Gregory Way; if I had know about the petition opposing the project, I would have signed; I don't trust the proposed staffing levels; the proposed parking and building height is a problem; should be proposed as something more appropriate for the area.
- I live on Holt Ave; I am opposed to the project; I appreciate the need for senior housing, but there are safety issues associated with the reduced front yard setback; vehicle access in earthquake or fire.

Rachel Saresh, representing 15 property owners

- I live on Holt Ave; this is not a question about the need for senior housing; the issue is whether it is needed in a residential area or not; this is a commercial use; I am embarrassed by some of the comments by people from Westwood; I have elderly parents – an 87-year old mother – but we need senior housing but not on a residential street; the project will ruin the quiet with their trucks and visitors.

Shuki Greer, representing seven other speakers in attendance

- The Walnut Groves case sets the findings that need to be made for this case.
- No waivers should be granted for the project.
- There are no practical difficulties; approving such would be inconsistent with the intent of the Plans.
- The project is not compatible with its surroundings.
- You can't make findings based on circumstances.
- This is the wrong location for this project.
- We have 130 signatures oppose to the project.
- We have 40 affidavits saying they did not receive notice of the hearing.
- The proposed CEQA clearance was not available for review.
- The project would be devastating and materially detrimental to adjacent properties.
- The adjacent property owners won't be able to re-rent or find tenants.
- The project will damage the neighborhood.
- Parking in the neighborhood is congested; there is no permit parking district.
- 20 employees, per the applicant – this is not true.
- Loading zone eradicates provided parking.
- Construction dumpsters will exacerbate parking.
- Some project residents will be active and driving.
- Will there really only be 10-15 visitors per day maximum? For 80 grandparents?
- Along Holt Avenue, there is flowing water if you dig 10 feet of more into the ground; does the environmental clearance address pumping out ground water?
- The environmental analysis is not on the website.
- It is disingenuous to claim that the project will not result in traffic.

- Fire trucks and ambulances will double park; with lights and sirens, this will be disruptive to the neighborhood.
- There is no sophisticated medical equipment or doctor on-site.
- Fire Station No 58 – receives 500 calls per month; there has been no input from them.
- The pandemic – will COVID still be around? There is no social distancing, and will be a magnet for disease.
- The street is quiet, low traffic; nobody works on Holt or brings disease.
- No cooking in rooms/dwellings.
- Direct care provided, housekeeping, kitchen, administration, culinary director, etc. – 30 people per day
- This will result in traffic.
- Applicant requests eight waivers; setbacks requirements are in place to address crowding; side yards are so that police/fire can get emergency access to the rear yard in case of earthquake.
- There is no study evaluating the project.
- Requested front yard setback reduces visibility from the driveways from adjacent buildings.
- How wide is the loading zone?
- The project is not in scale.
- Item No. 2 on the hearing agenda, is a similar facility.
- The feasibility is to pay for the executive board; why not use one staff executive for both facilities?
- There is no support for claim to need waivers.
- If the buildings are built, what guarantee is there if the facility isn't viable that the applicant won't walk away? But the neighborhood is stuck with the building, attracting the wrong people.
- There is no evidence that the project following the zoning regulations is not practical.
- The project should be denied.

Aviv Kleinman, Planning Deputy, Council District 5

- I request that this be taken under advisement for four weeks.
- There is much opposition to the project.
- What conditions can the applicant offer?
- I have heard that community members did not receive notice.

Bill Christopher, Representative

- The bridge on the second floor is enclosed.
- This project is not a "bait-and-switch"
- $15,000/month rent is a myth.
- The applicant is paying a substantial linkage fee toward affordable housing.
- IF the project encounters groundwater, there will be a dewatering program.
- The project provides 36 parking spaces; 20 employees will not all be there at the same time; the parking is sufficient to accommodate guests; residents won't drive.

- Deliveries: typically small van/small box truck deliveries; food comes every two days; anticipate that there will be one or two deliveries per day.

At the conclusion of the hearing, the matter was taken under advisement for a period of four weeks, ending September 25, 2020. During that time, the record would remain open to receive additional written comments and no decision on the me would be made.

The above is a summary of the personal notes made during the hearing by Associate Zoning Administrator Fernando Tovar, who has since retired.

Under mutual consent with the applicant's representative, the record was held open until October 14. 2020.

Public Communication received after the Public Hearing

Douglas Kim, DouglasKim + Associates, - A memo, dated October 23, 2020, clarifying the findings of a previously submitted noise technical study, dated April 2020, was received.

Stephen T. Kia, Urban Concepts – In an email dated October 20, 2020, a copy of a Water Analysis and completed Department of Transportation Referral Form was submitted.

Daniel Skolnick, Senior Planning Deputy, Council District 5 – In a letter received on October 15, 2020, it was indicated that Councilman Koretz recommended that the project be denied, as the proposed mid-block location, combined with excessive height, reduced yards, and lack of a loading zone adversely affects or degrades the adjacent properties. The Councilman goes on to state that if the project is approved, that the project is limited to 45 feet in height, that employee shifts be staggered, that there be incentives to encourage the use of public transportation, that all staff and employees be required to park on-site, and that all deliveries and loading/unloading be conducted on-site or within a designated loading zone.

Bill Christopher, Representative – In emails received on October 14, 2020, the applicant's representative submitted a series of documents: a "Response to Community Issues" dated October 9, 2020; a "Petition from the Neighbors" dated October 7, 2020; several graphical exhibits showing three, four, and five-story multi-family buildings in the area, including calculated heights as determined by a registered engineer; a "Response to Daniel Sidis" dated October 9, 2020; and a set of revised proposal renderings, building plans, and preliminary landscape plans.

Bill Christopher, Representative – In an email received on September 30, 2020, the applicant's representative volunteered the following:

- Increased side yard setbacks from 5 feet to 6 feet.
- Added articulation to front façade.
- Increased setback at front yard; the entry surround at ground level is setback 10 feet; the remainder of the ground floor façade is set back 11 feet; the next or base layer of the façade is set back 12 feet; the deepest layer of the façade is set back 13.5 feet.
- One men's and one women's shower will be provided for staff to promote biking to work.

- Deliveries to the site will be restricted to between 7 a.m. and 2 p.m.
- An 8-foot block wall along the north property line to screen the delivery entrance.
- Landscape privacy screen along the remainder of the north property line and full landscape privacy screening along the south property line.

A revised set of plans were submitted reflecting the above changes. In addition, a request was made to increase the advisement period until October 1, 2020.

Daniel Sidis, property owner – In a letter dated September 25, 2020, Mr. Sidis states his opposition to the project. Mr. Sidis, who owns the north adjoining property, makes the following statements: the property that I own is my entire retirement income; I have already lost 20 percent of rental income due to the proposed project; all of my south-facing units will become vacant as a result of the proposed project; I will not be able to rent these units at the current rate; it has been projected that I will lose 30 percent of my income as a result of the project; the project will result in the loss of views from the south-facing units; it has been projected that I will lose 20 to 30 percent in property value as a result of the project; project proposed reduced side and front yard setbacks will diminish the safety of vehicle egress from my property and diminish the desirability of my property, translating into reduced rental income and property value. With regard to the "practical difficulty and unnecessary hardship" finding, the applicant has not justified their costs to support the proposed project. The proposed project is out of character with the neighborhood; the applicant has mislead regarding the character of other eldercare facilities in the area; the project is a singular building over three lots, which magnifies the decreased setbacks and increased height; the applicant's comparison between their proposed building height and mine are erroneous and misleading, and is not compatible with it; the amount of daily activity at the project is vague and potentially misleading; and the applicant's comparison of the proposed project to a theoretical Transit-Oriented Community development is misleading.

Nikki Vescovi, Co-Chair, Holt Eldercare Neighborhood Community Response Team – Email attachments were received on September 25, 2020, consisting of photographs of the existing development along Holt Avenue, an inventory of existing building stories along Holt Avenue entitled "Appendix 1 – Composition of Holt Properties", and a document entitled "825-839 Holt Eldercare Community Response".

Erica Goldberger, local resident – In an email dated August 25, 2020, Ms. Berger states that she is opposed to the project. In particular, Ms. Berger objects to the requested side and front yard setback reductions and the height increase, as these are in place for safety and accessibility reasons.

Brad Neufeld, local resident – In an email dated August 24, 2020, Mr. Neufeld states that he attended the hearing, but was not given the opportunity to provide testimony. He states that he has over 40 affidavit from residents who did not receive a notice; that the *Walnut Acres Neighborhood Association et al v. City of Los Angeles* and the Eldercare ordinance controls the case; that over 150 area residents petitioned against the project; that the developer has stated that without the requested deviations, the project would not be feasible; that in keeping with the Walnut case, there would be significant and material harm to

adjacent properties; that the applicant has no standing to have the project considered; findings under Walnut Creek cannot be made without proper notice, based on the information in the record; that claims made by the developer are speculative and referenced surveys were not available for review and comment; and based on the proposed cost of care, the project will not result in reduction in eldercare need.

ELDERCARE FACILITY UNIFIED PERMIT FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

   The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, having a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to "Q" Qualified Conditions pursuant to Ordinance 167,335 which regulates open space, parking, building articulation, setbacks and tree planting requirements.

   According to the City of Los Angeles Housing Element's Housing Needs Assessment:

   > The City of Los Angeles is being affected by population and demographic trends that will have significant impacts on the housing needs of the future. Of most significance are the slowdown in population growth and changes in the age distribution of residents, including fewer children and dramatically higher numbers of seniors.
   >
   > According to the 2010 Census, a little more than one-fourth (26%) of the City's population in 2010 was young, aged 0 to 19 years old. Young adults (aged 20 to 35), generally the age when people form independent households, made up another quarter of the population (25%). Thirty-eight percent of the City's population is aged 35 to 64 years old. This leaves about 10.5% of the population that is currently aged 65 years and older (396,696).
   >
   > The fastest growing age group aligns broadly with the "baby boom" generation, which is currently between about 45 and 65 years old. There are about 190,000 more people in the City within this age group, compared to 10 years ago. In fact, the number of "new seniors" (from 2000 to 2010) increased faster

in the Los Angeles region than New York or any other metropolitan area. The rapid growth of seniors is in stark contrast to the decline of children and younger adults.

According to demographers, the next decade will be marked by growth of households without children, primarily by those headed by householders aged 55 and older. While the City's overall population is projected to increase by about 4.5 percent between 2010 and 2020, its senior population (65 and older) is expected to grow by approximately 45% percent during this time period (to approximately 562,992)11. By 2020, seniors are expected to account for more than 14% of the City's households, compared to 10.5% in 2010. This far exceeds the growth of any other age groups in the City. The increasing numbers of older Angelenos will have important effects on the demand for housing to come.

The housing needs of seniors are particularly challenging and require special attention because of the combination of fixed incomes, physical and sensory disabilities, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Housing for seniors should provide or be located in proximity to information, transportation, social/health services, and opportunities for community involvement.

For the purposes of this Housing Element, seniors include those persons aged 65 years or older. According to the Census 2010, seniors comprised 10.5% of the City's population (396,696 persons). Almost one-fifth of all households citywide (239,654 of 1,318,168 households in 2010) are headed by seniors. Forty-two percent (102,330) of these households are seniors who live alone while the rest are households comprised of senior heads-of-households living with other person(s). Nearly 58% (138,657) of those over 65 years old lived in owner-occupied housing, while 42% (100,997) were renters.

Many seniors also live in institutionalized settings and other group quarters. Per the Census 2010, 13,853 seniors (about 3.5%) lived in group quarters, which include institutions, hospitals, hospices, nursing homes, correctional institutions, and non-institutional group quarters. This population represents a decrease of 4,156 persons (or 23%) living in group quarters since 2000, despite increases in the total elderly population.

Among persons 65 years or older, 153,379 (40.1%)51 are living with disabilities per the ACS 2010. While physical (ambulatory) disabilities are the most prevalent among this population at 28.3%, other disabilities also have a significant impact on limiting housing choices: 21.7% have a hearing/vision disability; 21.4% have an independent living disability, 13% have a self-care disability; and 11.7% have a cognitive disability.

Persons with self-care limitations also have unique housing needs because they need the assistance of a companion or family member in order to

accomplish daily activities, such as dressing, bathing, or getting around inside the home. Twenty-four percent of disabled adults aged 18-64, and almost one-third of adults over the age of 65, have some sort of self-care difficulty. Resources that could be devoted to housing often need to be diverted to cover personal care assistance.

People with disabilities should have options allowing them to live in the most integrated setting possible. To provide for this, a full spectrum of affordable housing is needed, from conventional residences to transitional and permanent supportive housing, including group, congregate and independent housing. Independent, supported living in the most integrated setting possible is preferable, either through individual or shared single-family homes or apartments, providing each individual with his/her own bedroom. Support services may be provided either on- or off-site. Appropriate housing for persons with mental or physical disabilities may include affordable small or large group homes (near retail services and public transit), apartment settings with support, outpatient/day treatment programs, and inpatient/day treatment programs or crisis shelters. Persons who use wheelchairs need affordable, conveniently-located housing which has been specially adapted for wheelchair accessibility, along with other physical needs.

The applicant is requesting an Eldercare Facility Unified Permit pursuant to Los Angeles Municipal Code (LAMC) Section 14.3.1 to allow the construction of a new five-story over two subterranean level Eldercare Facility over the entire site. An Eldercare Facility is defined by Section 12.03 of the L.A.M.C. as "*one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing*".

Pursuant to Section 14.3.1 of the L.A.M.C., the Zoning Administrator is authorized to permit an Eldercare Facility to be located on a lot or lots in the A 1 through R3 Zones, or in the RAS3, R4, RAS4, R5, and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action.

Eldercare Facilities are permitted by-right in the R3 Zone. In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way driveway. Existing vehicular access to the three duplexes will be consolidated into the single driveway located on the northern end of the property.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

Floor Area Ratio (FAR) and Density

The subject 18,018 square-foot property is zoned [Q]R3-1-O, which permits a density of one guest room per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total floor area of 57,680 square feet for an FAR of 5.06:1.

The density and FAR deviations are necessary to provide a financially feasible project. Without this many guest rooms and proposed common areas the facility cannot operate nor achieve the economies of scale with staff, medical care, equipment, food and the like. As a result, the project requests to deviate from the underlying R3 zoning area regulations and Ordinance No. 167,335 by proposing an FAR of 5.06:1.

The additional FAR would allow for the construction of the proposed number of guest rooms which are sufficient in size throughout the entirety of the site. The total gross area of the proposed facility is approximately 57,680 square feet, split between approximately 29,610 square feet of common area and 28,070 square feet of Guest Room/livable area.

As proposed, all of the increased floor area is devoted to common areas to support the residents' needs. Senior Assisted Living and Memory Care projects require substantial support services and common areas to provide a

healthy environment for a senior population to age in place. The proposed project seeks to provide significant "quality-of-life" amenities rather than minimally-equipped facilities. The proposed common areas include a dining area, bistro, large kitchen, a second common kitchen and dining area is provided on the second level to serve the Alzheimer's component. In addition, there are laundry facilities, common bathrooms and other on-site amenities such as libraries, fitness room, activities room, beauty salon and lounge areas on each level. All of the resident rooms are designed as Guest Rooms without a kitchen and will be smaller in size than a standard Dwelling Unit. Much of the increased floor area is devoted to common areas serving the needs of the residents, which are contained largely in the first subterranean level of the building. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two extensive courtyards that daylight out to the sky.

Due to the special needs of the residents, Eldercare Facilities must maintain staff on-site to monitor and assist elderly residents with basic needs and also requires the provision of substantial common indoor and outdoor areas and on-site amenities to support the unique needs of elderly residents that are key to quality of care and quality of life for the residents. The provision of on-site staff and a substantial level of common areas and on-site amenities requires a minimum number of Guest Rooms and beds to achieve economies of scale necessary to maintain the viability of these facilities. From an operational standpoint, Eldercare Facilities require multiple salaried employees, such as executive director, marketing director, culinary director, activities director, resident services director, and memory care director. The salaries of these employees are mostly driven by market conditions, not size of facility. In addition, to make Eldercare Facilities financially feasible, certain costs such as land cost and architectural fees, need to be divided across a sufficient number of Guest Rooms and beds. As with salaried employees and other operational costs, land cost is market driven and architectural fees are not proportional to Guest Room and bed count.

The applicant has submitted a financial feasibility analysis, conducted by The Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

In order to assess the financial viability of each scenario, TCG completed the following work scope:

- Reviewed applicant’s return-on-cost financial model using top-line-revenue input from a market study (also conducted by TCG), costs from general contractor bids and relevant site background materials including zoning and entitlement documents.

- Addressed the reasonableness of the financial model inputs through industry expertise and market research, with specific vetting of construction costs, rental revenue and operating expense assumptions.
- Provided conclusions with respect to the feasibility or infeasibility of the two development scenarios.

TCG examined the financial returns of two development scenarios:

- **Scenario A** features an eldercare development utilizing the current zoning (no variances). Utilizing the maximum floor area of 26,985 SF, this development would feature 36 Assisted Living guest rooms. This program requires 18 parking stalls.
- **Scenario B** features an Eldercare development utilizing proposed variances which result in an increase of total floor area. The proposed floor area of 57,680 SF increases the guest room count to 80. Of these 80 guest rooms, 62 would be Assisted Living and 18 would be Memory Care. This program requires 36 parking stalls.

To assess the financial feasibility of each scenario, TCG employed a commonly used senior living and multi-family industry metric - return on cost. Return on cost is calculated by dividing the stabilized NOI (gross income, loss vacancy and operating expenses) by the total project cost (sum of land costs, hard costs and soft costs). Investors and construction lenders typically require a return on cost equal to the market cap rate plus a spread to reflect the developer's risk. The spread is typically 150 basis points for eldercare projects (the higher spread reflecting the increased risk associated with the operational intensity of eldercare). Based on recent transactions of comparable eldercare communities in similar California locations, the market cap rate is assumed to be 5.00%. The target cap rate of 5.00%, plus 150 basis points, means the target minimum yield on cost for the project is 6.50%.

Development Standard	**Scenario A** (By-Right)	**Scenario B** (Proposed)
Site Size (SF)	18,003	18,003
Building Area (SF)	26,985	57680
Height (ft)	45	58
Total Guest Rooms	36	80
-Assisted Living	36	62
-Alzheimer's/Dementia	0	18
Parking	18	36
NOI	$1,100,000	$3,500,000
Land / Construction Costs	$35,100,000	$53,300,000
Yield on Cost (YOC)	**3.13%**	**6.57%**

Based on the developer required yield on cost, the only development proposal that is financially feasible is Scenario B. Scenario A yields a return on cost of 3.13%, well under the 6.50% threshold, while Scenario B yields a 6.57%. The proposed eldercare project meets/exceeds the industry standard feasibility threshold, demonstrating that the variances requested through the eldercare permit are necessary to build a financially viable project. Without the requested floor area, height, and other deviations, the project could not be built.

The Zoning Administrator finds that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly.

Height, Articulation, and Setbacks

The subject property is zoned [Q]R3-1-O Zone, which permits a maximum height of 45 feet. Ordinance No. 167,335 (effective November 15, 1991) established permanent "Q" Qualified conditions that further regulate development on the property by requiring a minimum building articulation of 5 feet for a distance of 8 feet between any 40-foot continuous width of any exterior wall facing a public street, a minimum 20-foot front yard setback and minimum 8-foot side yard setbacks.

The project seeks to deviate from the maximum height limit by proposing a height of 58 feet, a minimum 10-foot front yard setback, minimum 6-foot side yard setbacks, and having a continuous width of the exterior walls fronting Holt Avenue exceeding 40 feet without the required change in plane.

These deviations are necessary to provide the floor area for both the number of proposed guest rooms and the variety of common area amenities that responds to the practical needs of the elderly residents. The floor plans are designed to allow wider interior hallways and corridors than typical apartments to allow for two-way traffic for those with disabilities or mobility aids. Unlike typical apartments, these hallways provide intermediary seating areas for residents as they move within the facility between the guest rooms and common areas. The distribution of common areas is designed in such a way that would make them widely available to residents, and to create opportunities for a variety of activities. Not granting these deviations would result in a building envelope that cannot accommodate the floor area necessary for a viable facility.

The project has been designed to minimize its height at the rear of the property, immediately adjacent to several two-story duplex residential buildings; changes of plane have been incorporated into the street-facing side

of the building, resulting in changes of plane from 1 foot to 5 feet in depth, but there remains one ground-level portion of the façade which exceeds the 40-foot width minimum before a change in plane.

Therefore, inasmuch as the deviations are directly related to the previously discussed need for additional FAR and guest rooms, the project requests to deviate from the underlying R3 zoning regulations and the "Q" Conditions of Ordinance No. 167,335 are reasonable, and the strict application of these land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Long-Term Bicycle Parking

The proposed use as an Eldercare Facility requires the provision of long-term bicycle parking at a ratio of 1 per 5,000 square-feet. Based on the project's total floor area of 57,680 square feet, 12 long-term bicycle parking spaces are required. The project proposes to provide no long-term bicycle parking spaces; code-required short-term bicycle parking will be provided.

For the purpose of determining the number of long-term bicycle parking spaces required by a proposed project, the Municipal Code does not provide a specific ratio for Eldercare Facilities; rather, the use is considered as an "Institutional" use. The facility's residents are occupying assisted living or memory care guest rooms. It is reasonable to assume that these residents are not typically physically able to ride bicycles, and therefore do not require long-term bicycle parking spaces. Providing space to maintain long-term bicycle parking within the constraints of the proposed facility would necessitate sacrificing other, more relevant features of the facility, which contribute to the viability of the operation. Therefore, the strict application of these land use regulations on the subject property would result in unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

While the Zoning Administrator is authorized to grant relief from the zoning regulations, including the Specific Plan regulations, the Zoning Administrator's authority only applies to relief from the zoning regulations necessary to facilitate the construction of an Eldercare Facility. With respect to the requested deviations, a fully zoning compliant project would not produce a viable facility. Given the nature of the facility, which requires substantially more common areas and on-site amenities than a traditional multi-family residential building, the [Q]R3-1-O Zone contain distinct regulations that make it impractical to provide an efficient layout and functional design for the proposed facility.

In light of the foregoing, the Zoning Administrator concurs that the relief requested, including an increased floor area, guest room density, and height; reduced front and side yards; and waiver of the exterior wall plane articulation and long-term bicycle parking requirements, is necessary to achieve the density and floor area necessary

to maintain the viability of the eldercare facility. In addition, the relief requested is necessary to serve a city- and area-wide demand for assisted living and memory care facilities for an aging population. Without such deviations, the zoning regulations restricting the building envelope would make the construction of the Eldercare Facility on the subject property impractical and infeasible. Thus, as discussed above, the strict application of the land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. In addition, the project will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

The project will provide Code-required 36 parking spaces entirely within the second subterranean level. No vehicular parking will be visible from the street. Vehicular access to the project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Existing vehicular access will be consolidated from three existing driveways into a single driveway located on the northern end of the property.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 short-term bicycle spaces as required; no long-term bicycle parking spaces will be provided.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The ground level is proposed to contain a lobby, mail room, bistro, kitchen main dining area, a dining courtyard, restrooms, 10 Assisting Living guest rooms, and offices for the administrative staff. The second level would be reserved for Alzheimer's/Memory Care residents, and contain a small elevator lobby, dining room, living room, a wellness office, restroom, activity area, and 18 guest rooms. The third and fourth levels are proposed identically, featuring a small elevator lobby, restroom, wellness office, and 19 Assisted Living guest rooms. The fifth level is proposed to contain a small elevator lobby, a dining room, restroom, 14 Assisted Living guest rooms, and three separate outdoor patio areas facing the interior and rear of the building.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining areas. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

The proposed five-story, 58-foot in height, 57,680 square-foot building will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

The project will contain 80 guest rooms consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, in lieu of the 36 guest rooms otherwise permitted by the R3 Zone. Given the limited mobility of the residents, the applicant's stated economies of scale necessary to care for these residents, and the citywide need for eldercare facilities, the guest room density is reasonable. Along with the proposed guest room density, a host of secondary issues arise: visitor, staff, and vendor parking and increased traffic; and sirens associated with emergency service calls. The project does not request any deviation from the parking requirement of the Zoning Code. According to the staff report proposing the Eldercare Facility Unified Permit process, prepared by the Department of City Planning and dated May 8, 2003, staff and visitor parking needs are reflected in the parking requirements. Further, "[r]esident vehicles do not contribute measurably to traffic volumes generated by Eldercare Facilities, because most residents, as a result of their age and physical limitations, do not drive. A study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior Housing Facility or an Assisted Living Care Facility is 0.05 vehicles per unit. This is extremely low compared to other housing types."

Nevertheless, conditions have been incorporated into this approval which require the applicant to develop an incentive program to encourage staff to utilize public or alternative transportation or to only utilize the available on-site parking; that staffing be staggered to minimize the number of staff on-site at any one time; and that vendor deliveries times be restricted and limited to only occurring within a designated loading zone or within the parking garage. The Department of Transportation has analyzed the parameters of the project and determined that the project results in a less-than-significant impact on vehicles miles traveled. Testimony received indicated that that calls for emergency services at these facilities are much lower than perceived.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, but they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a reduced front yard setback of 10 feet; the applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway, though still less than the 20 feet otherwise required by the [Q] condition of the zone. While most of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The northern adjoining property owner has expressed concern that the 10-foot front yard setback will decrease the safety of vehicles existing his property; the northern adjoining property is developed with a subterranean parking garage, with their descending parking ramp alongside the shared side property line. On closer examination, the project will not result in significantly less safety for the northern property owner. At present, the northern property and the immediately southern adjoining property (representing the northern portion of the project site), share a driveway apron. The project property is presently improved with a one-lane driveway at this location. The proposed project would expand upon this driveway width to create a 24-1/2-foot wide driveway, with accompanying increase in driveway apron width. This, combined with the depth of the existing sidewalk, should provide an increased field of view of on-coming north-bound traffic. Nevertheless, the proposed driveway plan will be reviewed by the Departments of Building and Safety and Transportation to ensure that the proposed development does not conflict with safety regulations for vehicle ingress and egress.

Concerns have been raised about the proposed 6-foot side yards, in lieu of the required 8-foot side yards, and how they are necessary to facilitate emergency personnel access to the sides and rear of the building in case of emergency. While the side yard setbacks are utilized for access to the sides and rear yard areas of a property, the purpose of the setbacks are not for emergency access – they are there to convey a sense of developmental density through the physical separation of buildings on adjoining properties. Though the proposed building will observe reduced side yard setbacks, the building will be constructed to the latest fire and seismic standards, and should pose a lesser threat to failure under such stress than other older buildings in the area. In response to community concern regarding the originally proposed 5-foot side yard setbacks, the applicant has revised their plans to reflect the now considered 6-foot setbacks. With this consideration, the requested side yard setback is a reasonable deviation on balance with the benefit the eldercare facility represents.

The combination of Assisted Living and Alzheimer's/Dementia Care housing and the operation of the facility is generally considered a passive use. Although the project proposes a substantial amount of outdoor open space, it is not anticipated that the facility would result in noises that would be considered a nuisance or inconsistent to the surrounding residential uses. The applicant has submitted a noise analysis for construction-related noise impacts which found no significant adverse impacts.

The project, though exceeding some developmental regulations, is compatible with the surrounding area and reflects the gradual developmental trends occurring within the broader neighborhood, as evidenced by an applicant-submitted survey of building types within several blocks of the project site. As a part of this approval, the Zoning Administrator has imposed conditions on the development and operation of the use to ensure that it remains compatible with its surroundings. As conditioned, it is found that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project shall provide services to the elderly such as housing, medical services, social services, or long-term care to meet citywide demand.**

The proposed facility consists of 80 guest rooms: 62 guest rooms for Assisted Living Care and 18 guest rooms for Alzheimer's/Dementia Care Housing. As designed, the project meets the definition of an "Eldercare Facility," which requires that it is "one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing" (LAMC Section 12.03).

The US Census estimates that since 2011, the population of people aged 65 and over in California has grown at a faster rate than the total population of the state. As noted by the City's Housing Element, the senior population in the City of Los Angeles is projected to grow by roughly 45 percent between 2000 and 2020, with seniors expected to account for more than 14 percent of the City's households by 2020. The senior age group is the fastest growing group in the City. The City has established objectives and programs to help provide eldercare facilities for the City's growing senior population. The Eldercare entitlement process embodied within Section 14.3.1 of the LAMC is a process adopted by the City in attempts to streamline the entitlement process for these developments.

Further, one of the Housing Element objectives is to assist in the development of 250 senior units each year; Construct 1,750 Eldercare units; and explore the creation of an affordability component to Eldercare Ordinance.

As the City of Los Angeles responds to market demands for increased senior housing models, the proposed Project seeks to address the growing need for eldercare housing by providing Assisted Living and Alzheimer's/Dementia care options on a site that has historically been used for multifamily residential purposes. On a site originally developed and proposed for apartment units, the project intends to continue the use of the property for residential purposes, now targeted toward an elderly population which will increase in coming years.

The proposed facility is designed to provide housing and services to meet the special needs of elderly residents. Approximately 51% of the project's floor area is devoted to common areas and on-site support services for the residents. The residential common areas would be located within the first subterranean level through the fifth floor, and include wellness rooms, an open lounge, a fitness room, common dining rooms, activity rooms, family/living rooms, and building lobby bistro for snacks and drinks, a salon and theatre room. According to the applicant, the distribution of open space and amenities throughout the project is intended to make the facilities widely available to residents, as well as create opportunities for a wider variety of activities and allow each space to be shared both collectively and by groups of residents for community engagement and interaction. The building would also include a central

kitchen. Theses on-site uses are intended to provide quality care and amenities and enhance the quality of life of the eldercare facility residents and surrounding community.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care second floor would also include an increased staff ratio. Additionally, this area of the project site would be more secured as per applicable standards and regulations. Overall, the project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The facility will provide varying levels of senior care and housing to ensure a continuum of care and allow residents to age in place, have access to assisted care, which would help alleviate the increasing demand placed on the housing market by seniors. As such, the project provides services to the elderly, including housing, medical services, social services, and long-term care to meet citywide demand.

4. **The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.**

Pedestrian access to the project site would be provided from existing sidewalks along Holt Avenue, which would provide direct access to the ground-floor lobby. Six short-term bicycle parking stalls will be provided on-site. Due to the compromised physical and mental state of its residents, residents are unlikely to ride a bicycle and, therefore, the project will not provide long-term bicycle parking.

Vehicle access to the project site would be provided along Holt Avenue at the northeast corner of the project site with one 24-foot-wide driveway for both ingress and egress, consolidating three existing driveways. 36 on-site parking spaces for project will be provided in conformance to the code within a subterranean parking structure.

The elderly population residing on the site either require assistance with at least two activities of daily living or are afflicted with Alzheimer's or dementia; as such, most residents are not able to drive vehicles. The project's internal circulation and parking plan is designed with a driveway for ingress and egress to minimize congestion and back-up onto the street. All circulation would be contained on site with access to the subterranean parking garage. Moreover, the driveway access and circulation would be subject to review and approval by the Department of Transportation at the time of permitting.

A Transportation Study Assessment, conducted by the Department of Transportation, dated August 5, 2020, determined that the project would result in a net increase of

87 daily trips; therefore, the project would not result in a significant transportation impact on Vehicle Miles Traveled (VMT). Based on the VMT thresholds established in LADOT's Transportation Assessment Guidelines, this project does not exceed the 250 daily trip threshold for a significant impact.

Conditions have been made a part of this approval to ensure that operation of the facility will not conflict with the community; as such, the project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

5. **The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story

residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings, and the proposed eldercare facility would observe the code-required 15-foot rear yard setback.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have a significant effect on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, including a change in design and material between the ground-level and the upper four levels. Though these changes in plane, which vary between 1 foot and 5 feet, do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration,

the requested front yard setback is a reasonable deviation in light of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

An Eldercare Facility use is a generally passive, non-impactful, residential use and any operations associated with the facility including maintenance activity or noise emitted from the site is not expected to expose surrounding residential uses to severe, on-going noise or nuisances.

Although the proposed building requires additional density, floor area, height, and setbacks, among other deviations, the expanded building envelope would accommodate space that will be utilized to provide for on-site services and amenities for residents who are unable to travel to nearby facilities which provide senior services. As such, the project has been designed to the extent feasible to maintain compatibility with the surrounding uses and also to enhance the aesthetics of the surrounding neighborhood, and represents an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

6. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, applicable community plan, and with any applicable specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Housing Element of the General Plan contains Housing Goals, Policies, Objectives, and Programs, which state the following:

Goal 1.1 Produce an adequate supply of rental and ownership housing to meet current and projected needs.

Policy 9 Facilitate Housing for Senior and Disabled Persons. … Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided …

Objective: Construct 1750 Eldercare units.

The Land Use Element of the General Plan is comprised of 35 Community Plans spanning the City of Los Angeles. The project site is located within the boundaries of the Wilshire Community Plan, which designates the subject property for Medium Residential land uses corresponding to the R3 Zone. The subject property is zoned [Q]R3-1-O and is thus consistent with the existing land use designation. The Community Plan states the following:

Goal 1 Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire community.

Objective 1-2 Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.

Objective 1-4 Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

Policy 1-4.1 Promote greater individual choice in type, quality, price and location of housing.

The project is in close proximity to the following bus stops which are located near the project site along Wilshire Boulevard to the north, La Cienega Boulevard to the east and Olympic Boulevard to the south:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

The proposed new Eldercare Facility, located within Tier 3 of a Transit-Oriented Community-eligible transit stop, will provide 80 guest rooms for seniors who either need assisted living services or are suffering from Alzheimer's/Dementia. The project would promote greater choice in the type of housing for that vulnerable and fast-growing demographic, and would provide varying levels of care to satisfy a range of

needs, and is close to both public transportation and public recreational opportunities. As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

SITE PLAN REVIEW FINDINGS

7. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

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La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

8. **That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on neighboring properties.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Height, Bulk and Setbacks

The proposed building reaches a height of 58 feet with five stories, with an exterior wall width fronting Holt Avenue to exceed 40 feet without a change in plane, 10-foot front yard setback and 6-foot side yard setbacks.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with existing and future development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest,

and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the

proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

Off-Street Parking Facilities/Loading Areas

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

The number/types of guest rooms (and number of guest beds) and the respective requirement for parking as described above follows:

Unit Type	**Number of Guest Room/Bed**	**Ratio**	**Total Spaces Required**	**Total Spaces Provided**
Assisted Living	62	0.5	31	
Memory Care	22	0.2	5	
Total Spaces Required			**36**	**36**

An Eldercare Facility Unified Development is required to provide long-term bicycle parking at a ratio of 1 space per 5,000 square feet and required to provide short-term bicycle parking at a ratio of 1 space per 10,000 square feet, pursuant to LAMC Section 12.21-A,16(a)(2). This would require 12 long-term spaces (57,680 SF / 5,000 = 23) and 6 short-term spaces (57,680 square feet / 10,000 = 6) for a total of 18 bicycle parking spaces. Due to the compromised physical state of the facility's residents, the project will not be providing long-term bicycle parking. All required short-term bicycle parking spaces are located in a bicycle storage room on level B1 as illustrated in the project plans.

Lighting

Lighting for the proposed project has been conditioned to be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

On-Site Landscaping

Various types of vegetation and trees are integrated into the design of the building facades to minimize the visual impact of the maximum 58-foot tall building and buffering from neighboring properties. The proposed project's landscaping creates a pedestrian-friendly ground floor that helps unify and bolster continuity between the neighborhood and the project site as a whole along Holt Avenue. Additionally, perimeter landscaping will provide a privacy buffer and screening between the subject development and the adjoining properties.

Trash Collection

The project will include centralized on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. All trash and recycling areas are conditioned to be enclosed and not visible to the public. Trash collection will occur within one trash room located on the second and lowest subterranean level. The trash room is not visible from the public right-of-way. Compliance with these regulations will allow the project to be compatible with existing and future development.

As described above, the project consists, of an arrangement of buildings and structures, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that will be compatible with existing and future development on adjacent and neighboring properties.

9. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project will include 80 guest rooms; 62 for Assisted Living Care and 18 for Alzheimer's/Dementia Care. The project provides a number of indoor and outdoor common area amenities throughout the facility summarized by level below:

Level	Amenities
B1	Theater, Library, Wine Cellar, Salon, Residential Laundry, Restrooms, Fitness Room, Open Lounge, 1,200 square-foot Outdoor Courtyard
1	Bistro, Main Dining Room, 1,400 square-foot Dining Courtyard, Kitchen, Mail Room, two Outdoor Rear Yards totaling 1,400 square feet

2	Restroom, Wellness Office, Kitchen, Dining Room, Living Room, Activity Room, Quiet Room, 300 square-foot Outdoor Patio
3	Restroom, Wellness Room
4	Restroom, Wellness Room
5	Restroom, Kitchen, Dining Room, Living room, Activity Room, three Outdoor Patios totaling 2,400 square feet

The common open space areas of the proposed project account for 26,684 square feet of the project floor area. Included in this is space for staff offices, a staff lounge, and maintenance laundry. Essentially, many services that the facility's residents require are provided on-site; thus minimizing impacts on neighboring properties.

The combination of these various recreational features and design features would provide adequate amenities for the building residents, minimizing impacts on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, outside the flood zone.

Inquiries regarding this matter should be directed to Alex Truong, Planning Staff for the Expedited Processing Unit at (213) 978-3308.

JONATHAN A. HERSHEY, AICP
Associate Zoning Administrator

JAH:ON:AT:bk

cc: Councilmember Paul Koretz
Fifth District
Adjoining Property Owners
Interested Parties



Sheet Index

Architectural:

A0.0	Cover Sheet
A0.1	Vicinity Map
A1.0	Site Plan
A1.1	Sun/ Shade Exhibit
A1.2	Holt Ave. Setback Exhibit
A2.0	Building Elevations
A3.0	Building Plans
A3.1	Building Plans
A4.0	Building Sections
A5.0	Unit Plans
A5.1	Unit Plans
A6.0	Perspectives
A6.1	Perspectives

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THE PANORAMA GROUP

The Panorama Group, Inc.
9171 Wilshire Boulevard, Suite 500
Beverly Hills, CA 90210

HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

EXHIBIT "A"
Page No. 1 of 18
Case No. ZA-2020-2164-ELD-SPR

COVER SHEET
SHEET INDEX



PROJECT DATA

SITE SUMMARY:

APN: 4333-024-008	ADDRESS: 825-827 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling
APN: 4333-024-009	ADDRESS: 829-831 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling
APN: 4333-024-010	ADDRESS: 835-837 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling

SITE AREA	18,003 SF
	0.41 AC
BUILDABLE AREA	11,390 SF
ALLOWED DENSITY	36 Guest Rooms
PROPOSED DENSITY	80 Guest Rooms
	225 SF/Guest Room
BUILDING EFFICIENCY	54%
FAR (Basement + L1- L5)	5.06
FAR (L1- L5)	4.30
LOT COVERAGE	12,840 SF
ALLOWABLE HEIGHT	45 FT (LAMC 12.21.1)
PROPOSED HEIGHT	58 FT
REQUIRED OPEN SPACE	N/A

OPEN SPACE SUMMARY

LEVEL B1 COURTYARD	1,200 SF
LEVEL 1 DINING COURTYARD	1,400 SF
NORTH REAR COURTYARD	550 SF
SOUTH REAR COURTYARD	850 SF
LEVEL 2 MC OPEN PATIO	300 SF
LEVEL 5 PATIO 1	500 SF
LEVEL 5 PATIO 2	500 SF
LEVEL 5 PATIO 3	1,400 SF
TOTAL	6,700 SF

SETBACK SUMMARY (LAMC 12.10.C)

	REQUIRED	PROVIDED
FRONT (Holt Ave.)	20 FT	10 FT
NORTH SIDE	8 FT	6 FT
SOUTH SIDE	8 FT	6 FT
REAR	15 FT	15 FT

BUILDING SUMMARY:

BUILDING AREAS	TOTAL	PROGRAM	TOTAL	
B1 (Basement)	8,728	MEMORY CARE ROOMS	6,216	10.8%
L1	8,942	MEMORY CARE COMMON SPACE	4,135	7.2%
L2	10,351	ASSISTED LIVING ROOMS	24,780	43.0%
L3	10,750	ASSISTED LIVING COMMON SPACE	22,549	39.1%
L4	10,750			
L5	8,159	*INCLUSIVE OF BOH PROGRAM		
TOTAL SF	**57,680**	**TOTAL SF**	**57,680**	

ROOM MIX	GSF	BEDS	L1	L2	L3	L4	L5	GUEST ROOMS	TOTAL BEDS	TOTAL GSF	
MC P0	348	1	0	2	0	0	0	2	2	696	
MC P0.1	329	1	0	12	0	0	0	12	12	3,948	
MC P2	393	2	0	4	0	0	0	4	8	1,572	
MC TOTAL			0	18	0	0	0	**18**	**22**	**6,216**	**20.1% OF TOTAL GUEST ROOM AREA**
AL P0	349	1	0	0	3	3	2	8	8	2,792	
AL P0.1	329	1	9	0	8	8	11	36	36	11,844	
AL P1	433	1	1	0	3	3	1	8	8	3,464	
AL P1.1	668	1	0	0	5	5	0	10	20	6,680	
AL TOTAL			10	0	19	19	14	**62**	**72**	**24,780**	**79.9% OF TOTAL GUEST ROOM AREA**
TOTAL			**10**	**18**	**19**	**19**	**14**	**80**	**94**	**30,996**	

PARKING SUMMARY:

REQUIRED (LAMC 12.21.A.4(d)(5))	RATIO	QUANTITY	TOTAL
MEMORY CARE	0.2 SPACES/ BED	22	5 SPACES
ASSISTED LIVING	0.5 SPACES/ ROOM	62	31 SPACES
TOTAL			**36 SPACES**
PROVIDED	SUBTERRANEAN GARAGE		**36 SPACES**

BIKE PARKING SUMMARY: (LAMC 12.21.A.16(a)(2))

		TOTAL
REQUIRED	Short-term	6 SPACES
	Long-term	12 SPACES
PROVIDED	Short-term	6 SPACES
	Long-term	0 SPACES

LEVEL B1

Guest Rooms	-	SF
Corridor	100	SF
Common Areas		
Lobby	640	SF
Bike Storage	332	SF
Theater	835	SF
Storage	164	SF
Shared Living / Library	813	SF
Wine Cellar	103	SF
Salon	385	SF
Staff Lounge	209	SF
Mother's Room	108	SF
AL Coordinator	97	SF
Associate Executive Director	110	SF
Sales	110	SF
Residential Laundry	121	SF
Maintenance / Caregiver Laundry	314	SF
BOM Office	102	SF
Women's	136	SF
Men's	145	SF
Fitness / Physical Therapy	1,493	SF
Fitness Storage	203	SF
Activites / Open Lounge	2,208	SF
TOTAL	**8,728**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 1

Guest Rooms	3,394	SF
Corridor	860	SF
Common Areas		
Lobby / Reception	1,087	SF
Bistro	700	SF
Main Dining	795	SF
Kitchen	1,075	SF
Food Director	100	SF
Chef Offices	100	SF
Mail / Parcels	198	SF
Exective Director	93	SF
Marketing	124	SF
Discovery	84	SF
Women's	146	SF
Men's	144	SF
Storage	42	SF
TOTAL	**8,942**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 2

Guest Rooms	6,216	SF
Corridor	2,000	SF
Common Areas		
Lobby	340	SF
Restroom	102	SF
Storage	36	SF
Wellness Office	122	SF
Serve	74	SF
Kitchen	136	SF
MC Dining	487	SF
MC Living Room	472	SF
MC Activities	304	SF
Quiet Room	62	SF
TOTAL	**10,351**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 3

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	**10,750**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 4

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	**10,750**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 5

Guest Rooms	4,750	SF
Corridor	1,701	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Janitor	22	SF
Storage	50	SF
Serve	74	SF
Kitchen	136	SF
AL Dining	562	SF
AL Living Room	205	SF
AL Activities	244	SF
TOTAL	**8,159**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

TOTAL **57,680 SF**

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THE PANORAMA GROUP
The Panorama Group, Inc.
9171 Wilshire Boulevard, Suite 500
Beverly Hills, CA 90210

HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

0 10 20 40

SITE PLAN

A1.0



Summer Solstice (June 20th) - 9:00am



Summer Solstice (June 20th) - 12:00pm



Summer Solstice (June 20th) - 3:00pm



Winter Solstice (December 21st) - 9:00am



Winter Solstice (December 21st) - 12:00pm



Winter Solstice (December 21st) - 3:00pm

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9171 Wilshire Boulevard, Suite 500
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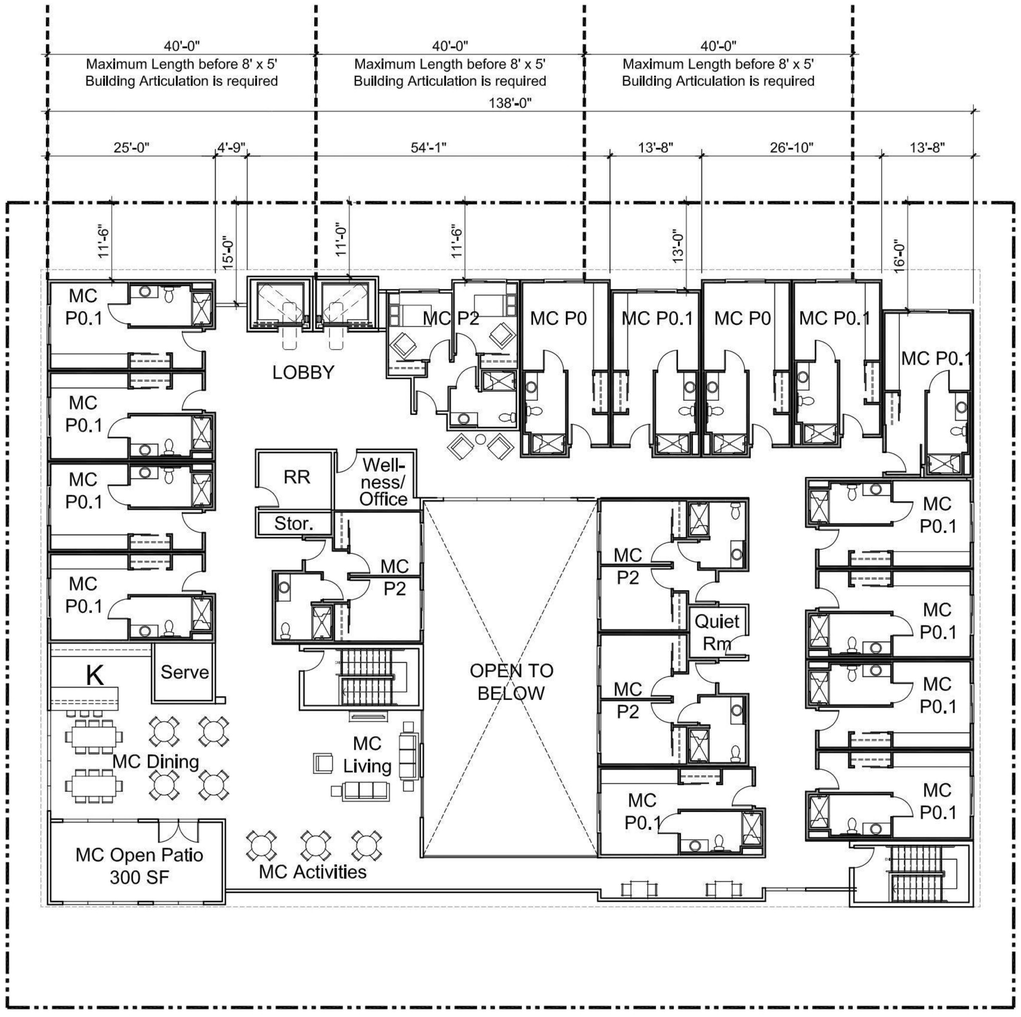
HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
MARCH 23, 2020

NTS

SHADE AND SHADOW ANALYSIS

A1.1



LEVEL 2 (TYPICAL LEVEL)



LEVEL 1

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9171 Wilshire Boulevard, Suite 500
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HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

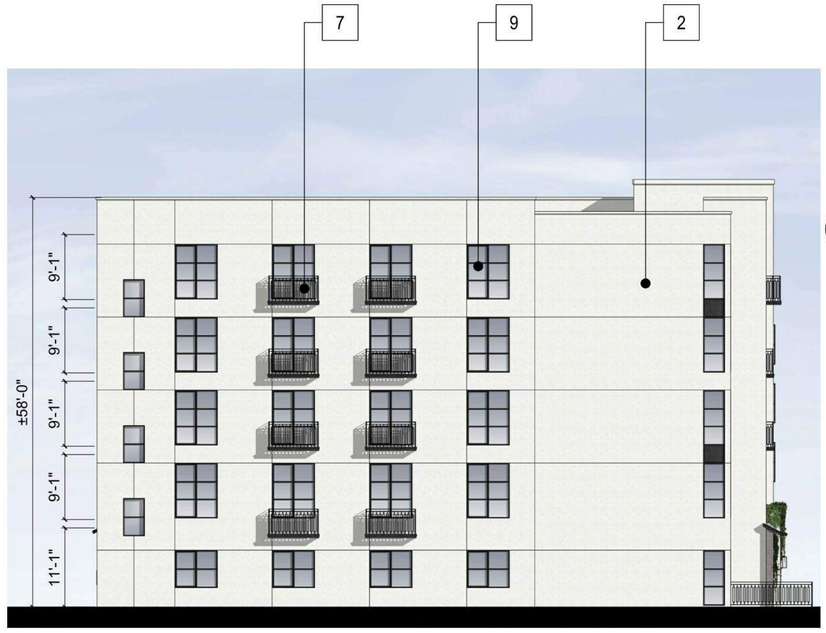
0 8 16 24

HOLT AVE. SETBACK EXHIBIT

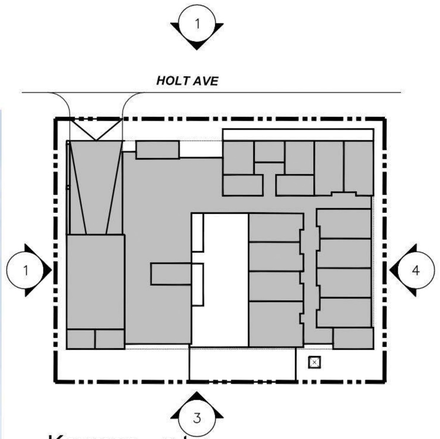
A1.2



3. REAR - West Elevation



4. LEFT - South Elevation



Keymap - n.t.s.

Material Legend

1. Standing Seam Metal Roof
2. Stucco
3. Fiber Cement Panel
4. Stone Veneer
5. Decorative Tile
6. Metal Ornamentation
7. Metal Railing
8. Vinyl Window
9. Storefront Glazing
10. Wall Mounted Light Sconce



1. FRONT - East Elevation



2. RIGHT - North Elevation

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HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

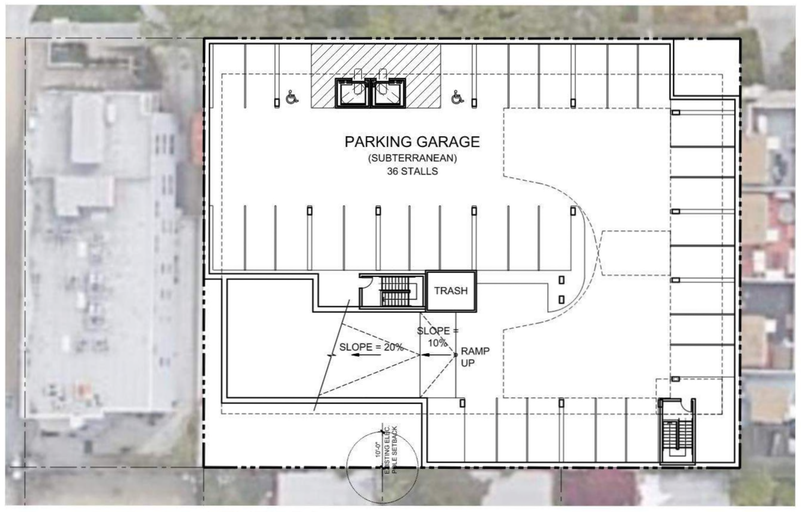
CONCEPT PHASE
NOVEMBER 30, 2020

0 4 8 16

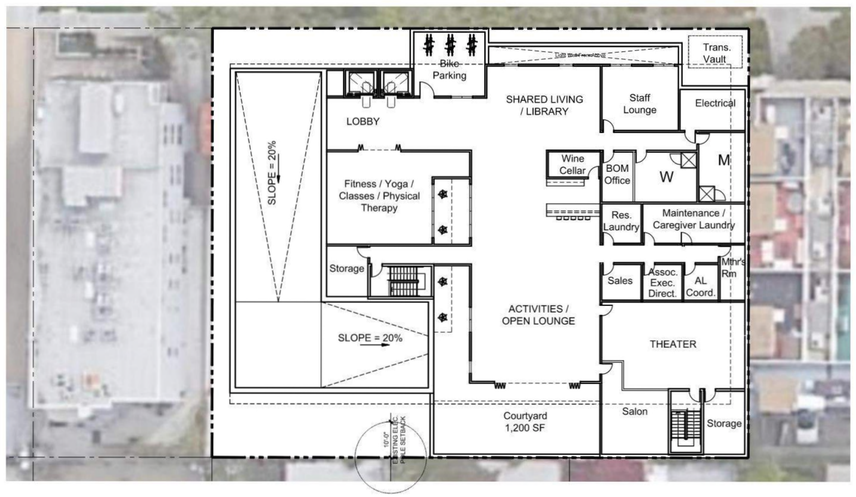
EXHIBIT "A"
Page No. 5 of 18
Case No. ZA-2020-2164-ELD-SPR

ELEVATIONS

A2.0



LEVEL B2



LEVEL B1

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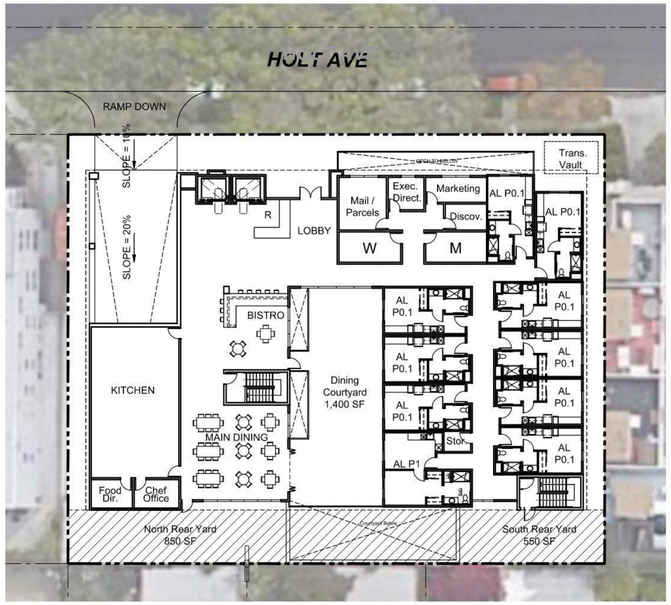
NOVEMBER 30, 2020

0 10 20 40

BUILDING PLANS

A3.0



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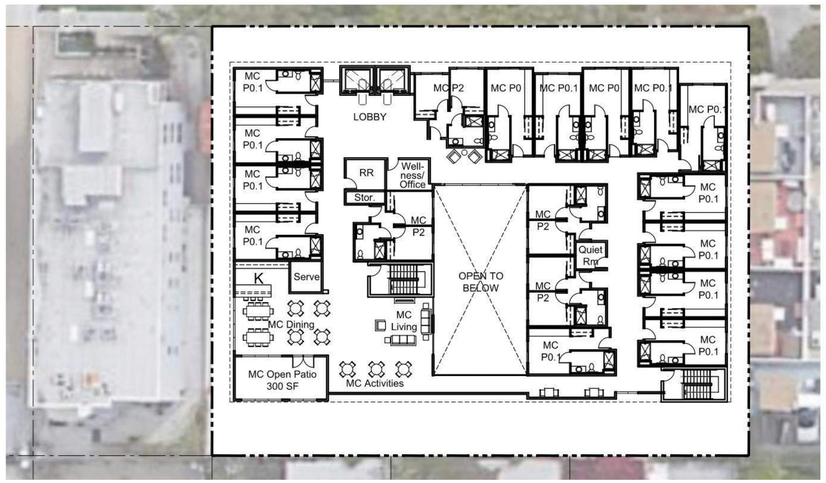

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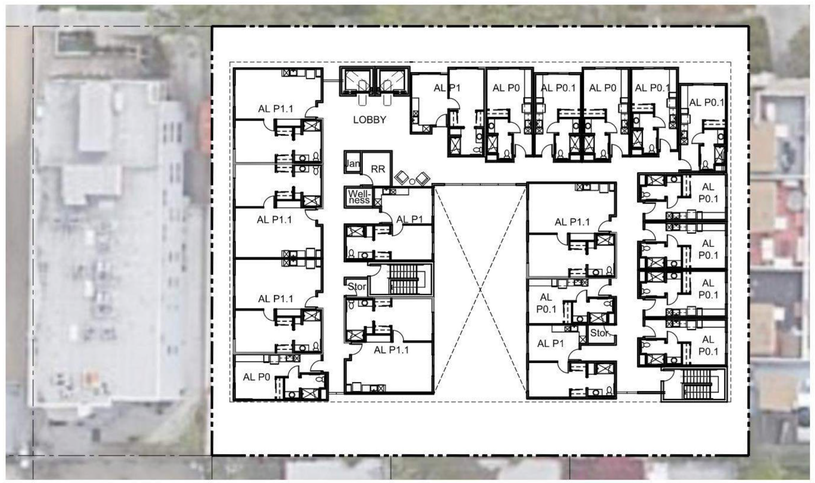

LEVEL 3-4



LEVEL 5

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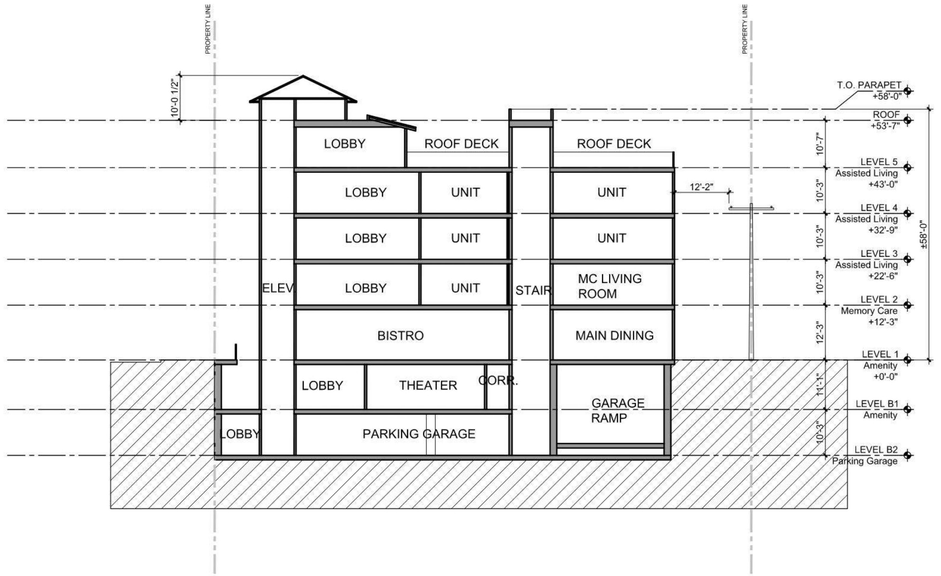
NOVEMBER 30, 2020

0 10 20 40

BUILDING PLANS

A3.1



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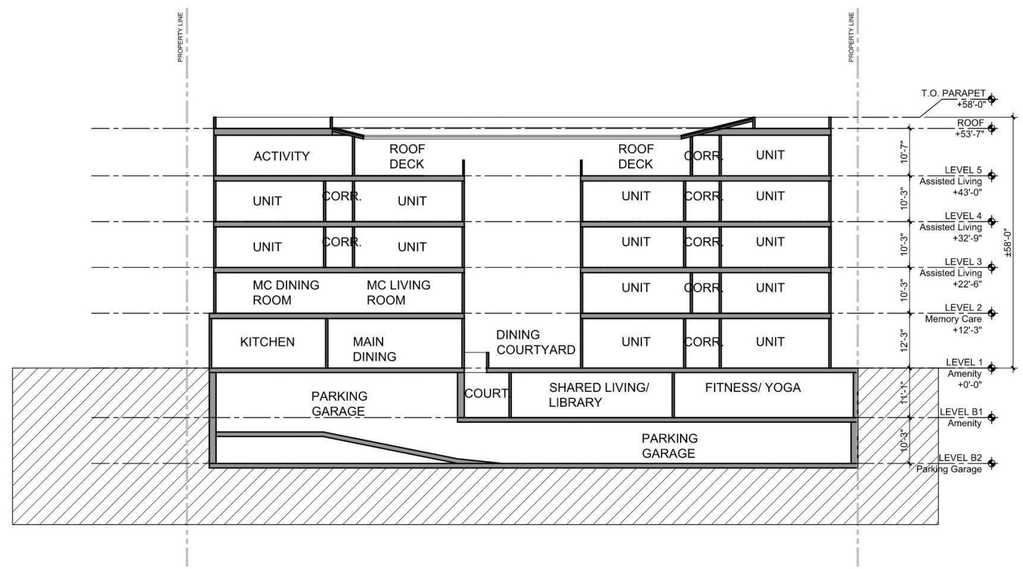
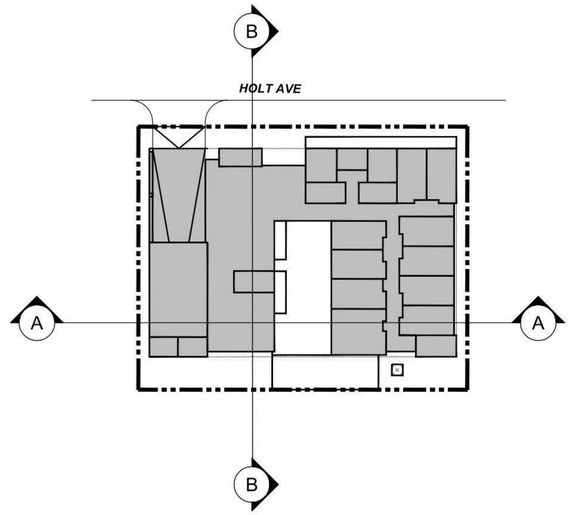


SECTION A-A



Keymap - n.t.s.

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CONCEPT PHASE
MARCH 23, 2020

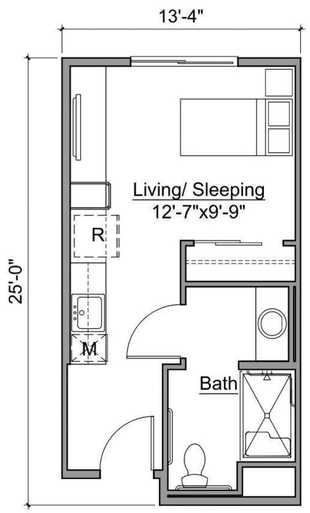
0 4 8 16

SECTIONS

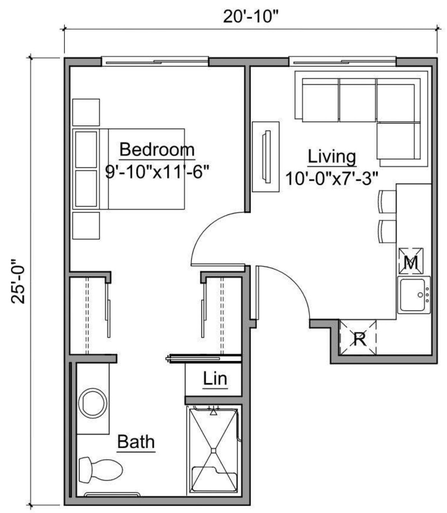
A4.0



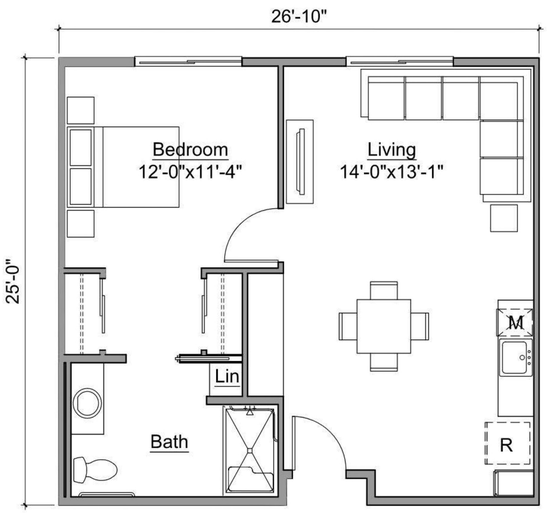
Assisted Living
Unit AL-0
± 349 Gross Sq. Ft.



Assisted Living
Unit AL-0.1
± 329 Gross Sq. Ft.



Assisted Living
Unit AL-1
±433 Gross Sq. Ft.



Assisted Living
Unit AL-1.1
±668 Gross Sq. Ft.

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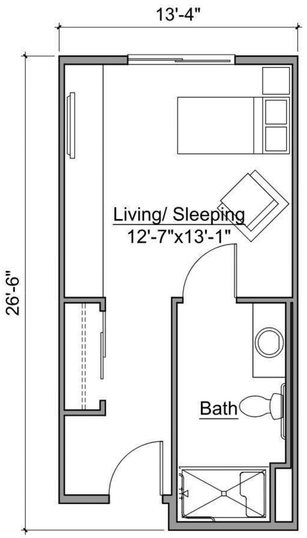
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

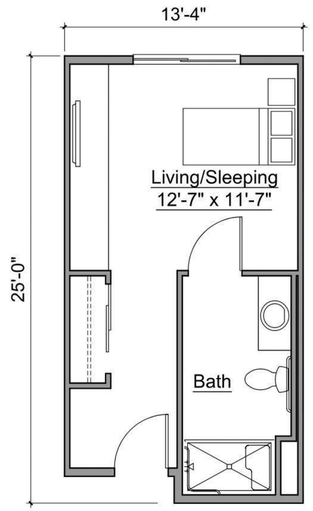
0 2 4 8

UNIT PLANS
ASSISTED LIVING

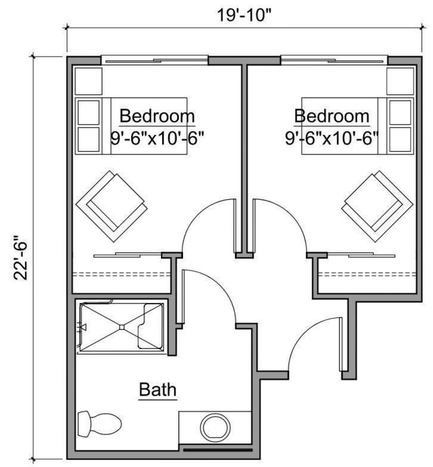
A5.0



Memory Care
Unit MC-0
± 348 Gross Sq. Ft.



Memory Care
Unit MC-0.1
± 329 Gross Sq. Ft.



Memory Care
Unit MC-2
± 393 Gross Sq. Ft.

EXHIBIT "A"
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HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

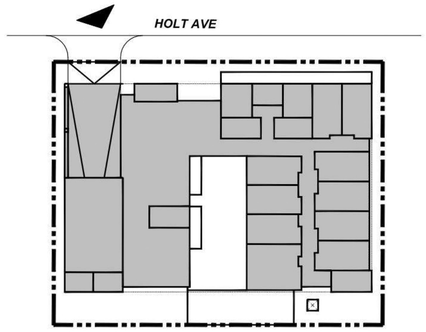
CONCEPT PHASE
NOVEMBER 30, 2020

NTS

PERSPECTIVES

A6.0





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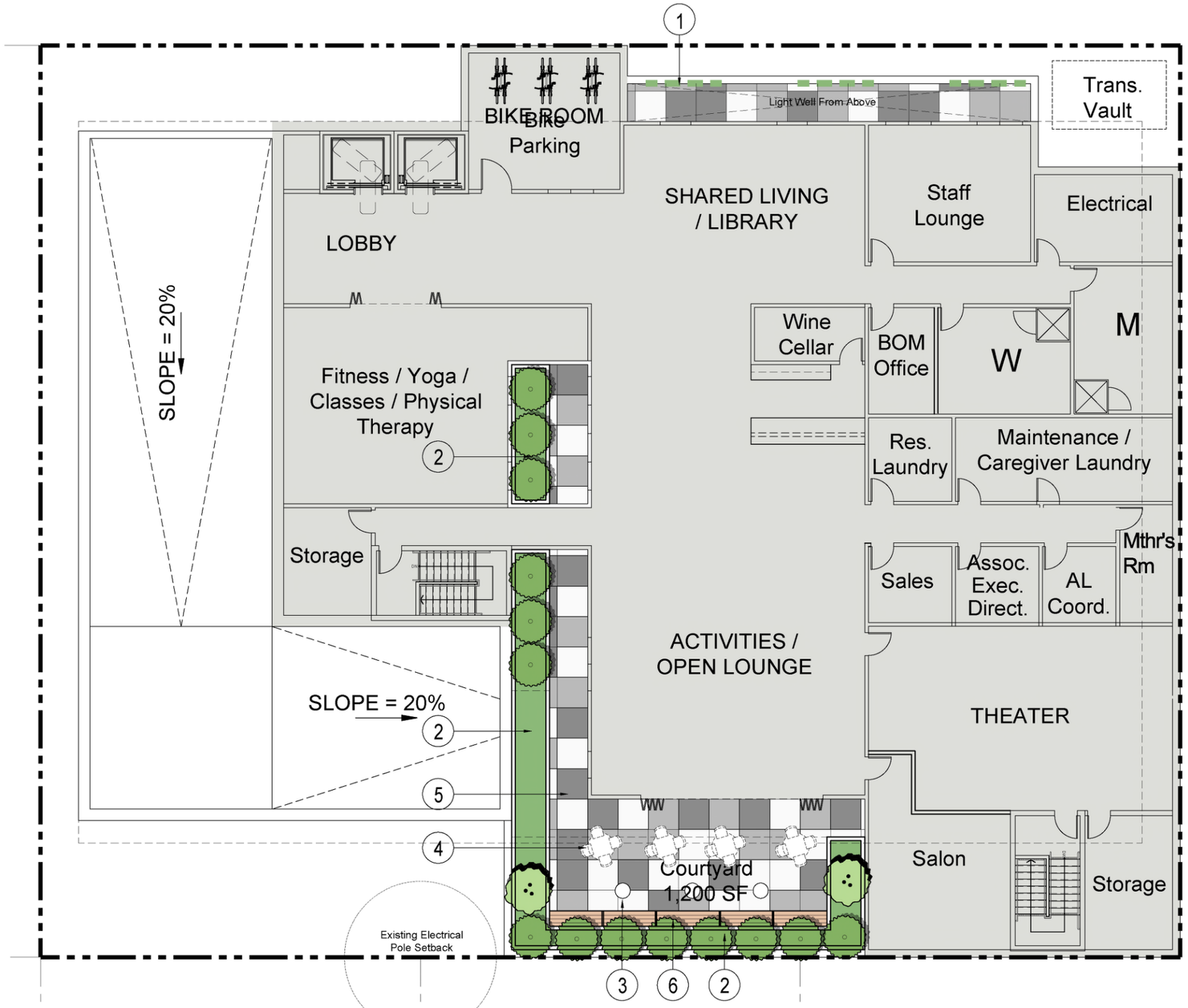
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

NTS

PERSPECTIVES

A6.1



1 PRELIMINARY LANDSCAPE PLAN-BASEMENT LEVEL

SCALE: 1/16" = 1'-0"

N

0 8' 16' 32'

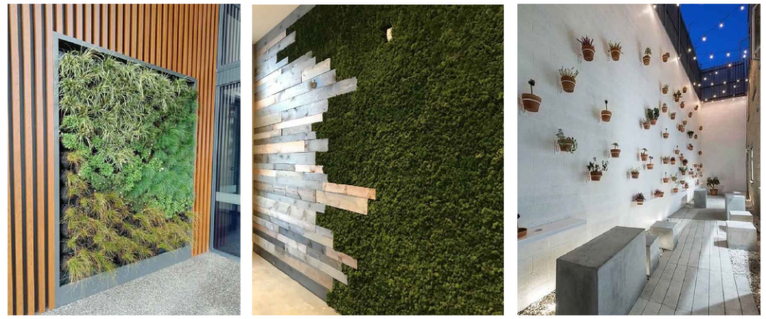
Scale: 1/16" = 1'-0"

TOTAL LANDSCAPE / HARDSCAPE BREAKDOWN

	LANDSCAPE SF	HARDSCAPE SF
BASEMENT LVL:	540.5 SF	1,157.17 SF
LEVEL 1:	1,631.3 SF	3,568.5 SF
LEVEL 2 MEMORY CARE PATIO:	52.5 SF	248.86 SF
LEVEL 5 ROOF DECKS:	400.2 SF	2,000.3 SF
TOTAL:	2,624.5 SF	6,974.83 SF

KEYNOTES

1. REALISTIC ARTIFICIAL WALLSCAPE / GREEN WALL OPTIONS:



2. BUILT-IN PLANTER
3. COFFEE TABLE
4. READING TABLE
5. STAINED CONC. PAVING



6. BUILT-IN WOOD BENCH W/ ARM REST & SLOPING BACK CUSHION



PLANTING LEGEND

- MARINA STRAWBERRY TREE ARBUTUS 'MARINA'
- FERN PINE (HEDGE) PODOCARPUS GRACILIOR
- FIDDLE LEAF FIG FICUS LYRATA
- SHRUBS & GROUNDCOVERS

PAVING LEGEND

- STAINED CONC. PAVING

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825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC Landscape Architects
2669 Saturn Street
BREA, CA, 92821
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-1



1 PRELIMINARY LANDSCAPE PLAN-1ST LEVEL
SCALE: 1/16" = 1'-0"

N

0 8' 16' 32'
Scale: 1/16" = 1'-0"

KEYNOTES

1. BUILT-IN PLANTER
2. BENCH W/ ARM REST



3. CON. STAINED PAVING

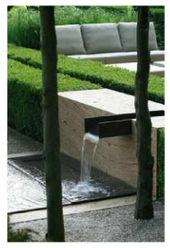




4. CABLE WIRING FOR VINE PLANTING

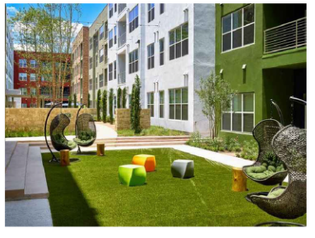


5. TABLE W/ CHAIRS
6. CUSTOM RUNNEL WATER FEATURE





7. SYNTHETIC GRASS LOUNGE AREA



8. BUILT-IN BBQ
9. FIBERGLASS PLANTER
10. OUTDOOR SOFA SEATING W/ TABLES
11. FIREPIT W/ SOFA SEATING



12. RAISED BED VEGETABLE GARDEN



13. STONE VENEER BLOCK WALL

PLANTING LEGEND

TREES

ACER PALMATUM
'SANGOKAKU'
ACORAL BARK JAPANESE MAPLE

ARBUTUS MARINA
STRAWBERRY TREE

PODOCARPUS GRACILLIOR
FERN PINE (HEDGE)

FIDDLE LEAF FIG
FICUS LYRATA

EXISTING STREET TREE
TO REMAIN

PAVING LEGENDS

VINE CABLE PLANTING

PLANTING

EXHIBIT "A"
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SQLA INC
Landscape Architects
2669 Saturn Street
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la@sqlainc.com
T. 562-905-0800
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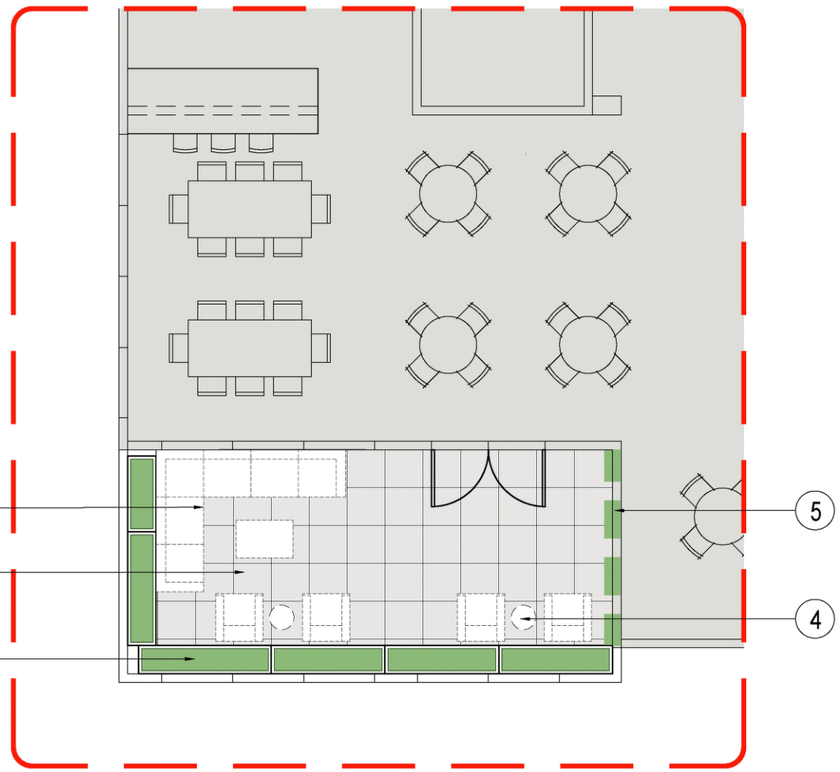
LP-2



1 PRELIMINARY LANDSCAPE PLAN - 2ND LVL MEMORY CARE PATIO
SCALE: 1/8" = 1'-0"

N

0 8' 16' 32'
Scale: 1/16" = 1'-0"

KEYNOTES

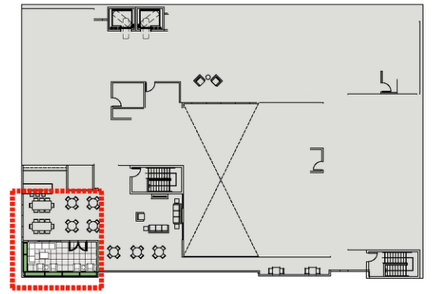
1. RECTANGULAR FIBERGLASS PLANTER



2. 2' X 2' PEDESTAL PAVERS
3. SOFA SEATING W/ TABLE
4. SOFA SEATS W/ ROUND TABLES
5. GREEN WALL OPTIONS:







KEYMAP - N.T.S.

PLANTING LEGEND

SHRUBS & GROUNDCOVERS

PAVING LEGEND

2' X 2' PEDESTAL PAVERS

EXHIBIT "A"
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825-837 SOUTH HOLT AVENUE
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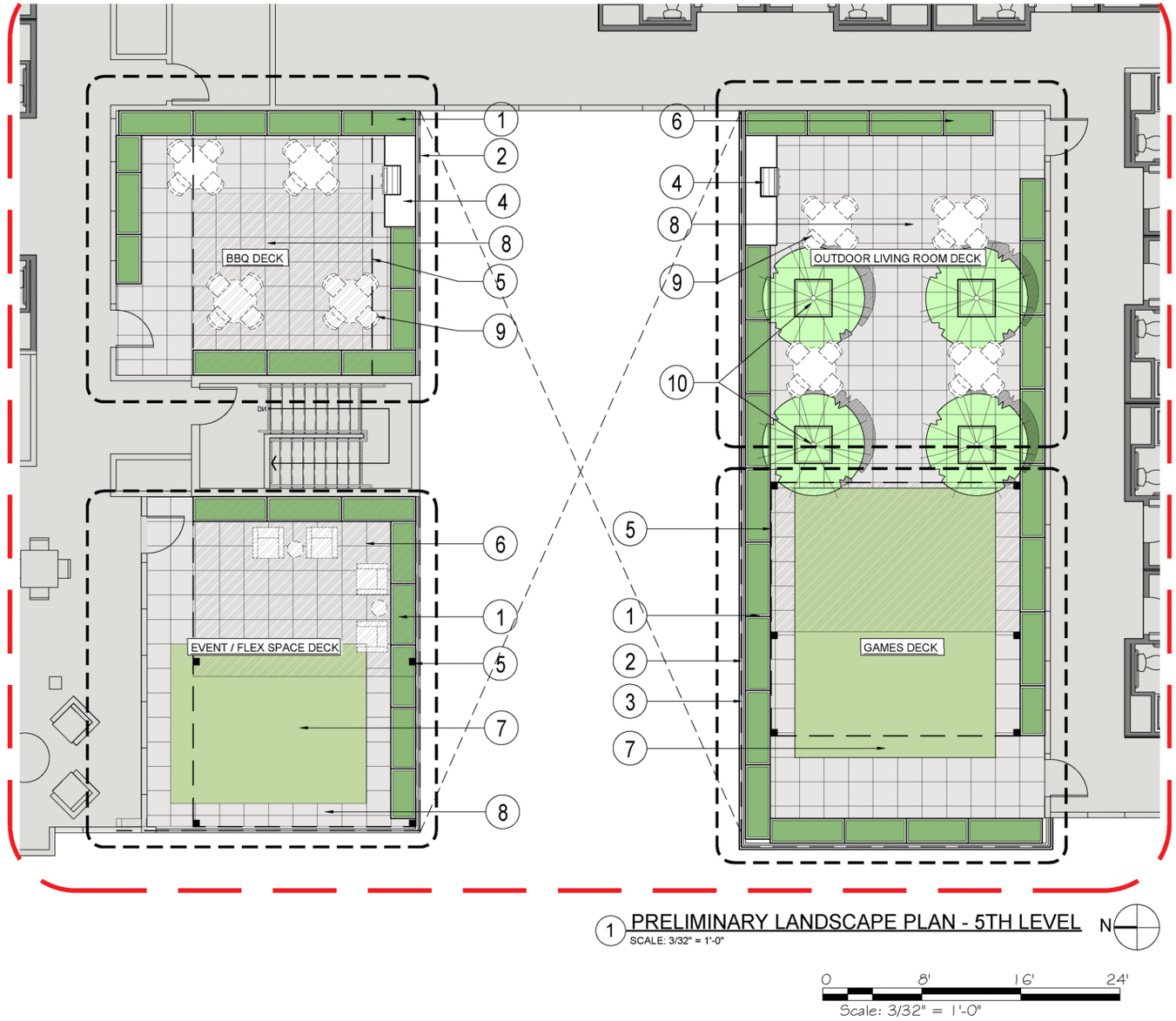
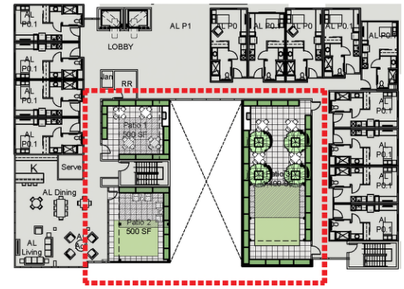


1 PRELIMINARY LANDSCAPE PLAN - 5TH LEVEL
SCALE: 3/32" = 1'-0"

N

0 8' 16' 24'
Scale: 3/32" = 1'-0"



KEY PLAN

KEYNOTES

1. FIBERGLASS PLANTER



2. 5'H GLASS RAILING
3. 10'H SAFETY NET MESH WALL



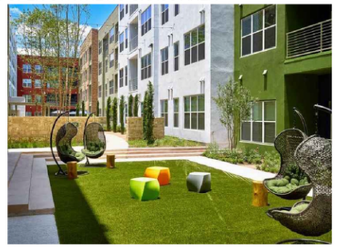
4. BBQ



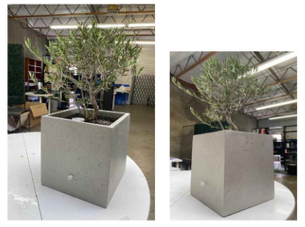
5. CABLE SLIDE & GLIDE SHADE SYSTEM



6. COUCH SEATING W/ TABLES
7. OPEN SYNTHETIC GRASS AREA



8. CONC. PAVING TILES
9. ROUND TABLES W/ CHAIRS
10. 3' X 3' MOBILE FIBERGLASS TREE PLANTERS



PLANTING LEGEND

TREES

CITRUS LEMON
'MEYER IMPROVED'
MEYER IMPROVE LEMON

PAVING LEGENDS

PLANTING
SYNTHETIC GRASS
CONC. PAVING TILE

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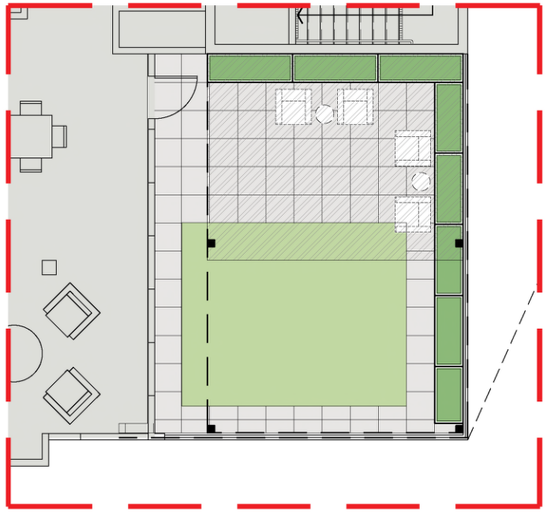


2 EVENT/FLEX SPACE DECK ACTIVITIES
SCALE: 3/32" = 1'-0"

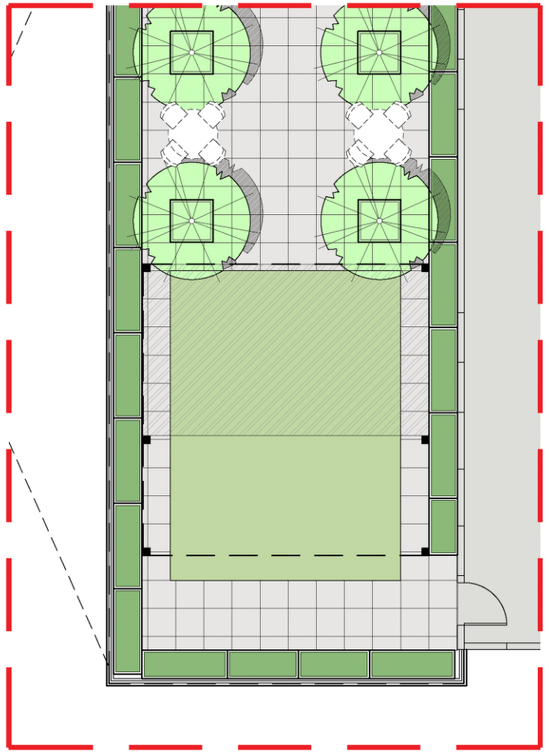
N



OUTDOOR PAINTING



LIVE MUSIC / ENTERTAINMENT



1 GAMES DECK ACTIVITIES
SCALE: 3/32" = 1'-0"

N



BOCCE BALL



GROUP GAMES / ACTIVITIES





MEDITATION / STRETCHING EXERCISES



PUTTING GREEN



CIRCUIT WALKS



CORNHOLE

EXHIBIT "A"
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LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC
Landscape Architects
2669 Saturn Street
BREA, CA, 92821
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-4A

			
PODOCARPUS GRACILLIOR (HEDGE) FERN PINE	ARBUTUS 'MARINA' STRAWBERRY TREE	ACER PALMATUM 'SANGOKAKU' CORAL BARK JAPANESE MAPLE	CITRUS LEMON 'MEYER IMPROVED' IMPROVED MEYER LEMON

1 TREE SELECTIONS
SCALE: N.T.S

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SQLA INC
Landscape Architects
2669 Saturn Street
BREA, CA, 92821
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-5

COVID-19 UPDATE
Interim Appeal Filing Procedures

Fall 2020

LOS ANGELES CITY PLANNING

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

OPTION 1: Online Appeal Portal

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

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

OPTION 2: Drop off at DSC

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

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

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

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

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

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

APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

☑ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: ZA-2020-2164-ELD-SPR

Project Address: 825-837 Holt Avenue

Final Date to Appeal: 02/24/2021

2. APPELLANT

Appellant Identity: (check all that apply)
❒ Representative ☑ Property Owner
❒ Applicant ❒ Operator of the Use/Site

☑ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Shelly Lavin, Kyle Miller, Jeremiah Loeb, Andrea Ward, Erica Goldberg, Angela Efros, P. Dumican

☐ Person affected by the determination made by the **Department of Building and Safety**

❒ Representative ❒ Owner ❒ Aggrieved Party
❒ Applicant ❒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Nikki Vescovi

Company/Organization:

Mailing Address: 839 S. Holt Avenue, #107

City: Los Angeles State: CA Zip: 90035

Telephone: (310) 801-7995 E-mail: nikkiv@att.net

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

☐ Self ☑ Other: 839 Holt Townhomes Association

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☑ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____. Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☑ Part

b. Are specific conditions of approval being appealed? ☑ Yes ☐ No

If Yes, list the condition number(s) here: 8a, 8b, 8c, 8e, and 8f

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

☑ The reason for the appeal ☑ How you are aggrieved by the decision

☑ Specifically the points at issue ☑ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: _____ Date: _____

GENERAL APPEAL FILING REQUIREMENTS

B. ***ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES***

1. Appeal Documents

a. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

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☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

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☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.

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☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC

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☑ The reason for the appeal ☑ How you are aggrieved by the decision

☑ Specifically the points at issue ☑ Why you believe the decision-maker erred or abused their discretion

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

Appellant Signature: Cheryl Robertson Date: 2/22/21

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1. Density Bonus/TOC
Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:
- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.

- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:
- Waivers for By-Right Projects, can only be appealed by the owner.

- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

☐ **1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement
☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

☐ **2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement
☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:
- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

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.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
☐ Determination authority notified	☐ Original receipt and BTC receipt (if original applicant)	

Case # ZA-2020-2164-ELD-SPR
825-837 Holt Eldercare Community Response

Applying the "strict application" of land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations in our neighborhood.

Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner.

They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners. This zoning laws are not being adhered to in this case, resulting in a deleterious impact to our community.

The Zoning Administrator's decision rendered on February 9, 2021 was an abuse of discretion. In reference to Findings for Approval (Amended by Ord. No. 182,095, Eff. 5/7/12.), the Zoning Administrator shall not grant the approval unless he or she finds that the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Financial hardship is not one of the findings upon which a decision is made. As is referenced in the five findings below. On page 23 of the Zoning Administrator's decision, the applicant states, "The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property." To make a decision based on this is an errant use of discretion. Making a decision based upon financial viability is irrelevant to any of the findings for approval.

1. That the project's location, size, height, operations, and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety:

The project's location, size, height, operations, and other significant features are not compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

The height and massing of this proposed project are not in keeping with the envelope of this community. The proposed building envelope is larger than all other structures in the immediate area and is not compatible with the envelope of the community. The proposed 58-foot high, 57,680 square-foot, five-story Eldercare Facility is larger in height and massing than all other structures in the immediate area. There are no buildings on Sherbourne, Holt, or Le Doux between Gregory Way and Chalmers that cover five-stories and three adjacent lots. This height and massing are not in keeping with the envelope of this community.

The proposed mid-rise project is in the middle of an established low-rise neighborhood predominantly comprised of two and three-story duplexes and apartment buildings (refer to Exhibit 1 in the case files) that are built on single lots. The project is incompatible with, and shall adversely affect, adjacent properties, the surrounding neighborhood, and the public, health, welfare, and safety of the homeowners and renters that have resided in this community for decades.

The owner of 834 S. Sherbourne Drive owns two adjoining duplexes directly behind the proposed site. She has lived in this community for over 50 years. This project would loom over her property and will completely block her light in her garden full of plants established through her relationship. The new project is best described by one neighbor, Rabbi Kesherim, who explained to the Senior City Planner that it would look like, “an elephant in a bird’s nest” as it is plopped in the center of the block.

The character of this community is unique. The one existing modern four-story building on Holt is incongruent with the neighborhood of Spanish Revival Architecture. At least that building is toward the end of the block, not smack in the middle, and not encompassing three lots. As designed, this is a monolith from all angles. This should adhere to the existing City Planning Guidelines. No 360° tiering and articulation is shown which would be important to making this more congruent with the envelope of the community. Only the façade is tiered. Light and air to breath would allow this to be more compatible with the community. The project does not fit the land space. The setbacks between the adjacent buildings would be reduced from 8 feet to 6 feet.

The 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335 is an unwarranted deviation. This neighborhood is comprised of young children who play freely on the sidewalks, riding scooters and bicycles. There are also many elderly residents that would be impacted, as well as neighbors walking their dogs. It would be tragic for someone to be unfortunately injured in the community. Given the existing traffic and parking on the street (please refer to pictures submitted to the case files) it is already a challenge with the visibility of pedestrians. Adjoining properties, such as 839 S. Holt, need to be able to back out of the driveway, so this in itself causes additional concern.

The daily deliveries such as food, medical supplies, and other items that are necessary to support this project are also of concern. Medical emergencies are also inevitable and will impact the existing peaceful community. Street parking is already extremely limited. At 7am in

the morning there will be no spaces on the street for a vehicle to park and if vehicles are double-parked this will contribute to adverse traffic flow at a critical time.

Besides the height and massing issues, the density and FAR deviations of the proposed facility are unnecessary deviations. The subject 18,018 square-foot facility is zones [Q]R3-1-O, which permits a maximum of 36 guest rooms per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total of 57,680 square feet for an FAR of 5.06:1.

The Density and FAR deviations are not necessary. They are only necessary to provide a financially feasible project (refer to page 24, paragraph 4 of the decision). That is not a finding and is an errant abuse of discretion by the Zoning Administrator. (On page 25, paragraph one the applicant states that the increase floor area is devoted to common areas serving the needs of the residents. If this is necessary then reduce the density and FAR by reducing the number of guest rooms, thereby reducing the need for deviations).

The applicant states that "to make Eldercare Facilities financially viable, certain costs such as land costs and architectural fees need to be divided across a sufficient number of Guest Rooms and beds" (page 25, paragraph 2). Again, this is an errant abuse of discretion in the zoning administrator's decision as financial viability is not a finding in the decision making process.

Once again, the applicant states on page 25 paragraph 3 that, "The applicant has submitted a financial feasibility analysis, conducted by the Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed." Financial viability is, again, not a reason to approve a finding.

On page 27, the Zone Administrator found that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development

The Zoning Administrator finds that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly. This is an errant use of discretion as financial viability is not a reason for a finding to be met.

3. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood:

This project will have an adverse impact on street access and circulation in the surrounding neighborhood with delivery trucks, ambulances and visitors coming and going and parking.

Onsite parking for deliveries is not provided. The developer suggested having a loading zone in front of the building which is appropriate for a commercial, not a residential setting and would take up valuable street parking for the already existing residents in the community. Additionally, even though all vendor deliveries shall be restricted to between the hours of 7am to 2pm daily there will be no way to control or enforce this.

There will not be enough spaces for workers and visitors, especially during holiday seasons when the community also has visitors.

There is already a tremendous parking problem in this neighborhood as there is a nursing school a few blocks away at Gregory Way and La Cienega that has no parking lot. These students regularly show up at 6am and park their cars on our streets for free, waiting for someone to leave so they can find a space. They then sleep in their cars until the school opens to ensure that they have a spot all day as there is no restricted parking in neighborhood. Also, because we are so near to Wilshire Blvd., many people park their cars on our streets for free and walk to their doctor's offices on Wilshire. When we leave for work, or simply go to the market and return, our space is gone leaving us to park on other surrounding blocks.

Additionally, it is important to note that Holt Avenue is a narrow street and when two cars are driving in different directions there are incidents of being sideswiped as has happened to several individuals in the neighborhood.

4. That the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood:

As stated above, the project will not be compatible with the scale and character of the adjacent properties and surrounding neighborhood. There is nothing comparable in the neighborhood in relation to:

1) The scale – consuming 3 single lots with reduced setbacks – both front and side yards
2) Exceeding height with no offset in elevations to reduce the oversized, block-like structure
3) Character – it does not lend itself to the architectural character of the existing Mediterranean and Mid-Century design so that it blends into the neighborhood. Rather the project projects a commercial hotel-like look, sitting up against the parkway in front of the property.

5. That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan and with any applicable specific plan.

The project is not in substantial conformance with the purposes, intent and

provisions of the General Plan, applicable community plan and with any applicable specific plan of a quiet residential neighborhood. Just ask our Councilmember Paul Koretz. Given everything that has been stated above, and evidenced by the additional documents provided, the project does not conform with any of the criteria being presented allowing waivers to be granted on this project.

Again, zoning laws are intended to promote the health, safety, welfare, convenience, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owners. They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic, the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of the neighbor property; the effect of the permitted use on land in surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

To conclude, this applicant is seeking deviations from the zoning regulations which should be denied. The applicant on record is not the property owner on title. Documents signed as the owner of record were submitted on the zoning application are falsified.

This appeal is on behalf of Cheryl Holstrom of 842 S. Sherbourne, adjacent to the proposed property. I am not opposed to the use, to an Eldercare facility. Height, density and massing issues and the proposed property not being in consistent with the community envelope are the reasons that it does not meet finding #1 or #4.

1). This project will adversely affect and degrade adjacent properties as well as the surrounding area;

3). This project will create an adverse impact on street access and circulation in the surrounding neighborhood;

4.) This project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are incompatible with the scale and character of the adjacent properties and surrounding neighborhood.

Given everything that has been listed above, the project does not conform with any of the criteria presented for deviations to be approved by the Zoning Administrator. The Zoning Administrator's decision is an errant abuse of discretion and the requested deviations should be denied approval.

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APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

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Appellant Identity: (check all that apply)
❒ Representative ❒ Property Owner
❒ Applicant ❒ Operator of the Use/Site

☑ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Daniel Sidis, owner of adjacent property

☐ Person affected by the determination made by the **Department of Building and Safety**

❒ Representative ❒ Owner ❒ Aggrieved Party
❒ Applicant ❒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Daniel Sidis

Company/Organization:

Mailing Address: 819 S Holt Ave #101

City: Los Angeles State: CA Zip: 90035

Telephone: (310) 877-5187 E-mail: danny@sidisinc.com

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

☑ Self ☐ Other:

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☑ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Joshua Greer

Company: Berger Greer, LLP

Mailing Address: 468 N Camden Dr #278B

City: Beverly Hills State: CA . Zip: 90210

Telephone: (516) 368-5283 E-mail: shuki@bergergreer.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☑ Part

b. Are specific conditions of approval being appealed? ☑ Yes ☐ No

If Yes, list the condition number(s) here: 8 a-f

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6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: DocuSigned by: Daniel Sidis A74BC28E779E4D5... Date: 2/22/2021

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SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC
Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:
- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.

- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

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D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

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☐ **2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement
☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
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G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:
- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

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.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
☐ Determination authority notified	☐ Original receipt and BTC receipt (if original applicant)	

From: Daniel Sidis
To: whom it may concern

Justification/Reason for Appeal

Case # ZA-2020-2164-ELD-SPR
825-837 Holt Ave

By approving the application, the Zoning Administrator ("ZA") violated the law and abused his discretion. The ZA is acting in a quasi-judicial role, and as such must adhere to the standards of law that govern his decision making. In making the required findings, each must be supported by substantial evidence. In this matter, the record does not contain evidence to support the findings.

In his decision, the ZA abused his discretion specifically by making the following findings:

- The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.
- The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.
- The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

In addition, I object to the following deviations, as granting the same is an abuse of the ZA's authority and discretion:

a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

Finding 1 - The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

There is no substantial evidence in the record to support this finding, and it was an abuse of discretion for the ZA to make this finding. First, it is important to note that the law is not entirely clear that financial hardship may constitute "unnecessary hardship" at all. Neither *Stolman* nor *Walnut Acres* held that financial hardship would be sufficient to meet the standard, as both did not have to decide that question because they held that the evidence did not support such hardship.

> "City asserts that financial hardship may constitute "unnecessary hardship." Even assuming that this is true, the zoning administrator's determination of the first required finding is erroneous." *Stolman v. City of Los Angeles*, 114 Cal. App. 4th 916, 926, 8 Cal. Rptr. 3d 178, 186 (2003). "As in *Stolman,* we assume that financial hardship may be sufficient for purposes of obtaining a permit under section 14.3.1 to show unnecessary hardship, but find no evidence supporting the claimed financial hardship." *Walnut Acres Neighborhood Assn. v. City of Los Angeles*, 235 Cal. App. 4th 1303, 1315, 185 Cal. Rptr. 3d 871, 879 (2015).

As such, case law is far from clear that financial hardship can suffice at all, and I argue that it does not and cannot be the basis for a finding of unnecessary hardship. Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner. They are designed to stabilize neighborhoods and preserve the character of the community.

When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

In similar cases, using similar legal standards, "unnecessary hardship" has been found when, among other reasons, a lot has unique characteristics, or other specific reasons making the zoning rule inapplicable to a particular lot. (See generally *Walnut Acres* at 1316). It makes logical sense for there to be an exception to the strict application of zoning rules where a particular lot defies the basis for that rule to have been made. If a lot has a particular shape, topography, soil content, or other relevant feature, a strict application of zoning rules may in fact result in an unnecessary hardship. By contrast, pure financial hardships speak to the individual considerations of a particular owner or developer, and therefore do not form a basis for undoing a zoning rule put into place in consideration of an entire community.

Further, the law does not allow a developer to create his own hardship scenario, and then ask for the city to grant him a variance on that basis. Self-created hardships are unquestionably not a valid basis for variances to be granted:

> "Since the facts in the instant case clearly reveal that any hardship suffered by appellants is the result of their own actions … there can be no question that the planning commission acted properly in denying them a variance. *Town of Atherton v. Templeton*, 198 Cal. App. 2d 146, 154, 17 Cal. Rptr. 680, 685 (Ct. App. 1961).

Where a developer seeks out and purchases three adjacent lots with the intent of applying for an eldercare facility that by his own application will require significant variances for feasibility, the law does not allow him to "ask forgiveness rather than permission" by arguing that his financial situation forces the city to grant him deviances from the zoning rules.

Because financial hardship cannot support a basis for a finding of unnecessary hardship, the ZA abused his discretion in relying on it to make the finding he made in this case.

Even if financial hardship is a valid basis for such a finding, in this case the record does not contain substantial evidence to establish it as a valid basis. The decision relies on the applicant's unverified word, and the "TCG study" to conclude that allowing the variances is the only financially viable way to build the facility.

In taking the applicant's word for it, the ZA made several improper assumptions. For example, the applicant asserted that all of the on-site amenities that the facility is proposed to have are necessary for the quality of life of its residents. That assertion is copied almost verbatim in the ZA's decision, despite there being no actual support for the proposition. The ZA revealingly states that the proposed project *"seeks to provide significant "quality-of-life" amenities rather than minimally-equipped facilities."* (p. 25 of 46). Clearly the ZA acknowledges that these are not necessary amenities, but rather ones done with the intent of allegedly improving the qualify of life of its residents. The same is true regarding the need for increased common areas and wide hallways. The need for those items in the facility is stated without support by the applicant, and repeated as fact by the ZA.

The ZA further intertwined the needs for these amenities and facilities with the financial costs of building and maintaining a project. The TCG study is as noteworthy for what it did examine, as for what it left out. The TCG study explicitly calculated land costs into its total project cost. **This inclusion alone makes the ZA's reliance on it an abuse of discretion.** There is no reason that the applicant is entitled to variances because of his cost in acquiring the land. That is not the law with regard to unnecessary hardships, it is not a valid reason to grant variances, and it shocks the conscience to learn that the community would have to tolerate a building that was allowed merely because the applicant paid above-market price for the land and then asked the city to make it financially viable for him.

This point cannot be emphasized enough. The zoning rules were in clear effect before the applicant purchased any of the lots at issue here. He is clearly sophisticated enough to know what variances he would need and what size project he would like to build. He obviously knew that he would have to ask for these variances from the code, and planned accordingly. It is a

complete abuse of discretion for the ZA to find that he gets to build his not-to-code facility simply because he put himself in a financial hole by purchasing the lots at an unreasonable rate.

The decision also recounts how investors and lendors "typically" require a certain return on cost equal to the market cap rate plus a spread, which "typically" is 150 basis points. (p.26 of 46). The decision then crunches the numbers, and concludes that the variances requested are "necessary" to build a financially viable project, and further that "without the requested… deviations, the project could not be built." (p.27 of 46). The ZA abused his discretion because what lenders "typically" do does not equate to what is "necessary" for the financial viability of the project. The standard for "unnecessary hardship" is not "I'll be forced to work extra hard to secure financing" or "the typical lender may be concerned with my numbers", the standard is that the strict application of the rules *would* result in unnecessary hardship. Further, the argument laid out above, about how financial hardship is not a valid basis for unnecessary hardship, comes into even more focus here. With this conclusion, the ZA is finding "unnecessary hardship" based on the applicant's inability to maintain a certain level of financial comfort and security. Making this the standard is a far cry from the law, and thus a clear abuse of discretion.

Finally, the decision states that the entire administrative board and staff is necessary for the facility. Putting aside the ZA's decision to parrot the applicant's statements on these points, and despite the record being entirely bereft of any support for such statements, the ZA ignored information actually in the record which demonstrates that the entire administrative board was *not* necessary. The same applicant, developer, and nearly-identical proposed project is being sought in Eagle Rock, and another one is already open elsewhere in Los Angeles. There is no reason why some of these administrative positions could not suffice for more than one location, yet the applicant has stated that his facility is only financially viable if a full administrative staff is on location at each building.

The disconnect between the applicant, the TCG study, and the city highlights this last issue. The information as analyzed in the TCG study calculated operating expenses as an assumed number, thereby coming to the conclusion it did. But if the specific facts of this developer, fully flushed out for the ZA in the record, demonstrate that such an administration is not needed at this particular location, that puts all of the financial conclusions into question. The TCG study was an all-or-nothing study, only analyzing full compliance with the zoning rules, or all the variances. What about a middle ground? If that would be financially viable, then granting all the variances is clearly an abuse of discretion.

Lastly, the ZA conflated the other findings, specifically those about the citywide demand for services for the aging population, into the question of unnecessary hardship. The unnecessary hardship analysis asks whether the project can be feasibly built according to the code, or whether it requires deviations. The analysis does not allow for the consideration of the city's needs or of the Housing Element's goals. The decision states: *"the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly."* (p.27 of 46). And then again: *In addition, the relief requested is necessary to serve a city- and area-wide demand for assisted living and memory care facilities for an aging population. Without such deviations, the zoning regulations restricting the building envelope would make the construction of the Eldercare Facility on the subject property impractical and infeasible.* (p.29 of 46).

By improperly considering the needs of the aging population, the ZA looked outside the scope of the law, and distorted the considerations required for each of the required findings.

Because the ZA abused his discretion, the finding is improper.

<u>Finding 2 –</u> "The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety."

<u>Finding 5 –</u> "The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood."

(I have combined these two findings into one analysis, as their contents contain significant overlapping bases, and my objections are similar to both. For clarity's sake, I am challenging each of them as an abuse of discretion, and believe both were found incorrectly)

In reaching the findings related to the project's envelope and its effect on the adjacent properties and the neighborhood, the ZA abused his discretion in several ways. First, he listed all of the properties around the project and their heights, and ignored the glaringly obvious: all of the properties were of the same use: multi-family homes for traditional, residential families. By contrast, an eldercare facility is a different use and function, and functions differently than a multi-family residential unit in several ways. It does not have the same hours. It has significantly more deliveries. It has dozens of people arriving in the morning for work and leaving in the evening, making it analogous to a commercial establishment.

Second, there is not a single five story building anywhere in the vicinity. The only place such buildings exist are on the large thoroughfares of La Cienega Blvd, Robertson Blvd, and Olympic Blvd. By contrast, this proposal is smack in the middle of an entirely residential street. The proposal would be significantly larger than any other building near it, yet the ZA somehow concluded that it would be in character with the neighborhood.

Third, the fact that the proposal is on three lots is entirely absent from the ZA's decision. This fact played a large role in the stated opposition to the project, yet the ZA ignores it. When you talk about a front façade of a building spanning three lots, you are already talking about changing the character of the entire block. More than it being a story higher than the others, or less setback from the sidewalk, making what is now spaces between lots into continuous building blocks light in all directions, affects visibility, and is an affront to the nature and character of the street. As is laid out several times in the record, this detail is of high concern to adjoining property owners throughout the neighborhood. It was an abuse of discretion for the ZA to not consider it.

Fourth, the purported ways in which the project incorporated an effort to minimize the project's mass border strain credulity. The ZA states two, the existence of underground levels and the rear of the building broken up into two masses. The underground levels do not represent any effort to minimize the project's envelope, they represent how the applicant is seeking to push the boundaries in every conceivable direction. None of the other buildings on the block have a second subterranean level, yet this proposal seeks to go further down than appropriate just as it seeks to go further up, sideways and forward than appropriate. The rear masses, and the split between them, are not viewable from the three most crucial directions- the front of the property

and the north and south sides. The ZA's conclusion that the massive incongruities with the neighborhood are offset by these "efforts" is an abuse of discretion.

Fifth, 834 S. Sherbourne Drive, to the immediate west of the property, has a garden full of plants grown on her property, and these plants will be blocked from sunlight and all light significantly. Note that the decision purports to address this by stating, "The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings." (p. 32 of 46). However, the finding is "will not adversely affect or further degrade adjoining properties". By ignoring the difference between the word "properties" and "buildings", the ZA completely ignores the damage to the adjacent yard and garden. Conflating the two words is an affront to the neighboring property owner who is going to suffer a concrete and particular injury, and it is an abuse of discretion. **Because the ZA abused his discretion, these findings are improper.**

In reality, the following statements are true:

- The strict application of the land use regulations on the subject property would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.
- The project's location, size, height, operations and other significant features will NOT be compatible with and WILL adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.
- The project DOES NOT provide for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

As the owner of the property to the immediate north of the proposal, I stand to lose a tremendous amount of money if this project is allowed to proceed. Allowing variances to the height, side setbacks, front setbacks, and density will make my building significantly less desirable. My land value will go down, my rental income will disappear, and my retirement income will be decimated. Under no circumstances should the city allow these variances to be granted.

Accordingly, I submit that the Zoning Administrator violated the law and abused his discretion. His findings should be nullified, and his decision should be reversed.

Sincerely,

Daniel Sidis

Daniel Sidis

DETERMINATION LETTER

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
JACK CHIANG
HENRY CHU
JONATHAN A. HERSHEY, AICP
THEODORE L. IRVING, AICP
CHARLES J. RAUSCH JR.
CHRISTINA TOY LEE

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

LOS ANGELES DEPARTMENT OF CITY PLANNING
EXECUTIVE OFFICES

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

planning.lacity.org

February 9, 2021

Daniel Kianmahd (A) (O)
The Panorama Group, Inc.
9171 Wilshire Boulevard #500
Los Angeles, CA 90210

Stephen Kia (R)
Urban Concepts
3731 Wilshire Boulevard
Los Angeles, CA 90010

CASE NO. ZA-2020-2164-ELD-SPR
ELDERCARE FACILITY UNIFIED PERMIT;
SITE PLAN REVIEW
825-837 Holt Avenue
Wilshire Community Plan Area
Zone: [Q]R3-1-O
C.D: 5
D.M.: 132B173
CEQA: ENV-2020-2165-CE
Legal Description: Lots 40-42, Tract 4666

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects), and that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code Section 14.3.1, I hereby APPROVE:

an Eldercare Facility Unified Permit for the construction, use, and maintenance of an Eldercare Facility c's/Dementia Care Housing in the [Q]R3-1-O Zone; and

Pursuant to Los Angeles Municipal Code Section 16.05, I hereby APPROVE:

a Site Plan Review for a development which creates or results in an increase of 50 or more dwelling units or guest rooms or 50,000 gross square feet or more of non-residential floor area.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.

6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.

7. Approved herein is an Eldercare Facility subject to the following restrictions:

    a. The facility shall be limited to a maximum of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia Care guest rooms;

    b. At least seventy-five percent (75%) of the facility shall be devoted to Assisted Living Care Housing and not more than twenty-five percent (25%) of the facility shall be devoted to Alzheimer's/Dementia Care Housing.

    c. Plans submitted to the Department of Building and Safety for the purposes of obtaining a building permit shall indicate a minimum of 75% of the floor area, exclusive of common areas, consisting of Assisted Living Care Housing;

d. The license and subsequent renewals of the license from the California Department of Social Services, Community Care Licensing Division shall reflect a minimum of 75% of the floor area, exclusive of common areas, consisting of Senior Independent Housing and/or Assisted Living Care Housing.

e. The facility shall be licensed by the California Department of Social Services and comply with all assisted living and dementia care program regulations. A copy of the license shall be submitted to the Department of City Planning for verification and placed in the file.

f. Full-time medical services shall not be provided on-site.

8. The following deviations have been granted in conjunction with the Eldercare Facility, as shown on plans stamped Exhibit A:

a. A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;

b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;

c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.

d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.

e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.

f. 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

g. Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

9. Trees shall be planted on the property (including street trees) subject to the approval by the Street Tree Division, at a ratio of one tree for every 1,000 square feet of lot area. Trees may not be less than 24-inch box in size at the time of planting (Ordinance 167,335).

10. All employees who drive to work shall utilize the on-site parking garage.

11. Employee shifts shall be staggered to minimize on-site parking shortages.

12. Parking shall be provided in accordance with the Los Angele Municipal Code.

13. The applicant shall develop and implement an incentive program to encourage employee use of alternative modes of transportation to arrive to and depart from work. A copy of the incentive programs shall be submitted to the Department of City Planning for inclusion in the case file.

14. A separate men's and women's shower facility shall be provided to incentivize employees biking to work.

15. All vendor deliveries shall be restricted to between the hours of 7 a.m. and 2 p.m. daily.

16. All loading activities shall be conducted on-site or within a designated loading zone.

17. The applicant/operator shall be responsible for ensuring compliance vendor with Condition Nos. 14 and 15.

18. Trash and recycling bins shall be fully enclosed.

19. The project shall be landscaped in substantial conformance with the landscape plans stamped Exhibit A (Sheets LP-1 through LP-5)

20. Outdoor lighting shall be designed to shine downward, installed with shielding, and directed onto the project site, so that the light source does not directly illuminate any adjacent properties, the public right-of-way, or the above night skies.

21. Prior to the issuance of a building permit, access and internal circulation shall be reviewed and approved by the Department of Transportation.

22. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

23. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement (b).

e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **FEBRUARY 24, 2021**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at http://planning.lacity.org.** Public offices are located at:

Downtown	San Fernando Valley	West Los Angeles
Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2598

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.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. 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. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Department of Planning Staff thereon, the statements made at the public hearing on August 24, 2020, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing an Eldercare Facility Unified Permit under the provisions of LAMC Section 14.3.1 have been established by the following facts:

BACKGROUND

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

The property is improved with three two-story duplexes, one duplex on each lot, for a total of six dwelling units. None of the existing buildings are identified as historic resources designated in the City, state or federal programs or identified and recorded in SurveyLA as potentially eligible historic resources.

The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, with a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to "Q" Qualified Conditions pursuant to Ordinance 167,335 which

regulates open space, parking, building articulation, setbacks and tree planting requirements. The property is located within Tier 3 of a Transit-Oriented Communities area.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

According to the applicant's submitted information, the facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-

site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The applicant has submitted a financial feasibility analysis, conducted by The Panorama Group, dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Streets and Circulation

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

Transit

The following bus stops are located near the project site:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

The nearest freeway access is to the 10 Freeway via La Cienega Boulevard approximately 1.73 miles south of the project site. The subject property is not located within 1,000 feet of any freeway.

Previous Cases, Affidavits, Permits, and Orders on the Subject Property:

Ordinance No. 183,497 – On March 25, 2015, the City Council adopted an interim ordinance prohibiting the issuance of building permits for the construction of single-family dwellings on the RA, RE, RS, and R1 zoned lots in designated neighborhoods.

Ordinance No. 167,335 – On November 15, 1991 this ordinance became effective, resulting in a change of zone, implementing "Q" Qualified conditions new construction is subject to. The conditions regulate the maintenance of landscaping, the amount of private and common open space required, residential parking requirements, parking level screening requirements, building articulation, minimum side yard, front yard, and tree requirements.

Case No. ZA 17815 – On September 27, 1965, the Zoning Administrator approve a conditional use to permit surface and subsurface operations for the drilling and testing of one temporary geological exploratory hole, mainly associated with the site identified as 1114 South La Cienega Boulevard, but including a strip of land extending northwesterly therefrom, to a point near the southwesterly corner of Holt Avenue and Gregory Way.

Previous Cases, Affidavits, Permits, and Orders on the Surrounding Properties:

Staff utilized a 1,000-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Eldercare Facility Unified Permit or Site Plan Review determinations. No relevant case was found to be within 1,000 feet of the subject property:

Public Communication

Communications Opposed to the Project:

Nicole Zinman, local resident – In an email dated August 24, 2020, Ms. Zinman states her opposition to the request. In summary, the residential neighborhood is not the appropriate place for a commercial business; the project will negatively impact parking and traffic; frequent calls for emergency services will be a disruption to the neighborhood; the proposed setbacks will result in safety hazards and compliance issues for fire safety and accessibility; there are environmental and water use issues that need to be considered; there are considerations that need to be made for a five-

story building in the middle of a residential neighborhood; the project is not appropriate for Holt Avenue.

Kenneth Blaker – In an email dated August 20, 2020, Mr. Blaker expressed his opposition to the location of the project in this neighborhood.

Nikki Vescovi, local resident – In an email dated August 18, 2020, Ms. Vescovi states her opposition to the request and submits a petition against the project, containing 151 signatures, representing residents along Holt Avenue, Sherbourne Drive, Le Doux Road, Shenandoah Street, Bedford Street, Gregory Way, Chalmers Drive, and Carson Road. In particular, Ms. Vescovi states that she is not opposed to the eldercare use, but the deviations being requested, as they are in place for safety and density issues; a 5-foot side yard setback would create an obstacle for emergency equipment and could block evacuation routes.

Shuki Greer, legal council representing a property owner – In emails dated August 17 and August 21, 2020, it is stated that there is reason to believe that a significant number of residents in the area were not notified; the project will harm the neighborhood – the property owner being represented will have their views blocked and lose all their tenants; project-generated noise will be deafening for a significant amount of time; the project will result in traffic generated by caregivers, support staff, and visitors day and night, negatively impacting parking on the street; there are concerns about trash and ambulances; a nearby eldercare facility recently closed, is now operating as a hotel, and is a nuisance.

Barbara Marom-Pollack, local resident – In an email dated August 17, 2020, Ms. Marom-Pollack stated her opposition to the request. In summary, the project will be a commercial intrusion into a residential neighborhood; that the proposed height, setbacks, and yards would result in a building that is inconsistent with the neighborhood; that the proposed number of guest rooms, in conjunction with necessary support staff would result in undue congestion in an already congested area; and that the parking provided by the project is inadequate.

Levi Yitzhaq, local resident – In an email dated August 10, 2020, Mr. Yitzhaq states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Levi Garbose, local resident – In an email dated August 10, 2020, Mr. Garbose states his opposition to the request. In summary, he objects to the replacement of the existing structures with the new building, resulting in construction activity, and which only benefits the builder and the project's investors.

Darrell Benvenuto, local resident – In an email dated August 4, 2020, Mr. Benvenuto states his opposition to the request. In summary, he feels that there was inadequate notice given to the community, and objects to the development of a medical facility in the neighborhood.

Ben Cohen, local resident – In an email dated August 2, 2020, Mr. Stated his opposition to the request. In summary, the project is a commercial use in a residential area already suffering from a lack of parking; in addition to exacerbating the parking problems in the area, the project will result in frequent calls for emergency services multiple times a day at all hours.

Angela Efros – In an email dated June 23, 2020, Ms. Efros stated her opposition to the request.

Brad Neufeld, local resident – In emails dated August 4, August 10, and August 20, 2020, Mr. Neufeld states his opposition to the request. In summary, the community has not received adequate notification; the project will destroy the character of the quiet street; the proposed density, height, and setbacks are without precedent in the neighborhood; construction activity while the COVID-19 virus keeps us at home will expose us to increased noise, dust, and vibration.

Communications in Support of the Project:

Ira Yasnogorodsky, local resident – In an email received on August 21, 2020 and a letter dated May 30, 2020, Mr. Yasnogorodsky, who owns a duplex on the block, states that he is in support of the project, and that his father's, sister's, and grandmother's (deceased) name appears fraudulently on a petition in opposition to the project.

Mark Epstein, President, South Robertson Neighborhood Council – In a letter dated July 14, 2020, the Neighborhood Council indicates their support for the project.

45 individual letters and emails were received representing the west Los Angeles region in support of the project.

General Communication Received:

Aviv Kleinman, Planning Deputy, City Council District 5 – In an email dated August 21, 2020, a request was made to take the matter under advisement for a four-week period.

Declaration, 44 local residents – Individual letters, variously dated, state that they did not receive a hearing notice, was first informed of the project via a circulating petition opposed to the project, and if the hearing is postponed, would participate in assisting/coordinating a neighborhood response to the project.

Public Hearing

The public hearing was held on August 24, 2020 at 10:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. Associate Zoning Administrator Fernando Tovar conducted the

hearing. The applicant's representative and community residents were in attendance, and their testimony is summarized by the following:

Bill Christopher, Representative

- Provided a presentation summarizing the project.
- The property is zoned R3; a Tier 3 Density Bonus project would result in a 67-foot in height building.
- There is a shortage of both adult care and memory care beds.
- Project will have a ground-level courtyard, and open patio areas.
- Project proposed greater than 4:1 FAR; maximum height of 58 feet, which is lower that the 68 feet allowed by a TOC project.
- Have been in touch with the community.
- Residential housing facility is permitted here.
- This is a residential use, not a commercial use.
- Parking and staffing: 36 parking spaces provided
- Loading and food deliveries, shuttle transportation.
- Residents are quiet and don't drive.
- Compared to allowed TOC project, the proposal is smaller, less intense.
- Eldercare results in more trips during peak hour; ITE guidelines are on the high side.
- South Robertson Neighborhood Council Land Use Committee and Board voted to support the project; the meeting was spirited.
- 46% of FAR represents common areas.
- 10-foot front yard setback; south property has a 10-foot setback, north property has 8-1/2-foot; 12-14 feet is not out of character.
- There are 40 buildings in the area with 3-5 stories, the most recent building on Le Doux.
- A petition in opposition to the project contains questionable signatures, including one with the name of a deceased person.

The following is a summary of public testimony in support received:

- The project is in the perfect location, nestled among other multi-family uses; need more manageable facilities like this one; this is well done and well designed.
- I am a physician at Cedar Sinai; there is a huge need for patient care after discharge; this is a unique opportunity to provide a service to the community.
- We need this facility now; my grandfather passed away at another facility; the facilities on Olympic Boulevard are obsolete; 8733 Olympic, operated as a senior facility, couldn't obtain a license to operate.
- I live nearby, my parents are elderly; I 100% support this project; it's a great, overdue project.
- I am a pharmacist; I have seen the benefits of eldercare housing; my uncle is struggling with dementia, and he doesn't have care; they need to live a full life.
- I strongly support the project; I live 1-1/2 miles from here; there are very few opportunities; I have elderly parents; need more facilities and fully welcome this one; short term impacts are not pleasant, but there are long-term benefits.

- I support this project; my grandfather suffers from Alzheimer's and my grandmother cannot care for him; it would be amazing to have a place that meets their needs and is close by to visit.
- I support this project; I have studied the plans and the location; we need more senior housing; this will have a minimal impact; the residents don't drive; the project is better than an alternative TOC project.
- I am a Professor of Gerontology, studying population, health and aging; this is a very exciting and much needed project; should find ways to build assisting living; concerns are not difficult; this is a high-end design; regarding siren noise – there is a reduced need for emergency room visits – falls are not as common; there will be a reduced traffic/parking demand; this is a transitional care facility, and much more; according to the plans, there are interior/exterior high-end amenities; natural lighting is incorporated into the design; the site is ideal and walkable for independent residents.
- I support this project; I turn 70 in March; mother had dementia at 94 years and lived in a house; had to put her at Belmont; project serves a need; will be a quiet wonderful neighbor; will be good neighbor – no parties and asleep by 8 p.m.
- Live in the area 39 years; want to keep the family close together, keep mom and dad close to support them; this project helps to keep us close; should add more to bring down the price.
- I live in the area and support the project; parents have lived in the area 70 years.
- Live in area 20 years; I have older parents/in-laws; there is a shortage of senior housing; this would allow kids to stay close to their grandparents.
- I live in the area; my grandfather has Alzheimer's, and wife can't care for him; I am intrigued with the idea that I can house my grandfather here; project will benefit the community.
- I support the project; there are no quality assisted living facilities; lack of options increases cost.
- I work in Culver City – am founder of a youth movement against Alzheimer's; professionals work by Alzheimer's – had Alzheimer's in the family; projects like this are necessary; there are issues in 2020 – nothing like they will be in 2030; the trends are that older adults, older than 83, one-third will have Alzheimer's; we are under-providing.
- I live in the area and support the project; my in-laws can't find senior housing.
- I live in the area; my older family members are having a more difficult time as they age; I won't be able to help them; should allow seniors in more peaceful areas.
- Even though I don't live I the neighborhood, I have family members that need this; sacrifices for the greater good need to be made.
- I have lived in the area 16 years; may parents are getting older; I am in full support; the location is close to synagogues and kosher stores.
- I live in the area and support the project; having an in-patient dietician will improve the quality of life for residents compared to staying at home.
- I live on Le Doux, within 500-feet; I have two family members with Alzheimer's; My family and I believe the only way to address the housing shortage is to build more housing; there is no need for more parking – senior residents don't drive.

- I work at other eldercare facilities; there is a huge misconception about the project – this isn't a 24-hour nursing home; some level of care will be provided, but the focus is less on nursing and more on health and autonomy; eldercare facilities are affordable – in-home care costs at least $20/hr; regarding noise, 98% of medical calls are non-emergency; 6% of workers drive to work; helping seniors is everyone's business; they need to be treated with respect and dignity; I support the project.
- I live in the area; those opposing the project should pledge to house their parents at an existing facility; the apocalyptic image painted is not accurate; this will not be a breeding ground for disease or kids getting run-over, nor "wailing and moaning"; this is NIMBY-ism at its finest.
- I live in the area and I support the project.
- 80 units sounds like a lot – it should be considered as 80 small bedrooms instead.
- I have lived in the area since 1997 and work in the health field; I support the elderly population.

The following is a summary of public testimony in opposition received:

- Live on Holt Ave; it is terrible to find parking today; 32 units within a giant complex, and residential children, delivery trucks illegally parked on a major throughfare; only one level of parking proposed; where will staff and vendors park? Project will change the character of the neighborhood; the Code is there for our health and safety; should be limited to 36 units and 45 feet; no change in code should be approved.
- This project doesn't belong on a narrow street.
- I live within 500 feet of the project; we have been in lock-down since March; the virus is contagious and affects seniors; the development is proposing 5-foot balconies; project is a bait-and-switch; the code requirements are there for a purpose; should not approve any changes to code requirements.
- Live on Sherbourne; I am against the project; proposed setbacks are for safety and privacy; the project will increase crowding and reduce safety.
- I own two duplexes behind the project; will see and hear everything, as will the HOA next door; for 65 years, the quality of life has been wonderful for children, dog walkers; please keep it this way; don't need 80 rooms for seniors; there are other senior facilities all on major roads – why is this being proposed I the middle of a residential neighborhood; 36 units are okay – proposal for 80 is more than double allowed; project is a monstrosity and will increase noise levels; supporters of the location are the same as the developers; paid witnesses.
- This is not an affordable case – $180,000/year; should keep at home – will pay for private care; need to reject 5-foot setback variances; we've established our roots; why not place the building on Beverly Glen or re-build the Olympic Blvd. site; there's a reason why they're on the main thoroughfare – because its where we observe sabbath; this is profit versus quality of life; want to remain in house – enjoy the garden and light; Alzheimer's residents are not peaceful/quiet – moaning and crying; this location is not the place for this; needs to be smaller and unobtrusive.
- I live two lots away from the project; I am not opposed to the use, but I am opposed to the requested deviations; facility will not be affordable to most people.

- I live on Holt Ave; I support the use, but do not support the proposed deviations; should require more parking.
- I live on Holt Ave; this is a commercial business, and I am opposed to it.
- I live on Gregory Way; I am opposed to the project's height, lack of sufficient parking, and increased vendor and visitor traffic it would bring.
- I live on Gregory Way; if I had know about the petition opposing the project, I would have signed; I don't trust the proposed staffing levels; the proposed parking and building height is a problem; should be proposed as something more appropriate for the area.
- I live on Holt Ave; I am opposed to the project; I appreciate the need for senior housing, but there are safety issues associated with the reduced front yard setback; vehicle access in earthquake or fire.

Rachel Saresh, representing 15 property owners

- I live on Holt Ave; this is not a question about the need for senior housing; the issue is whether it is needed in a residential area or not; this is a commercial use; I am embarrassed by some of the comments by people from Westwood; I have elderly parents – an 87-year old mother – but we need senior housing but not on a residential street; the project will ruin the quiet with their trucks and visitors.

Shuki Greer, representing seven other speakers in attendance

- The Walnut Groves case sets the findings that need to be made for this case.
- No waivers should be granted for the project.
- There are no practical difficulties; approving such would be inconsistent with the intent of the Plans.
- The project is not compatible with its surroundings.
- You can't make findings based on circumstances.
- This is the wrong location for this project.
- We have 130 signatures oppose to the project.
- We have 40 affidavits saying they did not receive notice of the hearing.
- The proposed CEQA clearance was not available for review.
- The project would be devastating and materially detrimental to adjacent properties.
- The adjacent property owners won't be able to re-rent or find tenants.
- The project will damage the neighborhood.
- Parking in the neighborhood is congested; there is no permit parking district.
- 20 employees, per the applicant – this is not true.
- Loading zone eradicates provided parking.
- Construction dumpsters will exacerbate parking.
- Some project residents will be active and driving.
- Will there really only be 10-15 visitors per day maximum? For 80 grandparents?
- Along Holt Avenue, there is flowing water if you dig 10 feet of more into the ground; does the environmental clearance address pumping out ground water?
- The environmental analysis is not on the website.
- It is disingenuous to claim that the project will not result in traffic.

- Fire trucks and ambulances will double park; with lights and sirens, this will be disruptive to the neighborhood.
- There is no sophisticated medical equipment or doctor on-site.
- Fire Station No 58 – receives 500 calls per month; there has been no input from them.
- The pandemic – will COVID still be around? There is no social distancing, and will be a magnet for disease.
- The street is quiet, low traffic; nobody works on Holt or brings disease.
- No cooking in rooms/dwellings.
- Direct care provided, housekeeping, kitchen, administration, culinary director, etc. – 30 people per day
- This will result in traffic.
- Applicant requests eight waivers; setbacks requirements are in place to address crowding; side yards are so that police/fire can get emergency access to the rear yard in case of earthquake.
- There is no study evaluating the project.
- Requested front yard setback reduces visibility from the driveways from adjacent buildings.
- How wide is the loading zone?
- The project is not in scale.
- Item No. 2 on the hearing agenda, is a similar facility.
- The feasibility is to pay for the executive board; why not use one staff executive for both facilities?
- There is no support for claim to need waivers.
- If the buildings are built, what guarantee is there if the facility isn't viable that the applicant won't walk away? But the neighborhood is stuck with the building, attracting the wrong people.
- There is no evidence that the project following the zoning regulations is not practical.
- The project should be denied.

Aviv Kleinman, Planning Deputy, Council District 5

- I request that this be taken under advisement for four weeks.
- There is much opposition to the project.
- What conditions can the applicant offer?
- I have heard that community members did not receive notice.

Bill Christopher, Representative

- The bridge on the second floor is enclosed.
- This project is not a "bait-and-switch"
- $15,000/month rent is a myth.
- The applicant is paying a substantial linkage fee toward affordable housing.
- IF the project encounters groundwater, there will be a dewatering program.
- The project provides 36 parking spaces; 20 employees will not all be there at the same time; the parking is sufficient to accommodate guests; residents won't drive.

- Deliveries: typically small van/small box truck deliveries; food comes every two days; anticipate that there will be one or two deliveries per day.

At the conclusion of the hearing, the matter was taken under advisement for a period of four weeks, ending September 25, 2020. During that time, the record would remain open to receive additional written comments and no decision on the me would be made.

The above is a summary of the personal notes made during the hearing by Associate Zoning Administrator Fernando Tovar, who has since retired.

Under mutual consent with the applicant's representative, the record was held open until October 14. 2020.

Public Communication received after the Public Hearing

Douglas Kim, DouglasKim + Associates, - A memo, dated October 23, 2020, clarifying the findings of a previously submitted noise technical study, dated April 2020, was received.

Stephen T. Kia, Urban Concepts – In an email dated October 20, 2020, a copy of a Water Analysis and completed Department of Transportation Referral Form was submitted.

Daniel Skolnick, Senior Planning Deputy, Council District 5 – In a letter received on October 15, 2020, it was indicated that Councilman Koretz recommended that the project be denied, as the proposed mid-block location, combined with excessive height, reduced yards, and lack of a loading zone adversely affects or degrades the adjacent properties. The Councilman goes on to state that if the project is approved, that the project is limited to 45 feet in height, that employee shifts be staggered, that there be incentives to encourage the use of public transportation, that all staff and employees be required to park on-site, and that all deliveries and loading/unloading be conducted on-site or within a designated loading zone.

Bill Christopher, Representative – In emails received on October 14, 2020, the applicant's representative submitted a series of documents: a "Response to Community Issues" dated October 9, 2020; a "Petition from the Neighbors" dated October 7, 2020; several graphical exhibits showing three, four, and five-story multi-family buildings in the area, including calculated heights as determined by a registered engineer; a "Response to Daniel Sidis" dated October 9, 2020; and a set of revised proposal renderings, building plans, and preliminary landscape plans.

Bill Christopher, Representative – In an email received on September 30, 2020, the applicant's representative volunteered the following:

- Increased side yard setbacks from 5 feet to 6 feet.
- Added articulation to front façade.
- Increased setback at front yard; the entry surround at ground level is setback 10 feet; the remainder of the ground floor façade is set back 11 feet; the next or base layer of the façade is set back 12 feet; the deepest layer of the façade is set back 13.5 feet.
- One men's and one women's shower will be provided for staff to promote biking to work.

- Deliveries to the site will be restricted to between 7 a.m. and 2 p.m.
- An 8-foot block wall along the north property line to screen the delivery entrance.
- Landscape privacy screen along the remainder of the north property line and full landscape privacy screening along the south property line.

A revised set of plans were submitted reflecting the above changes. In addition, a request was made to increase the advisement period until October 1, 2020.

Daniel Sidis, property owner – In a letter dated September 25, 2020, Mr. Sidis states his opposition to the project. Mr. Sidis, who owns the north adjoining property, makes the following statements: the property that I own is my entire retirement income; I have already lost 20 percent of rental income due to the proposed project; all of my south-facing units will become vacant as a result of the proposed project; I will not be able to rent these units at the current rate; it has been projected that I will lose 30 percent of my income as a result of the project; the project will result in the loss of views from the south-facing units; it has been projected that I will lose 20 to 30 percent in property value as a result of the project; project proposed reduced side and front yard setbacks will diminish the safety of vehicle egress from my property and diminish the desirability of my property, translating into reduced rental income and property value. With regard to the "practical difficulty and unnecessary hardship" finding, the applicant has not justified their costs to support the proposed project. The proposed project is out of character with the neighborhood; the applicant has mislead regarding the character of other eldercare facilities in the area; the project is a singular building over three lots, which magnifies the decreased setbacks and increased height; the applicant's comparison between their proposed building height and mine are erroneous and misleading, and is not compatible with it; the amount of daily activity at the project is vague and potentially misleading; and the applicant's comparison of the proposed project to a theoretical Transit-Oriented Community development is misleading.

Nikki Vescovi, Co-Chair, Holt Eldercare Neighborhood Community Response Team – Email attachments were received on September 25, 2020, consisting of photographs of the existing development along Holt Avenue, an inventory of existing building stories along Holt Avenue entitled "Appendix 1 – Composition of Holt Properties", and a document entitled "825-839 Holt Eldercare Community Response".

Erica Goldberger, local resident – In an email dated August 25, 2020, Ms. Berger states that she is opposed to the project. In particular, Ms. Berger objects to the requested side and front yard setback reductions and the height increase, as these are in place for safety and accessibility reasons.

Brad Neufeld, local resident – In an email dated August 24, 2020, Mr. Neufeld states that he attended the hearing, but was not given the opportunity to provide testimony. He states that he has over 40 affidavit from residents who did not receive a notice; that the *Walnut Acres Neighborhood Association et al v. City of Los Angeles* and the Eldercare ordinance controls the case; that over 150 area residents petitioned against the project; that the developer has stated that without the requested deviations, the project would not be feasible; that in keeping with the Walnut case, there would be significant and material harm to

adjacent properties; that the applicant has no standing to have the project considered; findings under Walnut Creek cannot be made without proper notice, based on the information in the record; that claims made by the developer are speculative and referenced surveys were not available for review and comment; and based on the proposed cost of care, the project will not result in reduction in eldercare need.

ELDERCARE FACILITY UNIFIED PERMIT FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

   The property is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses, having a corresponding zone of R3; the property is zoned [Q]R3-1-O. The property is within an Oil Drilling District, but not within the boundaries of or subject to any specific plan, community design overlay, or interim control ordinance. The property is subject to "Q" Qualified Conditions pursuant to Ordinance 167,335 which regulates open space, parking, building articulation, setbacks and tree planting requirements.

   According to the City of Los Angeles Housing Element's Housing Needs Assessment:

   > The City of Los Angeles is being affected by population and demographic trends that will have significant impacts on the housing needs of the future. Of most significance are the slowdown in population growth and changes in the age distribution of residents, including fewer children and dramatically higher numbers of seniors.
   >
   > According to the 2010 Census, a little more than one-fourth (26%) of the City's population in 2010 was young, aged 0 to 19 years old. Young adults (aged 20 to 35), generally the age when people form independent households, made up another quarter of the population (25%). Thirty-eight percent of the City's population is aged 35 to 64 years old. This leaves about 10.5% of the population that is currently aged 65 years and older (396,696).
   >
   > The fastest growing age group aligns broadly with the "baby boom" generation, which is currently between about 45 and 65 years old. There are about 190,000 more people in the City within this age group, compared to 10 years ago. In fact, the number of "new seniors" (from 2000 to 2010) increased faster

in the Los Angeles region than New York or any other metropolitan area. The rapid growth of seniors is in stark contrast to the decline of children and younger adults.

According to demographers, the next decade will be marked by growth of households without children, primarily by those headed by householders aged 55 and older. While the City's overall population is projected to increase by about 4.5 percent between 2010 and 2020, its senior population (65 and older) is expected to grow by approximately 45% percent during this time period (to approximately 562,992)11. By 2020, seniors are expected to account for more than 14% of the City's households, compared to 10.5% in 2010. This far exceeds the growth of any other age groups in the City. The increasing numbers of older Angelenos will have important effects on the demand for housing to come.

The housing needs of seniors are particularly challenging and require special attention because of the combination of fixed incomes, physical and sensory disabilities, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Housing for seniors should provide or be located in proximity to information, transportation, social/health services, and opportunities for community involvement.

For the purposes of this Housing Element, seniors include those persons aged 65 years or older. According to the Census 2010, seniors comprised 10.5% of the City's population (396,696 persons). Almost one-fifth of all households citywide (239,654 of 1,318,168 households in 2010) are headed by seniors. Forty-two percent (102,330) of these households are seniors who live alone while the rest are households comprised of senior heads-of-households living with other person(s). Nearly 58% (138,657) of those over 65 years old lived in owner-occupied housing, while 42% (100,997) were renters.

Many seniors also live in institutionalized settings and other group quarters. Per the Census 2010, 13,853 seniors (about 3.5%) lived in group quarters, which include institutions, hospitals, hospices, nursing homes, correctional institutions, and non-institutional group quarters. This population represents a decrease of 4,156 persons (or 23%) living in group quarters since 2000, despite increases in the total elderly population.

Among persons 65 years or older, 153,379 (40.1%)51 are living with disabilities per the ACS 2010. While physical (ambulatory) disabilities are the most prevalent among this population at 28.3%, other disabilities also have a significant impact on limiting housing choices: 21.7% have a hearing/vision disability; 21.4% have an independent living disability, 13% have a self-care disability; and 11.7% have a cognitive disability.

Persons with self-care limitations also have unique housing needs because they need the assistance of a companion or family member in order to

accomplish daily activities, such as dressing, bathing, or getting around inside the home. Twenty-four percent of disabled adults aged 18-64, and almost one-third of adults over the age of 65, have some sort of self-care difficulty. Resources that could be devoted to housing often need to be diverted to cover personal care assistance.

People with disabilities should have options allowing them to live in the most integrated setting possible. To provide for this, a full spectrum of affordable housing is needed, from conventional residences to transitional and permanent supportive housing, including group, congregate and independent housing. Independent, supported living in the most integrated setting possible is preferable, either through individual or shared single-family homes or apartments, providing each individual with his/her own bedroom. Support services may be provided either on- or off-site. Appropriate housing for persons with mental or physical disabilities may include affordable small or large group homes (near retail services and public transit), apartment settings with support, outpatient/day treatment programs, and inpatient/day treatment programs or crisis shelters. Persons who use wheelchairs need affordable, conveniently-located housing which has been specially adapted for wheelchair accessibility, along with other physical needs.

The applicant is requesting an Eldercare Facility Unified Permit pursuant to Los Angeles Municipal Code (LAMC) Section 14.3.1 to allow the construction of a new five-story over two subterranean level Eldercare Facility over the entire site. An Eldercare Facility is defined by Section 12.03 of the L.A.M.C. as "*one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing*".

Pursuant to Section 14.3.1 of the L.A.M.C., the Zoning Administrator is authorized to permit an Eldercare Facility to be located on a lot or lots in the A 1 through R3 Zones, or in the RAS3, R4, RAS4, R5, and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action.

Eldercare Facilities are permitted by-right in the R3 Zone. In accordance with the provisions of the Eldercare Facility Unified Permit process per LAMC Section 14.3.1, the applicant is seeking an Eldercare Facility with Assisted Living Care and Alzheimer's/Dementia Care Housing within the [Q]R3-1-O Zone, with deviations to allow for:

- A maximum of 80 guest rooms in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
- A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
- A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
- A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
- A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
- 6-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
- Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21-A,16(a)(2).

The requested deviations from the LAMC are necessary for the proposed Eldercare Facility to enable a financially viable eldercare facility; without such deviations it is impractical and infeasible to build such a facility on the subject property.

The project proposes the demolition and removal of the three duplexes and the construction, use, and maintenance of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed Eldercare Facility will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms will be designated for Alzheimer's/Dementia Care. The proposed 5-story building will have a total FAR of 5.06:1 and have a maximum height of 58 feet.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 bicycle short-term spaces as required; no long-term bicycle parking spaces will be provided.

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way driveway. Existing vehicular access to the three duplexes will be consolidated into the single driveway located on the northern end of the property.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining area. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would also provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

Floor Area Ratio (FAR) and Density

The subject 18,018 square-foot property is zoned [Q]R3-1-O, which permits a density of one guest room per 500 square feet of lot area, for a maximum of 36 guest rooms on the subject site. Height District No. 1 permits a maximum Floor Area Ratio (FAR) of 3.0:1, or approximately 34,170 square feet based on 11,390 square feet of buildable area. The project proposes a total of 80 guest rooms (62 Assisted Living guest rooms and 18 memory care guest rooms) and a total floor area of 57,680 square feet for an FAR of 5.06:1.

The density and FAR deviations are necessary to provide a financially feasible project. Without this many guest rooms and proposed common areas the facility cannot operate nor achieve the economies of scale with staff, medical care, equipment, food and the like. As a result, the project requests to deviate from the underlying R3 zoning area regulations and Ordinance No. 167,335 by proposing an FAR of 5.06:1.

The additional FAR would allow for the construction of the proposed number of guest rooms which are sufficient in size throughout the entirety of the site. The total gross area of the proposed facility is approximately 57,680 square feet, split between approximately 29,610 square feet of common area and 28,070 square feet of Guest Room/livable area.

As proposed, all of the increased floor area is devoted to common areas to support the residents' needs. Senior Assisted Living and Memory Care projects require substantial support services and common areas to provide a

healthy environment for a senior population to age in place. The proposed project seeks to provide significant "quality-of-life" amenities rather than minimally-equipped facilities. The proposed common areas include a dining area, bistro, large kitchen, a second common kitchen and dining area is provided on the second level to serve the Alzheimer's component. In addition, there are laundry facilities, common bathrooms and other on-site amenities such as libraries, fitness room, activities room, beauty salon and lounge areas on each level. All of the resident rooms are designed as Guest Rooms without a kitchen and will be smaller in size than a standard Dwelling Unit. Much of the increased floor area is devoted to common areas serving the needs of the residents, which are contained largely in the first subterranean level of the building. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two extensive courtyards that daylight out to the sky.

Due to the special needs of the residents, Eldercare Facilities must maintain staff on-site to monitor and assist elderly residents with basic needs and also requires the provision of substantial common indoor and outdoor areas and on-site amenities to support the unique needs of elderly residents that are key to quality of care and quality of life for the residents. The provision of on-site staff and a substantial level of common areas and on-site amenities requires a minimum number of Guest Rooms and beds to achieve economies of scale necessary to maintain the viability of these facilities. From an operational standpoint, Eldercare Facilities require multiple salaried employees, such as executive director, marketing director, culinary director, activities director, resident services director, and memory care director. The salaries of these employees are mostly driven by market conditions, not size of facility. In addition, to make Eldercare Facilities financially feasible, certain costs such as land cost and architectural fees, need to be divided across a sufficient number of Guest Rooms and beds. As with salaried employees and other operational costs, land cost is market driven and architectural fees are not proportional to Guest Room and bed count.

The applicant has submitted a financial feasibility analysis, conducted by The Concord Group (TCG), dated August 14, 2020, demonstrating that the project is not feasible unless constructed as proposed.

In order to assess the financial viability of each scenario, TCG completed the following work scope:

- Reviewed applicant’s return-on-cost financial model using top-line-revenue input from a market study (also conducted by TCG), costs from general contractor bids and relevant site background materials including zoning and entitlement documents.

- Addressed the reasonableness of the financial model inputs through industry expertise and market research, with specific vetting of construction costs, rental revenue and operating expense assumptions.
- Provided conclusions with respect to the feasibility or infeasibility of the two development scenarios.

TCG examined the financial returns of two development scenarios:

- **Scenario A** features an eldercare development utilizing the current zoning (no variances). Utilizing the maximum floor area of 26,985 SF, this development would feature 36 Assisted Living guest rooms. This program requires 18 parking stalls.
- **Scenario B** features an Eldercare development utilizing proposed variances which result in an increase of total floor area. The proposed floor area of 57,680 SF increases the guest room count to 80. Of these 80 guest rooms, 62 would be Assisted Living and 18 would be Memory Care. This program requires 36 parking stalls.

To assess the financial feasibility of each scenario, TCG employed a commonly used senior living and multi-family industry metric - return on cost. Return on cost is calculated by dividing the stabilized NOI (gross income, loss vacancy and operating expenses) by the total project cost (sum of land costs, hard costs and soft costs). Investors and construction lenders typically require a return on cost equal to the market cap rate plus a spread to reflect the developer's risk. The spread is typically 150 basis points for eldercare projects (the higher spread reflecting the increased risk associated with the operational intensity of eldercare). Based on recent transactions of comparable eldercare communities in similar California locations, the market cap rate is assumed to be 5.00%. The target cap rate of 5.00%, plus 150 basis points, means the target minimum yield on cost for the project is 6.50%.

Development Standard	**Scenario A** (By-Right)	**Scenario B** (Proposed)
Site Size (SF)	18,003	18,003
Building Area (SF)	26,985	57680
Height (ft)	45	58
Total Guest Rooms	36	80
-Assisted Living	36	62
-Alzheimer's/Dementia	0	18
Parking	18	36
NOI	$1,100,000	$3,500,000
Land / Construction Costs	$35,100,000	$53,300,000
Yield on Cost (YOC)	**3.13%**	**6.57%**

Based on the developer required yield on cost, the only development proposal that is financially feasible is Scenario B. Scenario A yields a return on cost of 3.13%, well under the 6.50% threshold, while Scenario B yields a 6.57%. The proposed eldercare project meets/exceeds the industry standard feasibility threshold, demonstrating that the variances requested through the eldercare permit are necessary to build a financially viable project. Without the requested floor area, height, and other deviations, the project could not be built.

The Zoning Administrator finds that the analysis of the alternative development scenario is reasonable and adequately demonstrates that the development alternatives for a by-right eldercare facility is not viable, and the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations and inconsistent with the City's objective to promote and facilitate needed housing and services for the elderly.

Height, Articulation, and Setbacks

The subject property is zoned [Q]R3-1-O Zone, which permits a maximum height of 45 feet. Ordinance No. 167,335 (effective November 15, 1991) established permanent "Q" Qualified conditions that further regulate development on the property by requiring a minimum building articulation of 5 feet for a distance of 8 feet between any 40-foot continuous width of any exterior wall facing a public street, a minimum 20-foot front yard setback and minimum 8-foot side yard setbacks.

The project seeks to deviate from the maximum height limit by proposing a height of 58 feet, a minimum 10-foot front yard setback, minimum 6-foot side yard setbacks, and having a continuous width of the exterior walls fronting Holt Avenue exceeding 40 feet without the required change in plane.

These deviations are necessary to provide the floor area for both the number of proposed guest rooms and the variety of common area amenities that responds to the practical needs of the elderly residents. The floor plans are designed to allow wider interior hallways and corridors than typical apartments to allow for two-way traffic for those with disabilities or mobility aids. Unlike typical apartments, these hallways provide intermediary seating areas for residents as they move within the facility between the guest rooms and common areas. The distribution of common areas is designed in such a way that would make them widely available to residents, and to create opportunities for a variety of activities. Not granting these deviations would result in a building envelope that cannot accommodate the floor area necessary for a viable facility.

The project has been designed to minimize its height at the rear of the property, immediately adjacent to several two-story duplex residential buildings; changes of plane have been incorporated into the street-facing side

of the building, resulting in changes of plane from 1 foot to 5 feet in depth, but there remains one ground-level portion of the façade which exceeds the 40-foot width minimum before a change in plane.

Therefore, inasmuch as the deviations are directly related to the previously discussed need for additional FAR and guest rooms, the project requests to deviate from the underlying R3 zoning regulations and the "Q" Conditions of Ordinance No. 167,335 are reasonable, and the strict application of these land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Long-Term Bicycle Parking

The proposed use as an Eldercare Facility requires the provision of long-term bicycle parking at a ratio of 1 per 5,000 square-feet. Based on the project's total floor area of 57,680 square feet, 12 long-term bicycle parking spaces are required. The project proposes to provide no long-term bicycle parking spaces; code-required short-term bicycle parking will be provided.

For the purpose of determining the number of long-term bicycle parking spaces required by a proposed project, the Municipal Code does not provide a specific ratio for Eldercare Facilities; rather, the use is considered as an "Institutional" use. The facility's residents are occupying assisted living or memory care guest rooms. It is reasonable to assume that these residents are not typically physically able to ride bicycles, and therefore do not require long-term bicycle parking spaces. Providing space to maintain long-term bicycle parking within the constraints of the proposed facility would necessitate sacrificing other, more relevant features of the facility, which contribute to the viability of the operation. Therefore, the strict application of these land use regulations on the subject property would result in unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

While the Zoning Administrator is authorized to grant relief from the zoning regulations, including the Specific Plan regulations, the Zoning Administrator's authority only applies to relief from the zoning regulations necessary to facilitate the construction of an Eldercare Facility. With respect to the requested deviations, a fully zoning compliant project would not produce a viable facility. Given the nature of the facility, which requires substantially more common areas and on-site amenities than a traditional multi-family residential building, the [Q]R3-1-O Zone contain distinct regulations that make it impractical to provide an efficient layout and functional design for the proposed facility.

In light of the foregoing, the Zoning Administrator concurs that the relief requested, including an increased floor area, guest room density, and height; reduced front and side yards; and waiver of the exterior wall plane articulation and long-term bicycle parking requirements, is necessary to achieve the density and floor area necessary

to maintain the viability of the eldercare facility. In addition, the relief requested is necessary to serve a city- and area-wide demand for assisted living and memory care facilities for an aging population. Without such deviations, the zoning regulations restricting the building envelope would make the construction of the Eldercare Facility on the subject property impractical and infeasible. Thus, as discussed above, the strict application of the land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. In addition, the project will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

The project will provide Code-required 36 parking spaces entirely within the second subterranean level. No vehicular parking will be visible from the street. Vehicular access to the project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Existing vehicular access will be consolidated from three existing driveways into a single driveway located on the northern end of the property.

Pedestrian access to the project site would be provided from the existing sidewalk along Holt Avenue, which would provide direct access to the ground-floor lobby. The proposed project provides 6 short-term bicycle spaces as required; no long-term bicycle parking spaces will be provided.

The facility is planned to have two subterranean levels – the first level containing common area amenities, and the second level containing underground parking. The building design maximizes natural light and natural ventilation for the primary common areas below grade by means of two expansive courtyards that daylight out to the sky.

The ground level is proposed to contain a lobby, mail room, bistro, kitchen main dining area, a dining courtyard, restrooms, 10 Assisting Living guest rooms, and offices for the administrative staff. The second level would be reserved for Alzheimer's/Memory Care residents, and contain a small elevator lobby, dining room, living room, a wellness office, restroom, activity area, and 18 guest rooms. The third and fourth levels are proposed identically, featuring a small elevator lobby, restroom, wellness office, and 19 Assisted Living guest rooms. The fifth level is proposed to contain a small elevator lobby, a dining room, restroom, 14 Assisted Living guest rooms, and three separate outdoor patio areas facing the interior and rear of the building.

The Guest Room accommodations include small bar sinks and under counter refrigerators but do not include any cooking. The facility will maintain a central kitchen and common dining areas. Over 29,600 square feet (51% of the project floor area) is dedicated to common area amenities and open space/recreational areas for the project. Amenities include dining (three meals a day), bistro for snacks and refreshments, theater, library, fitness center, multi-purpose activities rooms, lounges and living room areas, beauty salon, outdoor space, including a rooftop deck, and administrative offices.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care floor would also include an increased staff-to-resident ratio. Additionally, this area of the project would be more confined and secured as per applicable standards and regulations. The project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The project site, consisting of three lots, is a level, rectangular-shaped, interior, approximately 18,018 square-foot (0.41 acre) parcel of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the south.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

Holt Avenue, abutting the subject property to the east, is a standard Local Street dedicated a right-of-way width of 60 feet and improved with asphalt roadway, concrete curb and gutter, 4-foot wide concrete sidewalks, and approximately 6-foot wide parkways.

The proposed five-story, 58-foot in height, 57,680 square-foot building will provide a reduced front yard setback of 10 feet, reduced side yard setbacks of 6 feet, a deviation from the maximum 40-foot width articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

The project will contain 80 guest rooms consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, in lieu of the 36 guest rooms otherwise permitted by the R3 Zone. Given the limited mobility of the residents, the applicant's stated economies of scale necessary to care for these residents, and the citywide need for eldercare facilities, the guest room density is reasonable. Along with the proposed guest room density, a host of secondary issues arise: visitor, staff, and vendor parking and increased traffic; and sirens associated with emergency service calls. The project does not request any deviation from the parking requirement of the Zoning Code. According to the staff report proposing the Eldercare Facility Unified Permit process, prepared by the Department of City Planning and dated May 8, 2003, staff and visitor parking needs are reflected in the parking requirements. Further, "[r]esident vehicles do not contribute measurably to traffic volumes generated by Eldercare Facilities, because most residents, as a result of their age and physical limitations, do not drive. A study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior Housing Facility or an Assisted Living Care Facility is 0.05 vehicles per unit. This is extremely low compared to other housing types."

Nevertheless, conditions have been incorporated into this approval which require the applicant to develop an incentive program to encourage staff to utilize public or alternative transportation or to only utilize the available on-site parking; that staffing be staggered to minimize the number of staff on-site at any one time; and that vendor deliveries times be restricted and limited to only occurring within a designated loading zone or within the parking garage. The Department of Transportation has analyzed the parameters of the project and determined that the project results in a less-than-significant impact on vehicles miles traveled. Testimony received indicated that that calls for emergency services at these facilities are much lower than perceived.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, but they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a reduced front yard setback of 10 feet; the applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway, though still less than the 20 feet otherwise required by the [Q] condition of the zone. While most of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration, the requested front yard setback is a reasonable deviation in consideration of the benefit the eldercare facility represents.

The northern adjoining property owner has expressed concern that the 10-foot front yard setback will decrease the safety of vehicles existing his property; the northern adjoining property is developed with a subterranean parking garage, with their descending parking ramp alongside the shared side property line. On closer examination, the project will not result in significantly less safety for the northern property owner. At present, the northern property and the immediately southern adjoining property (representing the northern portion of the project site), share a driveway apron. The project property is presently improved with a one-lane driveway at this location. The proposed project would expand upon this driveway width to create a 24-1/2-foot wide driveway, with accompanying increase in driveway apron width. This, combined with the depth of the existing sidewalk, should provide an increased field of view of on-coming north-bound traffic. Nevertheless, the proposed driveway plan will be reviewed by the Departments of Building and Safety and Transportation to ensure that the proposed development does not conflict with safety regulations for vehicle ingress and egress.

Concerns have been raised about the proposed 6-foot side yards, in lieu of the required 8-foot side yards, and how they are necessary to facilitate emergency personnel access to the sides and rear of the building in case of emergency. While the side yard setbacks are utilized for access to the sides and rear yard areas of a property, the purpose of the setbacks are not for emergency access – they are there to convey a sense of developmental density through the physical separation of buildings on adjoining properties. Though the proposed building will observe reduced side yard setbacks, the building will be constructed to the latest fire and seismic standards, and should pose a lesser threat to failure under such stress than other older buildings in the area. In response to community concern regarding the originally proposed 5-foot side yard setbacks, the applicant has revised their plans to reflect the now considered 6-foot setbacks. With this consideration, the requested side yard setback is a reasonable deviation on balance with the benefit the eldercare facility represents.

The combination of Assisted Living and Alzheimer's/Dementia Care housing and the operation of the facility is generally considered a passive use. Although the project proposes a substantial amount of outdoor open space, it is not anticipated that the facility would result in noises that would be considered a nuisance or inconsistent to the surrounding residential uses. The applicant has submitted a noise analysis for construction-related noise impacts which found no significant adverse impacts.

The project, though exceeding some developmental regulations, is compatible with the surrounding area and reflects the gradual developmental trends occurring within the broader neighborhood, as evidenced by an applicant-submitted survey of building types within several blocks of the project site. As a part of this approval, the Zoning Administrator has imposed conditions on the development and operation of the use to ensure that it remains compatible with its surroundings. As conditioned, it is found that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project shall provide services to the elderly such as housing, medical services, social services, or long-term care to meet citywide demand.**

The proposed facility consists of 80 guest rooms: 62 guest rooms for Assisted Living Care and 18 guest rooms for Alzheimer's/Dementia Care Housing. As designed, the project meets the definition of an "Eldercare Facility," which requires that it is "one functionally operated facility which provides residential housing for persons 62 years and older, and which combines in one facility, two or more of the following types of uses: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing" (LAMC Section 12.03).

The US Census estimates that since 2011, the population of people aged 65 and over in California has grown at a faster rate than the total population of the state. As noted by the City's Housing Element, the senior population in the City of Los Angeles is projected to grow by roughly 45 percent between 2000 and 2020, with seniors expected to account for more than 14 percent of the City's households by 2020. The senior age group is the fastest growing group in the City. The City has established objectives and programs to help provide eldercare facilities for the City's growing senior population. The Eldercare entitlement process embodied within Section 14.3.1 of the LAMC is a process adopted by the City in attempts to streamline the entitlement process for these developments.

Further, one of the Housing Element objectives is to assist in the development of 250 senior units each year; Construct 1,750 Eldercare units; and explore the creation of an affordability component to Eldercare Ordinance.

As the City of Los Angeles responds to market demands for increased senior housing models, the proposed Project seeks to address the growing need for eldercare housing by providing Assisted Living and Alzheimer's/Dementia care options on a site that has historically been used for multifamily residential purposes. On a site originally developed and proposed for apartment units, the project intends to continue the use of the property for residential purposes, now targeted toward an elderly population which will increase in coming years.

The proposed facility is designed to provide housing and services to meet the special needs of elderly residents. Approximately 51% of the project's floor area is devoted to common areas and on-site support services for the residents. The residential common areas would be located within the first subterranean level through the fifth floor, and include wellness rooms, an open lounge, a fitness room, common dining rooms, activity rooms, family/living rooms, and building lobby bistro for snacks and drinks, a salon and theatre room. According to the applicant, the distribution of open space and amenities throughout the project is intended to make the facilities widely available to residents, as well as create opportunities for a wider variety of activities and allow each space to be shared both collectively and by groups of residents for community engagement and interaction. The building would also include a central

kitchen. Theses on-site uses are intended to provide quality care and amenities and enhance the quality of life of the eldercare facility residents and surrounding community.

The focus of the staff in the Assisted Living Care area would be balancing the residents' need for care with their desires to remain independent. The Alzheimer's/Dementia Care area of the facility is designed to answer the needs of residents with varying levels of dementia or other degenerative conditions. Caregiver oversight and supervision would be provided to prevent accidents that may occur otherwise. The Alzheimer's/Dementia Care second floor would also include an increased staff ratio. Additionally, this area of the project site would be more secured as per applicable standards and regulations. Overall, the project would provide security features including, but not limited to, controlled access to on-site parking areas and building entries, particularly after regular business hours, video surveillance, and security lighting.

The facility will provide varying levels of senior care and housing to ensure a continuum of care and allow residents to age in place, have access to assisted care, which would help alleviate the increasing demand placed on the housing market by seniors. As such, the project provides services to the elderly, including housing, medical services, social services, and long-term care to meet citywide demand.

4. **The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.**

Pedestrian access to the project site would be provided from existing sidewalks along Holt Avenue, which would provide direct access to the ground-floor lobby. Six short-term bicycle parking stalls will be provided on-site. Due to the compromised physical and mental state of its residents, residents are unlikely to ride a bicycle and, therefore, the project will not provide long-term bicycle parking.

Vehicle access to the project site would be provided along Holt Avenue at the northeast corner of the project site with one 24-foot-wide driveway for both ingress and egress, consolidating three existing driveways. 36 on-site parking spaces for project will be provided in conformance to the code within a subterranean parking structure.

The elderly population residing on the site either require assistance with at least two activities of daily living or are afflicted with Alzheimer's or dementia; as such, most residents are not able to drive vehicles. The project's internal circulation and parking plan is designed with a driveway for ingress and egress to minimize congestion and back-up onto the street. All circulation would be contained on site with access to the subterranean parking garage. Moreover, the driveway access and circulation would be subject to review and approval by the Department of Transportation at the time of permitting.

A Transportation Study Assessment, conducted by the Department of Transportation, dated August 5, 2020, determined that the project would result in a net increase of

87 daily trips; therefore, the project would not result in a significant transportation impact on Vehicle Miles Traveled (VMT). Based on the VMT thresholds established in LADOT's Transportation Assessment Guidelines, this project does not exceed the 250 daily trip threshold for a significant impact.

Conditions have been made a part of this approval to ensure that operation of the facility will not conflict with the community; as such, the project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

5. **The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story

residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest, and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings, and the proposed eldercare facility would observe the code-required 15-foot rear yard setback.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have a significant effect on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, including a change in design and material between the ground-level and the upper four levels. Though these changes in plane, which vary between 1 foot and 5 feet, do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

As proposed, the project would observe a front yard setback of 10 feet. The applicant has clarified, with updated plans verifying, that most of the building would observe front yard setbacks of 11 feet to 16 feet, with the 10-foot setback being located around the building entryway. While much of the development along either side of Holt Avenue appears to observe a uniform front yard setback, most of the properties also appear to have been developed with less than the 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks. With this consideration,

the requested front yard setback is a reasonable deviation in light of the benefit the eldercare facility represents.

The project proposes 6-foot side yard setbacks, in lieu of the 8 feet required by regulations contained within the [Q] Qualified conditions attached to the zone of the property. This is required because the development exceeds 99 feet of frontage along Holt Avenue. Observation of the development in the immediate neighborhood did not reveal any newer buildings that have been constructed since the application of this setback requirement which has a street frontage exceeding 99 feet. Closer observation of the pattern of development along Holt Avenue reveals variations between 5 feet and 3 feet, among buildings constructed on one or two 50-foot wide lots. As such, the proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

An Eldercare Facility use is a generally passive, non-impactful, residential use and any operations associated with the facility including maintenance activity or noise emitted from the site is not expected to expose surrounding residential uses to severe, on-going noise or nuisances.

Although the proposed building requires additional density, floor area, height, and setbacks, among other deviations, the expanded building envelope would accommodate space that will be utilized to provide for on-site services and amenities for residents who are unable to travel to nearby facilities which provide senior services. As such, the project has been designed to the extent feasible to maintain compatibility with the surrounding uses and also to enhance the aesthetics of the surrounding neighborhood, and represents an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

6. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, applicable community plan, and with any applicable specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Housing Element of the General Plan contains Housing Goals, Policies, Objectives, and Programs, which state the following:

Goal 1.1 Produce an adequate supply of rental and ownership housing to meet current and projected needs.

Policy 9 Facilitate Housing for Senior and Disabled Persons. … Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided …

Objective: Construct 1750 Eldercare units.

The Land Use Element of the General Plan is comprised of 35 Community Plans spanning the City of Los Angeles. The project site is located within the boundaries of the Wilshire Community Plan, which designates the subject property for Medium Residential land uses corresponding to the R3 Zone. The subject property is zoned [Q]R3-1-O and is thus consistent with the existing land use designation. The Community Plan states the following:

Goal 1 Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire community.

Objective 1-2 Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.

Objective 1-4 Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

Policy 1-4.1 Promote greater individual choice in type, quality, price and location of housing.

The project is in close proximity to the following bus stops which are located near the project site along Wilshire Boulevard to the north, La Cienega Boulevard to the east and Olympic Boulevard to the south:

- Metro Local Lines – 105 (0.1 miles); 20 (0.25 miles); and 28 (0.21 miles)
- Metro Rapid Line – 720 (0.25 miles)

La Cienega Community Center (City of Beverly Hills) is located at the southeastern corner of La Cienega Boulevard and Gregory Way (0.15 miles).

The proposed new Eldercare Facility, located within Tier 3 of a Transit-Oriented Community-eligible transit stop, will provide 80 guest rooms for seniors who either need assisted living services or are suffering from Alzheimer's/Dementia. The project would promote greater choice in the type of housing for that vulnerable and fast-growing demographic, and would provide varying levels of care to satisfy a range of

needs, and is close to both public transportation and public recreational opportunities. As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

SITE PLAN REVIEW FINDINGS

7. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

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As described above, the proposed project is in substantial conformance with the purpose, intent and provisions General Plan and applicable Community Plan. The project is not located within any specific plan area and not subject to any specific plan.

8. **That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on neighboring properties.**

The proposed project is a new five-story, 58-foot in height, 57,680 square-foot Eldercare Facility containing 80 guest room consisting of 62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms, with two subterranean levels, in the [Q]R3-1-O Zone. The project will provide a 10-foot minimum front yard setback, 6-foot side yard setbacks, a 15-foot rear yard setback, a deviation from the maximum 40-foot width frontage façade articulation requirement, and no long-term bicycle parking.

Eldercare Facilities are a permitted residential use within the R3 Zone. The proposed Eldercare Facility will provide Assisted Living Care and Alzheimer's/Dementia Care services. Pursuant to the State of California's licensing requirement, and as defined by LAMC Section 12.03, Assisted Living Care would provide assistance with two or more non-medical activities of daily living, and full-time medical services are not permitted on-site. Residents of the Alzheimer's/Dementia Care housing may require 24-hour care, which is permitted as defined by LAMC Section 12.03.

Height, Bulk and Setbacks

The proposed building reaches a height of 58 feet with five stories, with an exterior wall width fronting Holt Avenue to exceed 40 feet without a change in plane, 10-foot front yard setback and 6-foot side yard setbacks.

Surrounding properties are similarly zoned [Q]R3-1-O and improved with multi-level, multi-family apartment buildings. The north adjoining property is developed with a four-story over one subterranean parking level apartment building containing six dwelling units. The five east adjoining properties, across Holt Avenue, are developed with two-story multi-family buildings containing between two to six units. The south adjoining property is developed with a three-story residential condominium building containing seven dwelling units. The four west and southwest adjoining properties, fronting on Sherbourne Drive, are developed with two-story multi-family buildings containing two and three dwelling units. The northwest adjoining property, fronting on Sherbourne Drive, is developed with a four-story over one subterranean parking level apartment building containing six dwelling units.

Of the 12 properties fronting on the western side of Holt Avenue, seven properties (exclusive of the three subject properties) are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building (three-story in appearance), and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties (developed with a single building) has a three-story residential building.

The proposed building envelope is larger than most other structures in the immediate area, but it is compatible with existing and future development in the immediate neighborhood.

The properties located immediately to the north and northwest of the property are developed with four-story residential buildings, having heights of approximately 45 feet (not including rooftop access structures), and the south adjoining property is developed with a two-story over parking garage residential building, appearing as a three-story building. As proposed, the five-story building would be one story taller than those to the north and northwest,

and two stories taller than the southern property. The adjoining properties to the east, across Holt Avenue, and the west, fronting on Bedford Street, are developed with two story buildings.

The project has incorporated a number of features in an effort to minimize the project's height and massing within the surrounding community: it proposes two below-ground levels – one to accommodate required parking, and another to accommodate many of the common areas and services provided by the facility; the rear of the building is broken into two masses, separated by an uncovered 1,400 square-foot outdoor patio located on the ground level; and the fifth floor expands on this separation by the development of uncovered outdoor patio areas, further minimizing the bulk of the height of the building, as it appears from the west. The applicant has submitted a shade/shadow analysis of the project which shows that the proposed building would not have an impact on the eastern and western adjoining buildings.

Along the east-facing frontage of the building, the massing is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 feet standard set by the existing [Q] condition of the zone, they do offer aesthetic relief in contrast to a single-plane monolithic building façade.

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proposed side yard setback is consistent with the existing pattern of development within the neighborhood.

Off-Street Parking Facilities/Loading Areas

The project will provide 36 parking spaces (31 spaces for the Assisted Living guest rooms at a ratio of 0.5 spaces per unit and five spaces for the Alzheimer's/Dementia Guest Rooms at a ratio of 0.2 spaces per bed), which complies with the parking required pursuant to LAMC Section 12.21-A,4(u). On-site parking is provided entirely within a second level subterranean level. No vehicular parking will be visible from the street. Vehicular access to the proposed project will be directly from Holt Avenue via a single two-way, 24-foot-wide driveway. Vehicular access to the three existing duplexes will be consolidated into the single driveway located on the northern end of the property.

The number/types of guest rooms (and number of guest beds) and the respective requirement for parking as described above follows:

Unit Type	**Number of Guest Room/Bed**	**Ratio**	**Total Spaces Required**	**Total Spaces Provided**
Assisted Living	62	0.5	31	
Memory Care	22	0.2	5	
Total Spaces Required			**36**	**36**

An Eldercare Facility Unified Development is required to provide long-term bicycle parking at a ratio of 1 space per 5,000 square feet and required to provide short-term bicycle parking at a ratio of 1 space per 10,000 square feet, pursuant to LAMC Section 12.21-A,16(a)(2). This would require 12 long-term spaces (57,680 SF / 5,000 = 23) and 6 short-term spaces (57,680 square feet / 10,000 = 6) for a total of 18 bicycle parking spaces. Due to the compromised physical state of the facility's residents, the project will not be providing long-term bicycle parking. All required short-term bicycle parking spaces are located in a bicycle storage room on level B1 as illustrated in the project plans.

Lighting

Lighting for the proposed project has been conditioned to be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

On-Site Landscaping

Various types of vegetation and trees are integrated into the design of the building facades to minimize the visual impact of the maximum 58-foot tall building and buffering from neighboring properties. The proposed project's landscaping creates a pedestrian-friendly ground floor that helps unify and bolster continuity between the neighborhood and the project site as a whole along Holt Avenue. Additionally, perimeter landscaping will provide a privacy buffer and screening between the subject development and the adjoining properties.

Trash Collection

The project will include centralized on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. All trash and recycling areas are conditioned to be enclosed and not visible to the public. Trash collection will occur within one trash room located on the second and lowest subterranean level. The trash room is not visible from the public right-of-way. Compliance with these regulations will allow the project to be compatible with existing and future development.

As described above, the project consists, of an arrangement of buildings and structures, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that will be compatible with existing and future development on adjacent and neighboring properties.

9. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project will include 80 guest rooms; 62 for Assisted Living Care and 18 for Alzheimer's/Dementia Care. The project provides a number of indoor and outdoor common area amenities throughout the facility summarized by level below:

Level	Amenities
B1	Theater, Library, Wine Cellar, Salon, Residential Laundry, Restrooms, Fitness Room, Open Lounge, 1,200 square-foot Outdoor Courtyard
1	Bistro, Main Dining Room, 1,400 square-foot Dining Courtyard, Kitchen, Mail Room, two Outdoor Rear Yards totaling 1,400 square feet

2	Restroom, Wellness Office, Kitchen, Dining Room, Living Room, Activity Room, Quiet Room, 300 square-foot Outdoor Patio
3	Restroom, Wellness Room
4	Restroom, Wellness Room
5	Restroom, Kitchen, Dining Room, Living room, Activity Room, three Outdoor Patios totaling 2,400 square feet

The common open space areas of the proposed project account for 26,684 square feet of the project floor area. Included in this is space for staff offices, a staff lounge, and maintenance laundry. Essentially, many services that the facility's residents require are provided on-site; thus minimizing impacts on neighboring properties.

The combination of these various recreational features and design features would provide adequate amenities for the building residents, minimizing impacts on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, outside the flood zone.

Inquiries regarding this matter should be directed to Alex Truong, Planning Staff for the Expedited Processing Unit at (213) 978-3308.

JONATHAN A. HERSHEY, AICP
Associate Zoning Administrator

JAH:ON:AT:bk

cc: Councilmember Paul Koretz
Fifth District
Adjoining Property Owners
Interested Parties



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9171 Wilshire Boulevard, Suite 500
Beverly Hills, CA 90210

HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

EXHIBIT "A"
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Case No. ZA-2020-2164-ELD-SPR

COVER SHEET
SHEET INDEX



PROJECT DATA

SITE SUMMARY:

APN: 4333-024-008	ADDRESS: 825-827 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling
APN: 4333-024-009	ADDRESS: 829-831 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling
APN: 4333-024-010	ADDRESS: 835-837 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling

SITE AREA	18,003 SF
	0.41 AC
BUILDABLE AREA	11,390 SF
ALLOWED DENSITY	36 Guest Rooms
PROPOSED DENSITY	80 Guest Rooms
	225 SF/Guest Room
BUILDING EFFICIENCY	54%
FAR (Basement + L1- L5)	5.06
FAR (L1- L5)	4.30
LOT COVERAGE	12,840 SF
ALLOWABLE HEIGHT	45 FT (LAMC 12.21.1)
PROPOSED HEIGHT	58 FT
REQUIRED OPEN SPACE	N/A

OPEN SPACE SUMMARY

LEVEL B1 COURTYARD	1,200 SF
LEVEL 1 DINING COURTYARD	1,400 SF
NORTH REAR COURTYARD	550 SF
SOUTH REAR COURTYARD	850 SF
LEVEL 2 MC OPEN PATIO	300 SF
LEVEL 5 PATIO 1	500 SF
LEVEL 5 PATIO 2	500 SF
LEVEL 5 PATIO 3	1,400 SF
TOTAL	6,700 SF

SETBACK SUMMARY (LAMC 12.10.C)

	REQUIRED	PROVIDED
FRONT (Holt Ave.)	20 FT	10 FT
NORTH SIDE	8 FT	6 FT
SOUTH SIDE	8 FT	6 FT
REAR	15 FT	15 FT

BUILDING SUMMARY:

BUILDING AREAS	TOTAL	PROGRAM	TOTAL	
B1 (Basement)	8,728	MEMORY CARE ROOMS	6,216	10.8%
L1	8,942	MEMORY CARE COMMON SPACE	4,135	7.2%
L2	10,351	ASSISTED LIVING ROOMS	24,780	43.0%
L3	10,750	ASSISTED LIVING COMMON SPACE	22,549	39.1%
L4	10,750			
L5	8,159	*INCLUSIVE OF BOH PROGRAM		
TOTAL SF	**57,680**	**TOTAL SF**	**57,680**	

ROOM MIX	GSF	BEDS	L1	L2	L3	L4	L5	GUEST ROOMS	TOTAL BEDS	TOTAL GSF	
MC P0	348	1	0	2	0	0	0	2	2	696	
MC P0.1	329	1	0	12	0	0	0	12	12	3,948	
MC P2	393	2	0	4	0	0	0	4	8	1,572	
MC TOTAL			0	18	0	0	0	**18**	**22**	**6,216**	**20.1% OF TOTAL GUEST ROOM AREA**
AL P0	349	1	0	0	3	3	2	8	8	2,792	
AL P0.1	329	1	9	0	8	8	11	36	36	11,844	
AL P1	433	1	1	0	3	3	1	8	8	3,464	
AL P1.1	668	1	0	0	5	5	0	10	20	6,680	
AL TOTAL			10	0	19	19	14	**62**	**72**	**24,780**	**79.9% OF TOTAL GUEST ROOM AREA**
TOTAL			**10**	**18**	**19**	**19**	**14**	**80**	**94**	**30,996**	

PARKING SUMMARY:

REQUIRED (LAMC 12.21.A.4(d)(5))	RATIO	QUANTITY	TOTAL
MEMORY CARE	0.2 SPACES/ BED	22	5 SPACES
ASSISTED LIVING	0.5 SPACES/ ROOM	62	31 SPACES
TOTAL			**36 SPACES**
PROVIDED	SUBTERRANEAN GARAGE		**36 SPACES**

BIKE PARKING SUMMARY: (LAMC 12.21.A.16(a)(2))

		TOTAL
REQUIRED	Short-term	6 SPACES
	Long-term	12 SPACES
PROVIDED	Short-term	6 SPACES
	Long-term	0 SPACES

LEVEL B1

Guest Rooms	-	SF
Corridor	100	SF
Common Areas		
Lobby	640	SF
Bike Storage	332	SF
Theater	835	SF
Storage	164	SF
Shared Living / Library	813	SF
Wine Cellar	103	SF
Salon	385	SF
Staff Lounge	209	SF
Mother's Room	108	SF
AL Coordinator	97	SF
Associate Executive Director	110	SF
Sales	110	SF
Residential Laundry	121	SF
Maintenance / Caregiver Laundry	314	SF
BOM Office	102	SF
Women's	136	SF
Men's	145	SF
Fitness / Physical Therapy	1,493	SF
Fitness Storage	203	SF
Activites / Open Lounge	2,208	SF
TOTAL	**8,728**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 1

Guest Rooms	3,394	SF
Corridor	860	SF
Common Areas		
Lobby / Reception	1,087	SF
Bistro	700	SF
Main Dining	795	SF
Kitchen	1,075	SF
Food Director	100	SF
Chef Offices	100	SF
Mail / Parcels	198	SF
Exective Director	93	SF
Marketing	124	SF
Discovery	84	SF
Women's	146	SF
Men's	144	SF
Storage	42	SF
TOTAL	**8,942**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 2

Guest Rooms	6,216	SF
Corridor	2,000	SF
Common Areas		
Lobby	340	SF
Restroom	102	SF
Storage	36	SF
Wellness Office	122	SF
Serve	74	SF
Kitchen	136	SF
MC Dining	487	SF
MC Living Room	472	SF
MC Activities	304	SF
Quiet Room	62	SF
TOTAL	**10,351**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 3

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	**10,750**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 4

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	**10,750**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 5

Guest Rooms	4,750	SF
Corridor	1,701	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Janitor	22	SF
Storage	50	SF
Serve	74	SF
Kitchen	136	SF
AL Dining	562	SF
AL Living Room	205	SF
AL Activities	244	SF
TOTAL	**8,159**	**SF**
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

TOTAL **57,680 SF**

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THE PANORAMA GROUP
The Panorama Group, Inc.
9171 Wilshire Boulevard, Suite 500
Beverly Hills, CA 90210

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LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

0 10 20 40

SITE PLAN

A1.0



Summer Solstice (June 20th) - 9:00am



Summer Solstice (June 20th) - 12:00pm



Summer Solstice (June 20th) - 3:00pm



Winter Solstice (December 21st) - 9:00am



Winter Solstice (December 21st) - 12:00pm



Winter Solstice (December 21st) - 3:00pm

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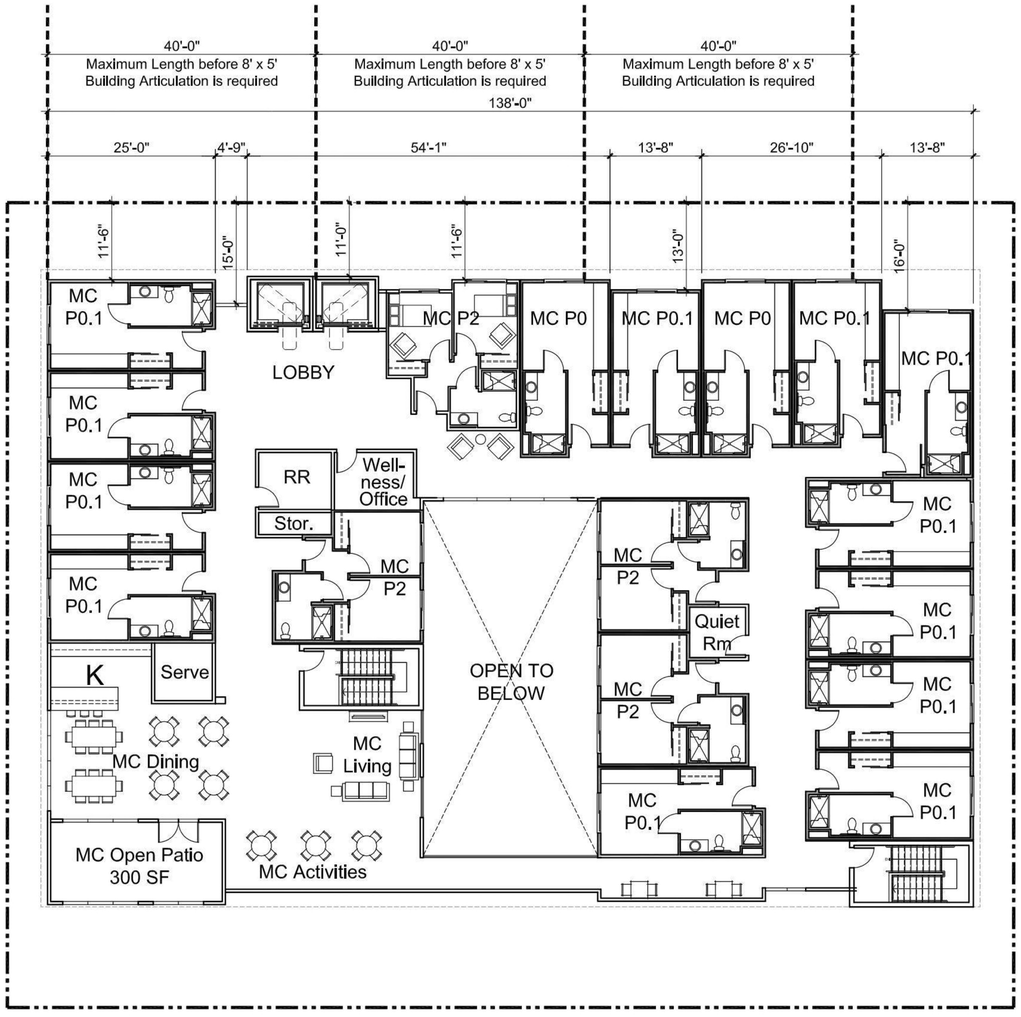
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
MARCH 23, 2020

NTS

SHADE AND SHADOW ANALYSIS

A1.1



LEVEL 2 (TYPICAL LEVEL)



LEVEL 1

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Beverly Hills, CA 90210

HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

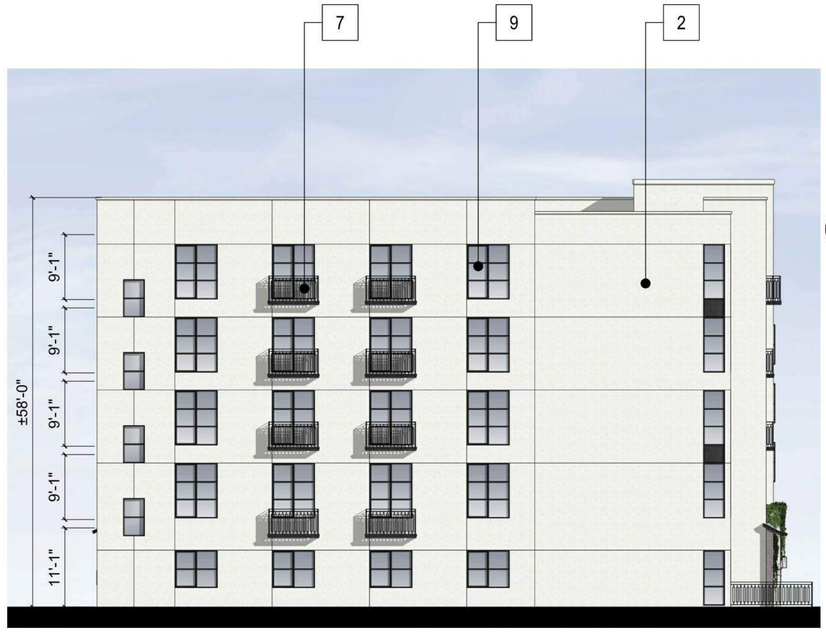
0 8 16 24

HOLT AVE. SETBACK EXHIBIT

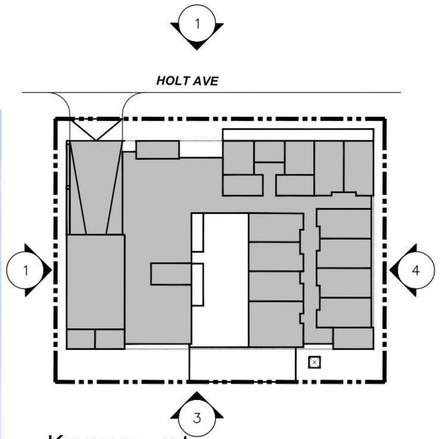
A1.2



3. REAR - West Elevation



4. LEFT - South Elevation



Keymap - n.t.s.

Material Legend

1. Standing Seam Metal Roof
2. Stucco
3. Fiber Cement Panel
4. Stone Veneer
5. Decorative Tile
6. Metal Ornamentation
7. Metal Railing
8. Vinyl Window
9. Storefront Glazing
10. Wall Mounted Light Sconce



1. FRONT - East Elevation



2. RIGHT - North Elevation

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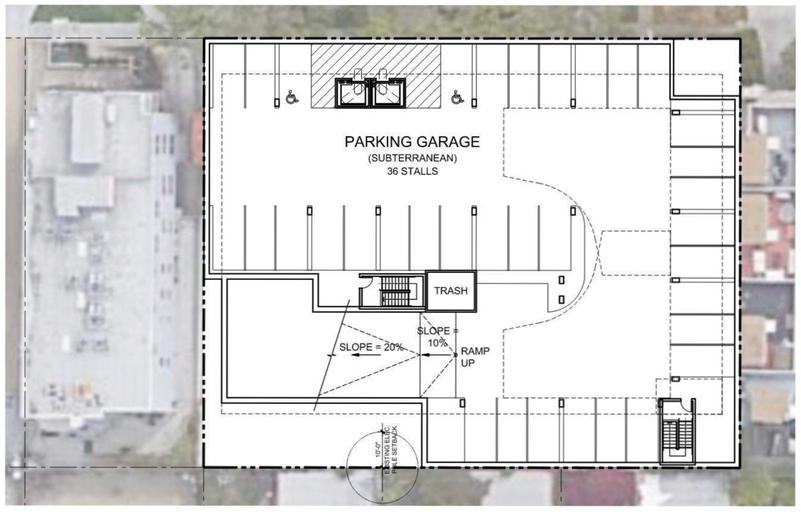
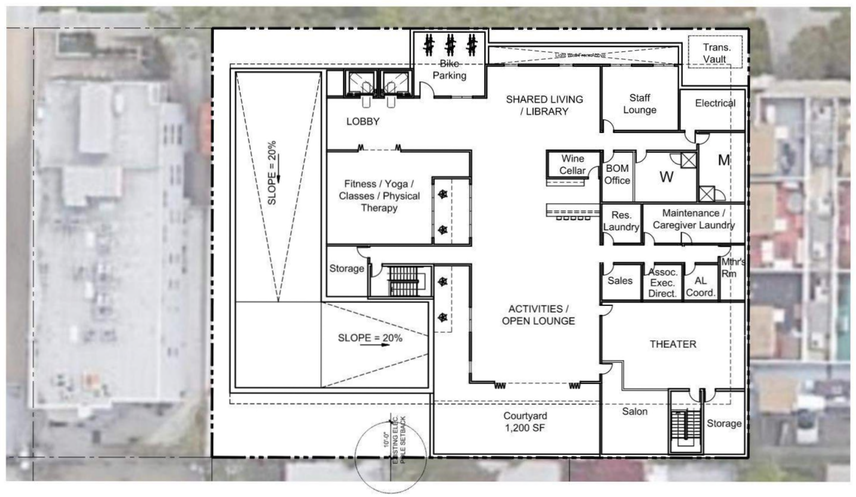
ELEVATIONS

A2.0



LEVEL B2



LEVEL B1

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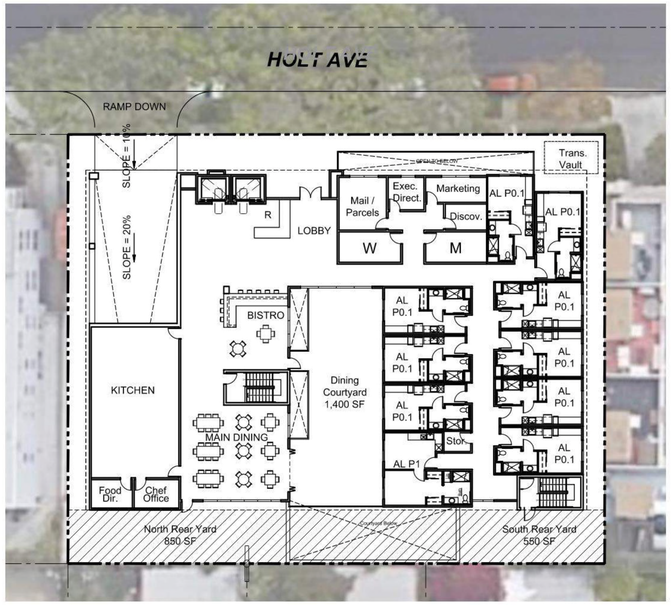
CONCEPT PHASE
NOVEMBER 30, 2020

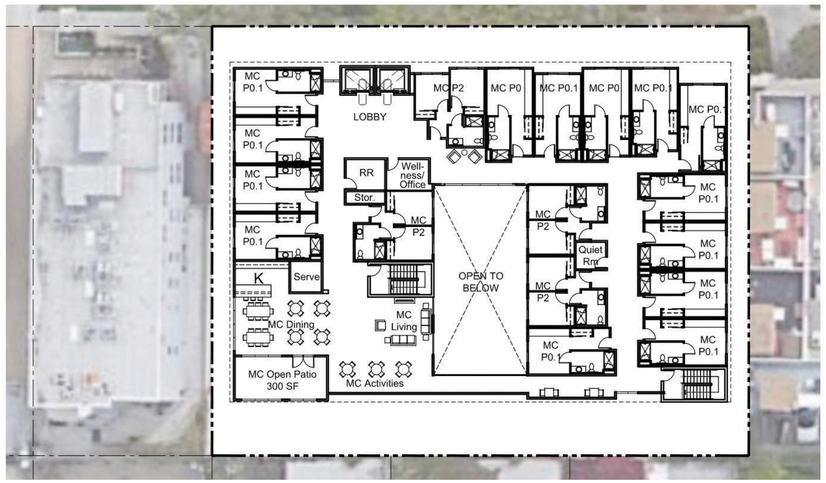
0 10 20 40

BUILDING PLANS

A3.0



LEVEL 1



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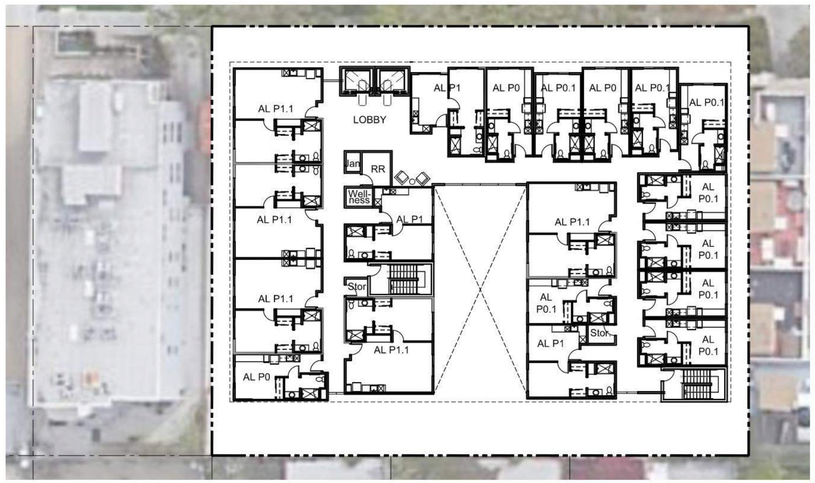

LEVEL 3-4



LEVEL 5

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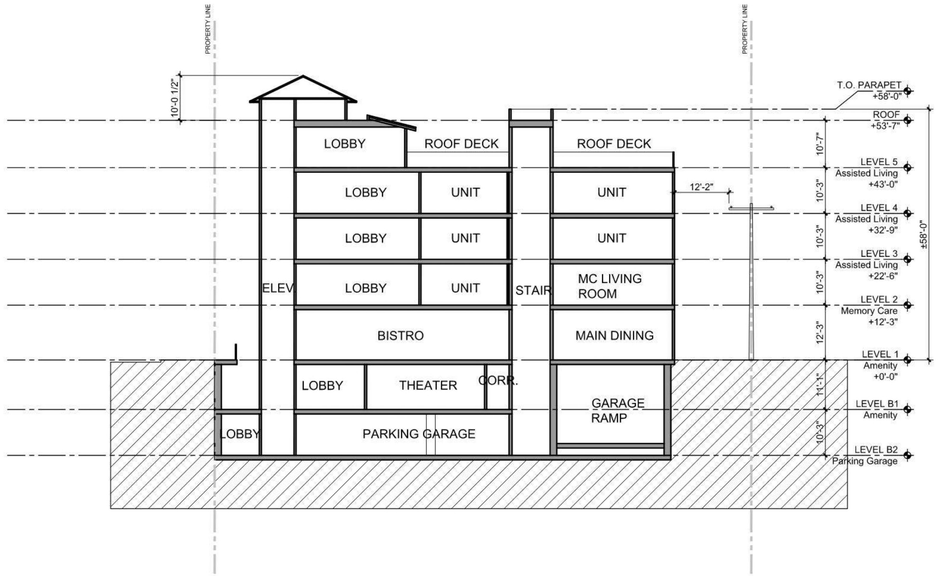
CONCEPT PHASE
NOVEMBER 30, 2020

0 10 20 40

BUILDING PLANS

A3.1



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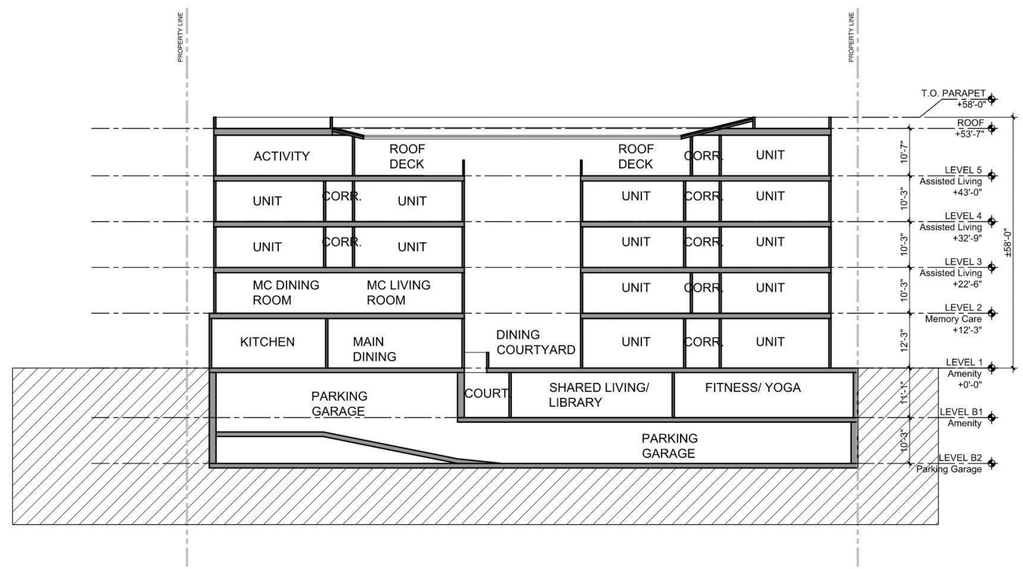
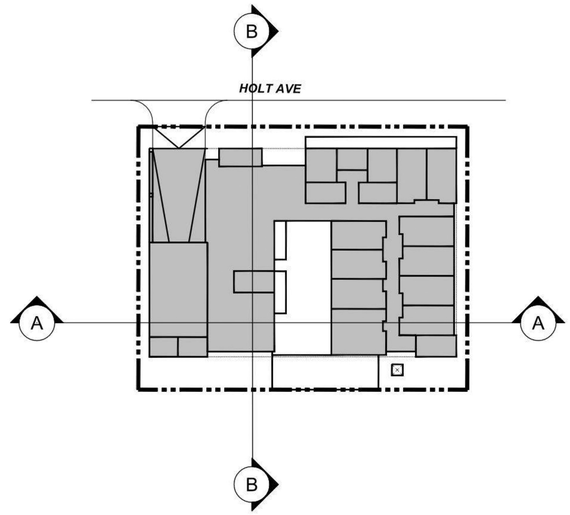


SECTION A-A



Keymap - n.t.s.

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LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
MARCH 23, 2020

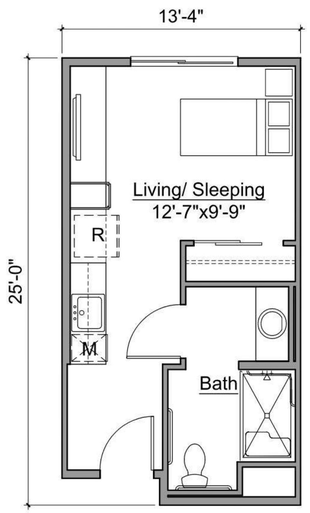
0 4 8 16

SECTIONS

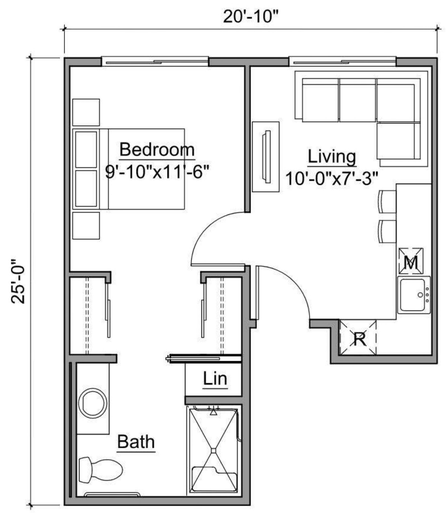
A4.0



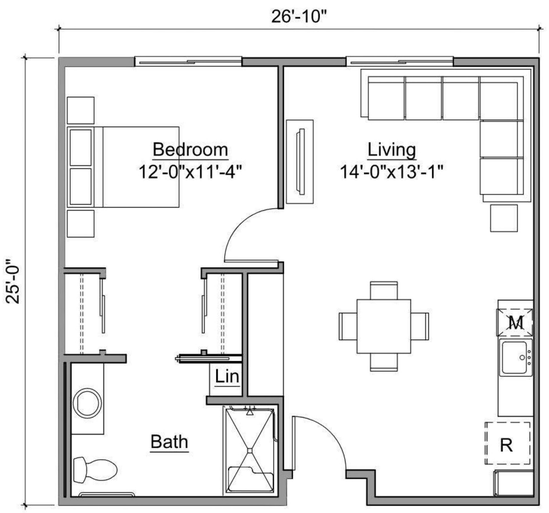
Assisted Living
Unit AL-0
± 349 Gross Sq. Ft.



Assisted Living
Unit AL-0.1
± 329 Gross Sq. Ft.



Assisted Living
Unit AL-1
±433 Gross Sq. Ft.



Assisted Living
Unit AL-1.1
±668 Gross Sq. Ft.

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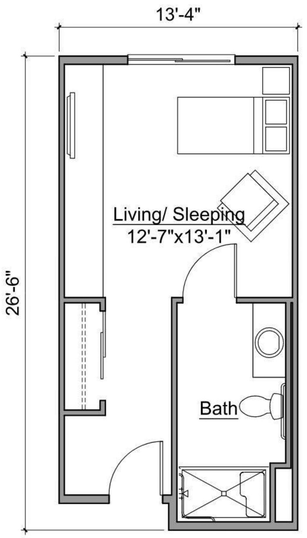
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

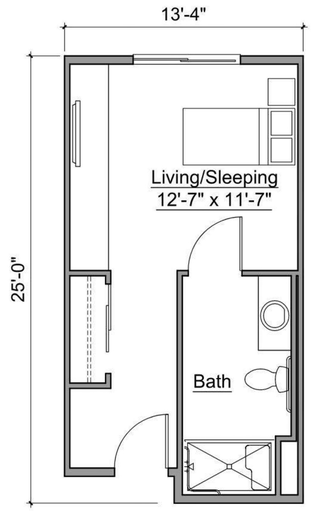
0 2 4 8

UNIT PLANS
ASSISTED LIVING

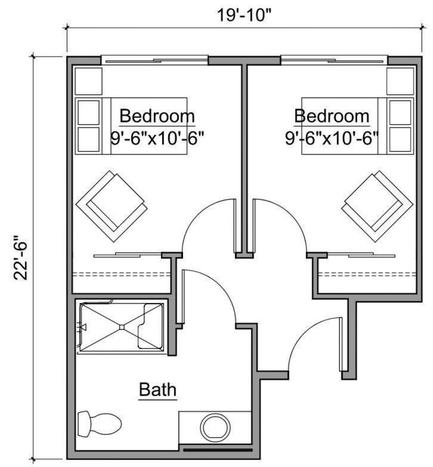
A5.0



Memory Care
Unit MC-0
± 348 Gross Sq. Ft.



Memory Care
Unit MC-0.1
± 329 Gross Sq. Ft.



Memory Care
Unit MC-2
± 393 Gross Sq. Ft.

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LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

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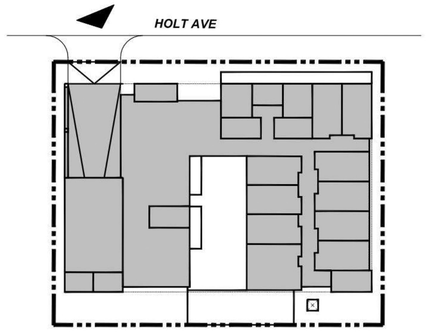
PERSPECTIVES

A6.0





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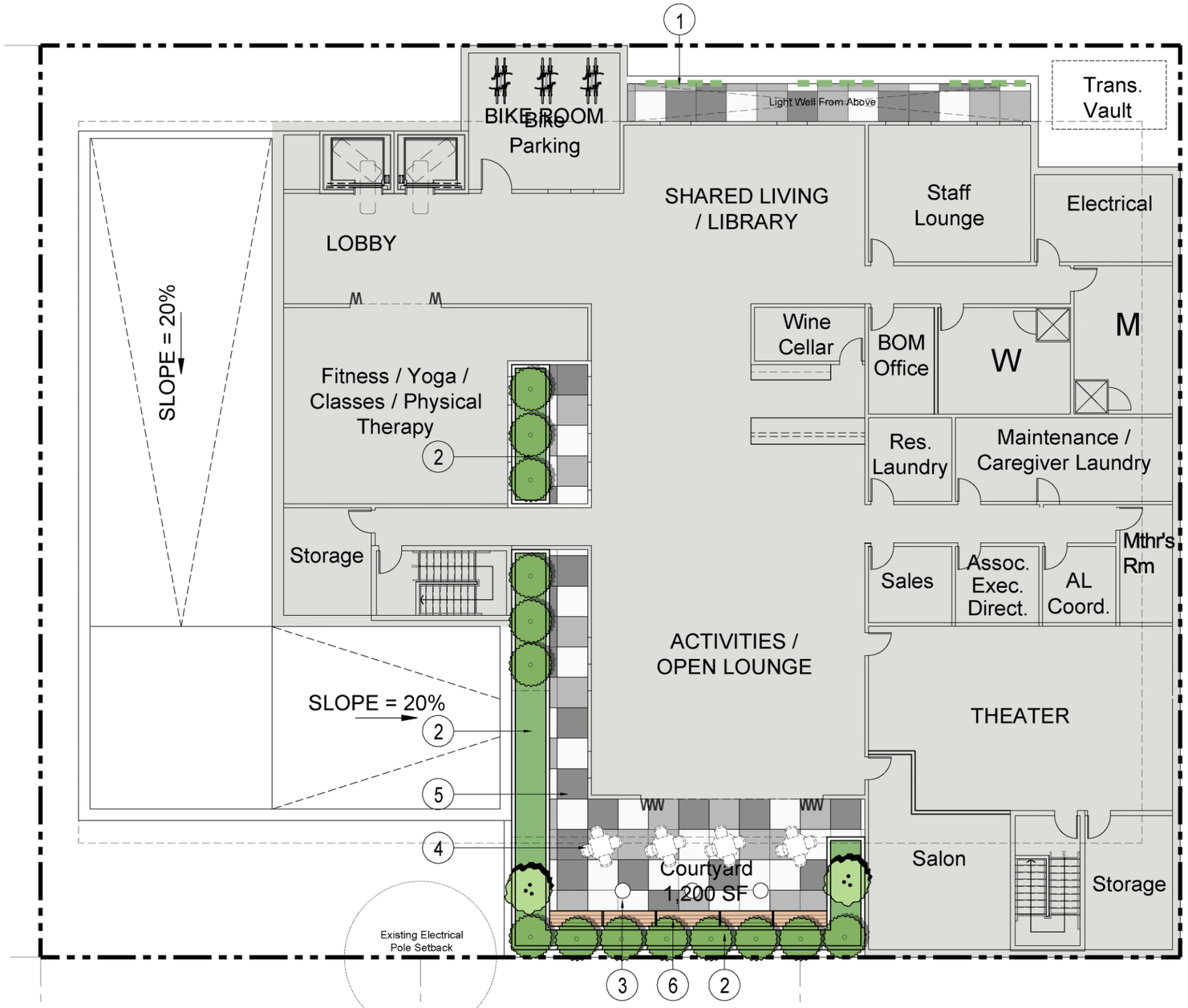
NOVEMBER 30, 2020

NTS

PERSPECTIVES

A6.1



1 PRELIMINARY LANDSCAPE PLAN-BASEMENT LEVEL

SCALE: 1/16" = 1'-0"

N

0 8' 16' 32'

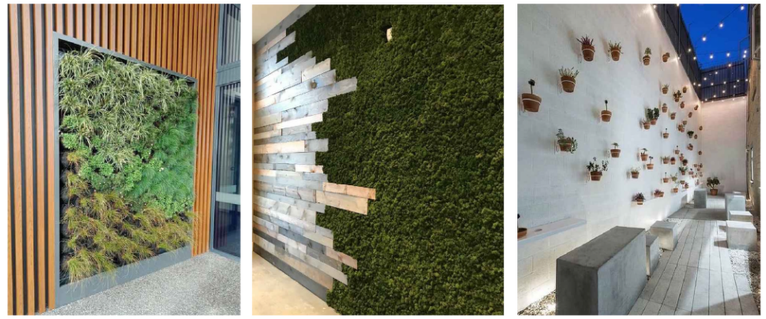
Scale: 1/16" = 1'-0"

TOTAL LANDSCAPE / HARDSCAPE BREAKDOWN

	LANDSCAPE SF	HARDSCAPE SF
BASEMENT LVL:	540.5 SF	1,157.17 SF
LEVEL 1:	1,631.3 SF	3,568.5 SF
LEVEL 2 MEMORY CARE PATIO:	52.5 SF	248.86 SF
LEVEL 5 ROOF DECKS:	400.2 SF	2,000.3 SF
TOTAL:	2,624.5 SF	6,974.83 SF

KEYNOTES

1. REALISTIC ARTIFICIAL WALLSCAPE / GREEN WALL OPTIONS:



2. BUILT-IN PLANTER
3. COFFEE TABLE
4. READING TABLE
5. STAINED CONC. PAVING



6. BUILT-IN WOOD BENCH W/ ARM REST & SLOPING BACK CUSHION



PLANTING LEGEND

- MARINA STRAWBERRY TREE ARBUTUS 'MARINA'
- FERN PINE (HEDGE) PODOCARPUS GRACILIOR
- FIDDLE LEAF FIG FICUS LYRATA
- SHRUBS & GROUNDCOVERS

PAVING LEGEND

- STAINED CONC. PAVING

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825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC Landscape Architects
2669 Saturn Street
BREA, CA, 92821
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-1



1 PRELIMINARY LANDSCAPE PLAN-1ST LEVEL
SCALE: 1/16" = 1'-0"

N

0 8' 16' 32'
Scale: 1/16" = 1'-0"

KEYNOTES

1. BUILT-IN PLANTER
2. BENCH W/ ARM REST



3. CON. STAINED PAVING

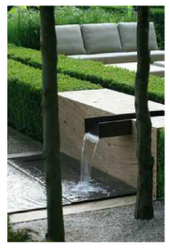




4. CABLE WIRING FOR VINE PLANTING

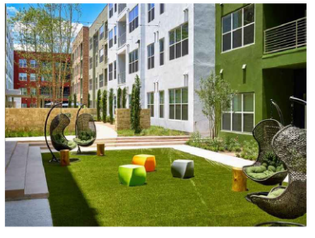


5. TABLE W/ CHAIRS
6. CUSTOM RUNNEL WATER FEATURE





7. SYNTHETIC GRASS LOUNGE AREA



8. BUILT-IN BBQ
9. FIBERGLASS PLANTER
10. OUTDOOR SOFA SEATING W/ TABLES
11. FIREPIT W/ SOFA SEATING



12. RAISED BED VEGETABLE GARDEN



13. STONE VENEER BLOCK WALL

PLANTING LEGEND

TREES

ACER PALMATUM
'SANGOKAKU'
ACORAL BARK JAPANESE MAPLE

ARBUTUS MARINA
STRAWBERRY TREE

PODOCARPUS GRACILLIOR
FERN PINE (HEDGE)

FIDDLE LEAF FIG
FICUS LYRATA

EXISTING STREET TREE
TO REMAIN

PAVING LEGENDS

VINE CABLE PLANTING

PLANTING

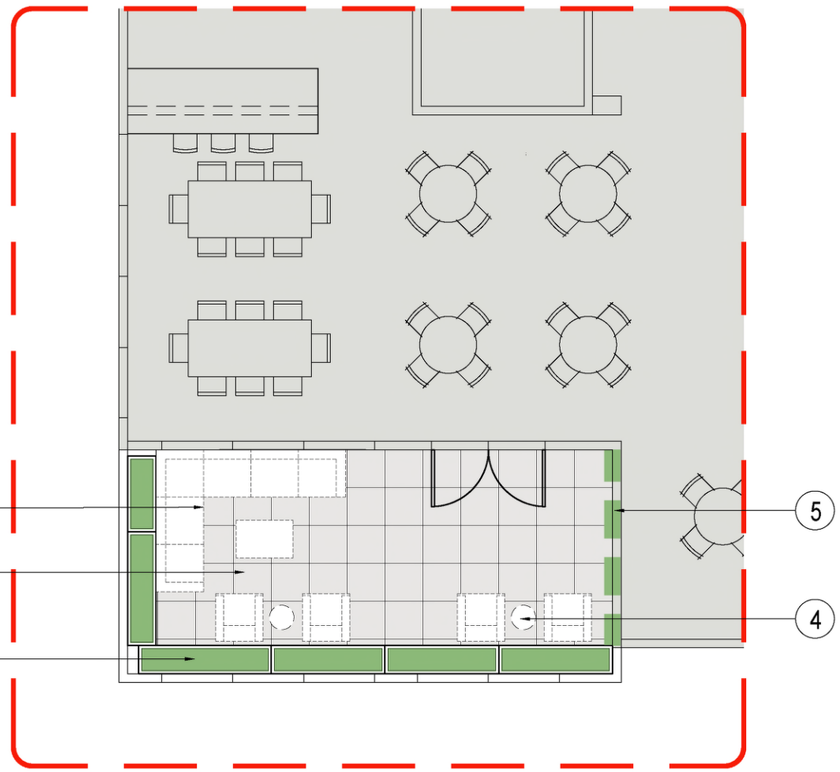
EXHIBIT "A"
Page No. 14 of 18
Case No. ZA-2020-2164-ELD-SPR

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC
Landscape Architects
2669 Saturn Street
BREA, CA, 92821
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-2



1 PRELIMINARY LANDSCAPE PLAN - 2ND LVL MEMORY CARE PATIO
SCALE: 1/8" = 1'-0"

N

0 8' 16' 32'
Scale: 1/16" = 1'-0"

KEYNOTES

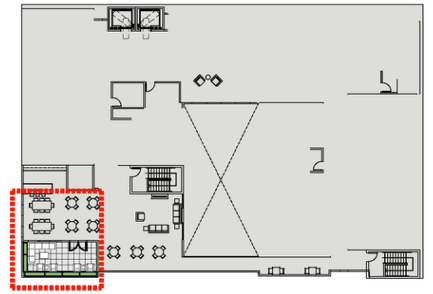
1. RECTANGULAR FIBERGLASS PLANTER



2. 2' X 2' PEDESTAL PAVERS
3. SOFA SEATING W/ TABLE
4. SOFA SEATS W/ ROUND TABLES
5. GREEN WALL OPTIONS:







KEYMAP - N.T.S.

PLANTING LEGEND

SHRUBS & GROUNDCOVERS

PAVING LEGEND

2' X 2' PEDESTAL PAVERS

EXHIBIT "A"
Page No. 15 of 18
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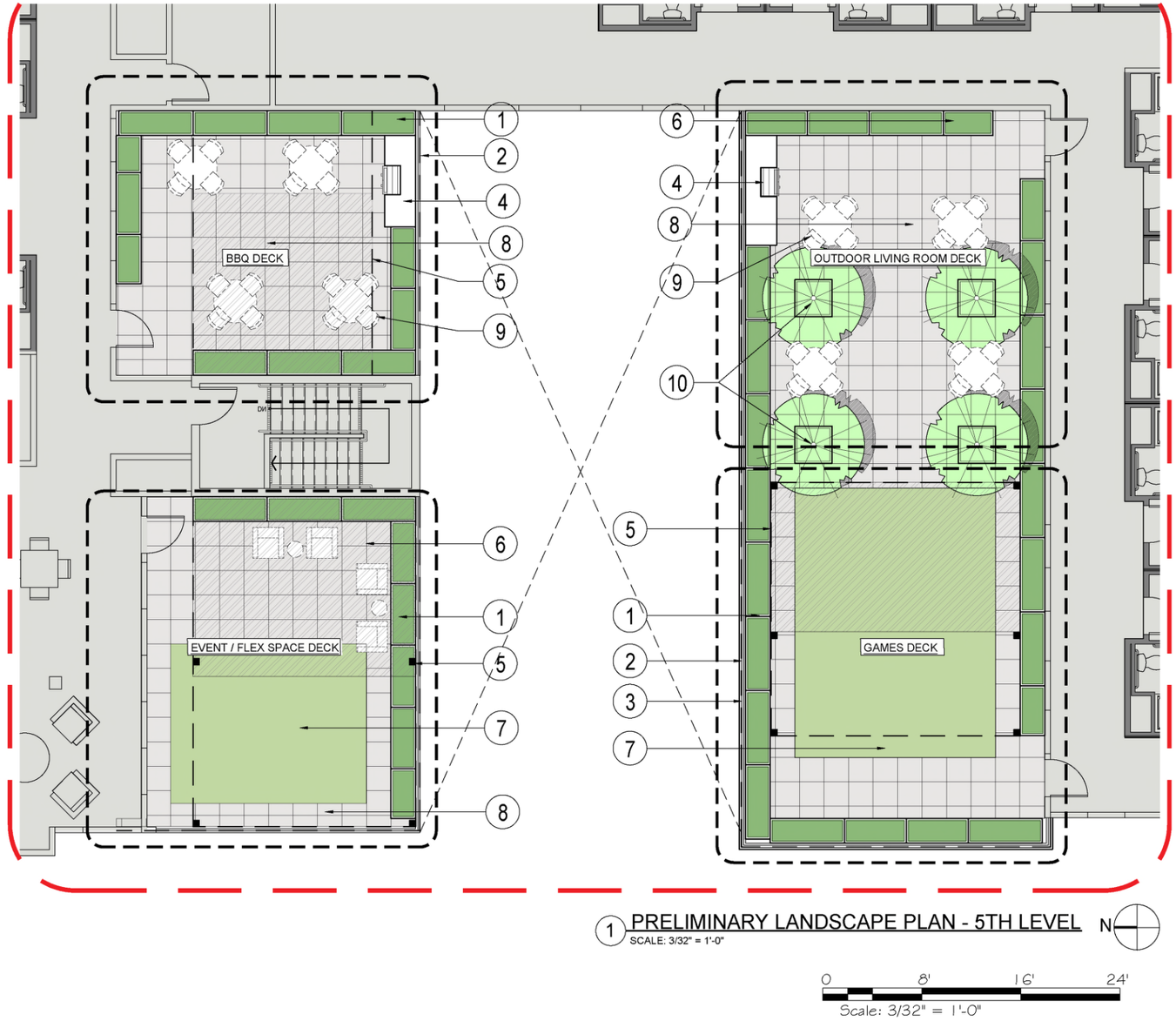
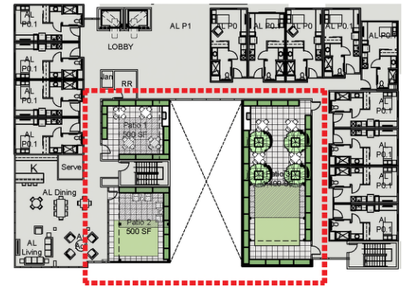


1 PRELIMINARY LANDSCAPE PLAN - 5TH LEVEL
SCALE: 3/32" = 1'-0"

N

0 8' 16' 24'
Scale: 3/32" = 1'-0"



KEY PLAN

KEYNOTES

1. FIBERGLASS PLANTER



2. 5'H GLASS RAILING
3. 10'H SAFETY NET MESH WALL



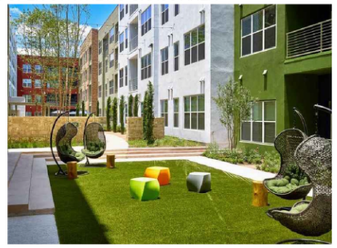
4. BBQ



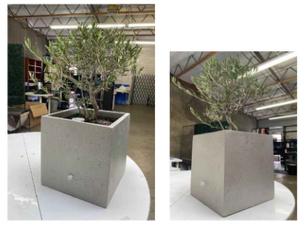
5. CABLE SLIDE & GLIDE SHADE SYSTEM



6. COUCH SEATING W/ TABLES
7. OPEN SYNTHETIC GRASS AREA



8. CONC. PAVING TILES
9. ROUND TABLES W/ CHAIRS
10. 3' X 3' MOBILE FIBERGLASS TREE PLANTERS



PLANTING LEGEND

TREES

CITRUS LEMON
'MEYER IMPROVED'
MEYER IMPROVE LEMON

PAVING LEGENDS

PLANTING
SYNTHETIC GRASS
CONC. PAVING TILE

EXHIBIT "A"
Page No. 16 of 18
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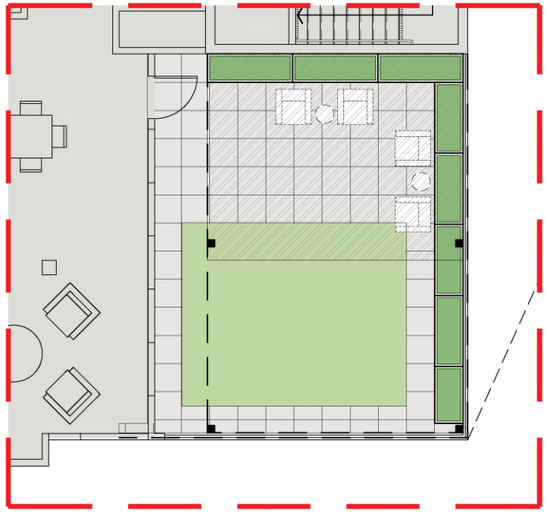
LP-4



2 EVENT/FLEX SPACE DECK ACTIVITIES
SCALE: 3/32" = 1'-0"

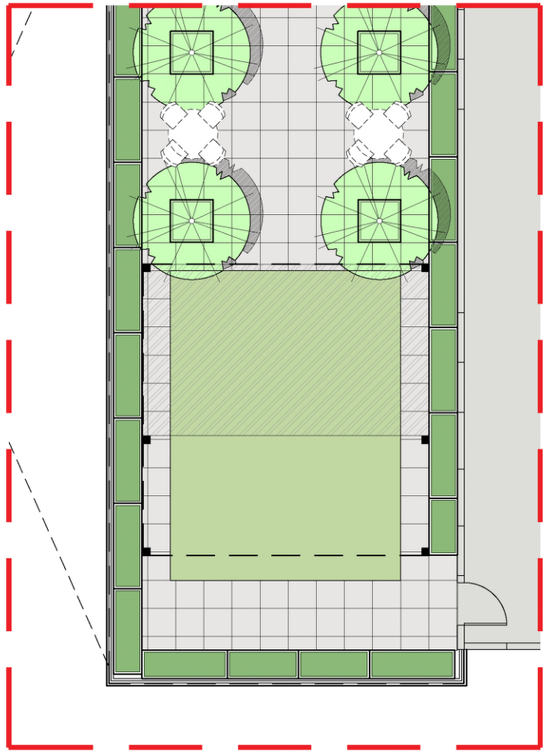
N



OUTDOOR PAINTING



LIVE MUSIC / ENTERTAINMENT



1 GAMES DECK ACTIVITIES
SCALE: 3/32" = 1'-0"

N



BOCCE BALL



GROUP GAMES / ACTIVITIES





MEDITATION / STRETCHING EXERCISES



PUTTING GREEN



CIRCUIT WALKS



CORNHOLE

EXHIBIT "A"
Page No. 17 of 18
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LP-4A

			
PODOCARPUS GRACILLIOR (HEDGE) FERN PINE	ARBUTUS 'MARINA' STRAWBERRY TREE	ACER PALMATUM 'SANGOKAKU' CORAL BARK JAPANESE MAPLE	CITRUS LEMON 'MEYER IMPROVED' IMPROVED MEYER LEMON

1 TREE SELECTIONS
SCALE: N.T.S

EXHIBIT "A"
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LP-5

COVID-19 UPDATE
Interim Appeal Filing Procedures

Fall 2020

LOS ANGELES CITY PLANNING

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

OPTION 1: Online Appeal Portal

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

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

OPTION 2: Drop off at DSC

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

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

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

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

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

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

DEPARTMENT OF CITY PLANNING APPLICATION

APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number L.ZA-2020-2164 - ELD-SPR

Env. Case Number ENV 2020-2165 - EAF

Application Type ELDERCARE UNIFIED PERMIT

Case Filed With (Print Name) J. CHUN Date Filed 3/31/20

Application includes letter requesting:

☐ Waived hearing ☐ Concurrent hearing ☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.
Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address[1] 825-837 Holt Avenue Unit/Space Number

Legal Description[2] (Lot, Block, Tract) Lot 40, Lot 41, and Lot 42 of Tract 4666

Assessor Parcel Number 4333-024-008, -009, -010 Total Lot Area 18,003 sq ft

2. PROJECT DESCRIPTION

Present Use Duplex Apartments

Proposed Use Eldercare Facility

Project Name (if applicable) Holt Eldercare

Describe in detail the characteristics, scope and/or operation of the proposed project The proposed eldercare facility will be comprised of 80 guest rooms, 80% dedicated to assisted living and 20% to memory care. There willl be two subterranean levels – the first containing common area amenities and the second containing 36 parking spaces.

Additional information attached ☐ YES ☑ NO

Complete and check all that apply:

Existing Site Conditions

☐ Site is undeveloped or unimproved (i.e. vacant)

☑ Site has existing buildings (provide copies of building permits)

☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

☐ Site is located within 500 feet of a freeway or railroad

☐ Site is located within 500 feet of a sensitive use (e.g. school, park)

☐ Site has special designation (e.g. National Historic Register, Survey LA)

[1] Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org)
[2] Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

(Check all that apply or could apply)

- ☑ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☐ Interior tenant improvement
- ☐ Additions to existing buildings
- ☑ Grading
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree
- ☐ Removal of protected trees on site or in the public right of way
- ☑ New construction: 60,606 sq ft square feet
- ☐ Accessory use (fence, sign, wireless, carport, etc.)
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☑ Haul Route
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

Housing Component Information

Number of Residential Units: Existing 6 – Demolish(ed)[3] 6 + Adding 80 = Total 80

Number of Affordable Units[4] Existing _____ – Demolish(ed) _____ + Adding _____ = Total _____

Number of Market Rate Units Existing _____ – Demolish(ed) _____ + Adding _____ = Total _____

Mixed Use Projects, Amount of Non-Residential Floor Area: _____ square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) ☑ YES ☐ NO

Is your project required to dedicate land to the public right-of-way? ☐ YES ☑ NO

If so, what is/are your dedication requirement(s)? _____ ft.

If you have dedication requirements on multiple streets, please indicate: _____

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☑ NO

Authorizing Code Section LAMC Section 14.3.1

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: We are requesting deviations from the density, floor area, height, and setback provisions of the [Q]R3-1-O Zone, as well as relief from specific bike parking requirements.

Authorizing Code Section LAMC Section 16.05E

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: Site Plan Review for a project creating more than 50 guest rooms in the [Q]R3-1-O Zone.

Additional Requests Attached ☐ YES ☑ NO

[3] Number of units to be demolished and/or which have been demolished within the last five (5) years.

[4] As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☑ YES ☐ NO

If YES, list all case number(s) CPC-2018-3731-GPA-ZC-HD-CDO, ENV-2018-3732-EIR, CPC-1989-146-ZC, ND-90-111-ZC, CPC-19XX-19234, and ZA-1965-17815

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. _____ Ordinance No.: _____

☐ Condition compliance review
☐ Modification of conditions
☐ Revision of approved plans
☐ Renewal of entitlement
☐ Plan Approval subsequent to Master Conditional Use
☐ Clarification of Q (Qualified) classification
☐ Clarification of D (Development Limitations) classification
☐ Amendment to T (Tentative) classification

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☑ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☑ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

_____

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

a. Specialized Requirement Form Eldercare Facility Unified Permit (ELD) + Site Plan Review (SPR)
b. Geographic Project Planning Referral _____
c. Citywide Design Guidelines Compliance Review Form _____
d. Affordable Housing Referral Form _____
e. Mello Form _____
f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form _____
g. HPOZ Authorization Form _____
h. Management Team Authorization _____
i. Expedite Fee Agreement Attached - dated March 6, 2020
j. Department of Transportation (DOT) Referral Form _____
k. Preliminary Zoning Assessment Referral Form _____
l. SB330 Preliminary Application _____
m. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) Reference No. 202000194
n. Order to Comply _____
o. Building Permits and Certificates of Occupancy Attached
p. Hillside Referral Form (BOE) _____
q. Low Impact Development (LID) Referral Form (Storm water Mitigation) _____
r. SB330 Determination Letter from Housing and Community Investment Department _____
s. Are there any recorded Covenants, affidavits or easements on this property? ☑ YES (provide copy) ☐ NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant[5] name Daniel Kianmahd (Owner in Escrow)

Company/Firm The Panorama Group, Inc.

Address: 8665 Wilshire Boulevard Unit/Space Number Suite 208

City Beverly Hills State CA Zip Code: 90211

Telephone (323) 546-4994 E-mail: dk@accesspanorama.com

Are you in escrow to purchase the subject property? ☐ YES ☐ NO

Property Owner of Record ☑ Same as applicant ☐ Different from applicant

Name (if different from applicant) _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Agent/Representative name Stephen Kia

Company/Firm Urban Concepts

Address: 3731 Wilshire Boulevard Unit/Space Number Suite 670

City Los Angeles State CA Zip: 90010

Telephone (323) 966-2610 E-mail: stephenk@urban-concepts.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information ***(select only one)***

☐ Owner ☐ Applicant

☑ Agent/Representative ☐ Other

_____

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

[5] An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT**. Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

   - **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
   - **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
   - **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
   - **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

   a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

   b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.

   c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.

   d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.

Signature _____ Date March 30, 2020

Print Name Daniel Kianmahd

Signature _____ Date _____

Print Name _____

See Attached Certificate

Space Below For Notary's Use

California All-Purpose Acknowledgement **Civil Code ' 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 3/30/2020 before me, Stephanie Cho (Notary Public)
(Insert Name of Notary Public and Title)

personally appeared Daniel Kianmahd, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (Seal)

STEPHANIE CHO
Notary Public - California
Los Angeles County
Commission # 2196677
My Comm. Expires May 12, 2021

APPLICANT

8. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

   a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.

   b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.

   c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required. .

   d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.

   e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.

   f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.

   g. I understand that if this application is denied, there is no refund of fees paid.

   i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

   i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

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

Signature: _____ Date: 3/30/2022

Print Name: Daniel Kiannahad

OPTIONAL

NEIGHBORHOOD CONTACT SHEET

9. **SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

ENVIRONMENTAL REPORT

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS
ZA-2020-2164-ELD-SPR

LEAD CITY AGENCY	CASE NUMBER
City of Los Angeles (Department of City Planning)	ENV-2020-2165-CE
PROJECT TITLE Holt Eldercare	COUNCIL DISTRICT 13

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) ☐ Map attached.
825-837 Holt Avenue

PROJECT DESCRIPTION: ☐ Additional page(s) attached.
The proposed project includes the demolition and removal of the three (3) duplexes; and the construction of an approximately 57,680 square-foot Eldercare Facilities development consisting of both assisted living and Alzheimer's/Dementia uses. The proposed project will contain 80 guest rooms, of which 62 guest rooms will be designated for Assisted Living Care and 18 guest rooms designated for Alzheimer's/Dementia Care. The building is proposed to be 58 feet (at its highest point) built to five (5) stories. The total FAR of the proposed development is 5.06 to 1.

NAME OF APPLICANT / OWNER:
Daniel Kianmahd, The Panorama Group, Inc.

CONTACT PERSON (If different from Applicant/Owner above)	(AREA CODE) TELEPHONE NUMBER | EXT.
Alex Truong	213-978-3308

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) **15332, Class 32**

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

_____

JUSTIFICATION FOR PROJECT EXEMPTION: ☒ Additional page(s) attached

☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.
☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.
If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE	STAFF TITLE
Alexander Truong	City Planning Associate

ENTITLEMENTS APPROVED
Eldercare Facility Unified Permit and Site Plan Review

FEE:	RECEIPT NO.	REC'D. BY (DCP DSC STAFF NAME)

DISTRIBUTION: County Clerk, Agency Record
Rev. 3-27-2019

PLOT PLANS



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Architectural:

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A1.0	Site Plan
A1.1	Sun/ Shade Exhibit
A1.2	Holt Ave. Setback Exhibit
A2.0	Building Elevations
A3.0	Building Plans
A3.1	Building Plans
A4.0	Building Sections
A5.0	Unit Plans
A5.1	Unit Plans
A6.0	Perspectives
A6.1	Perspectives

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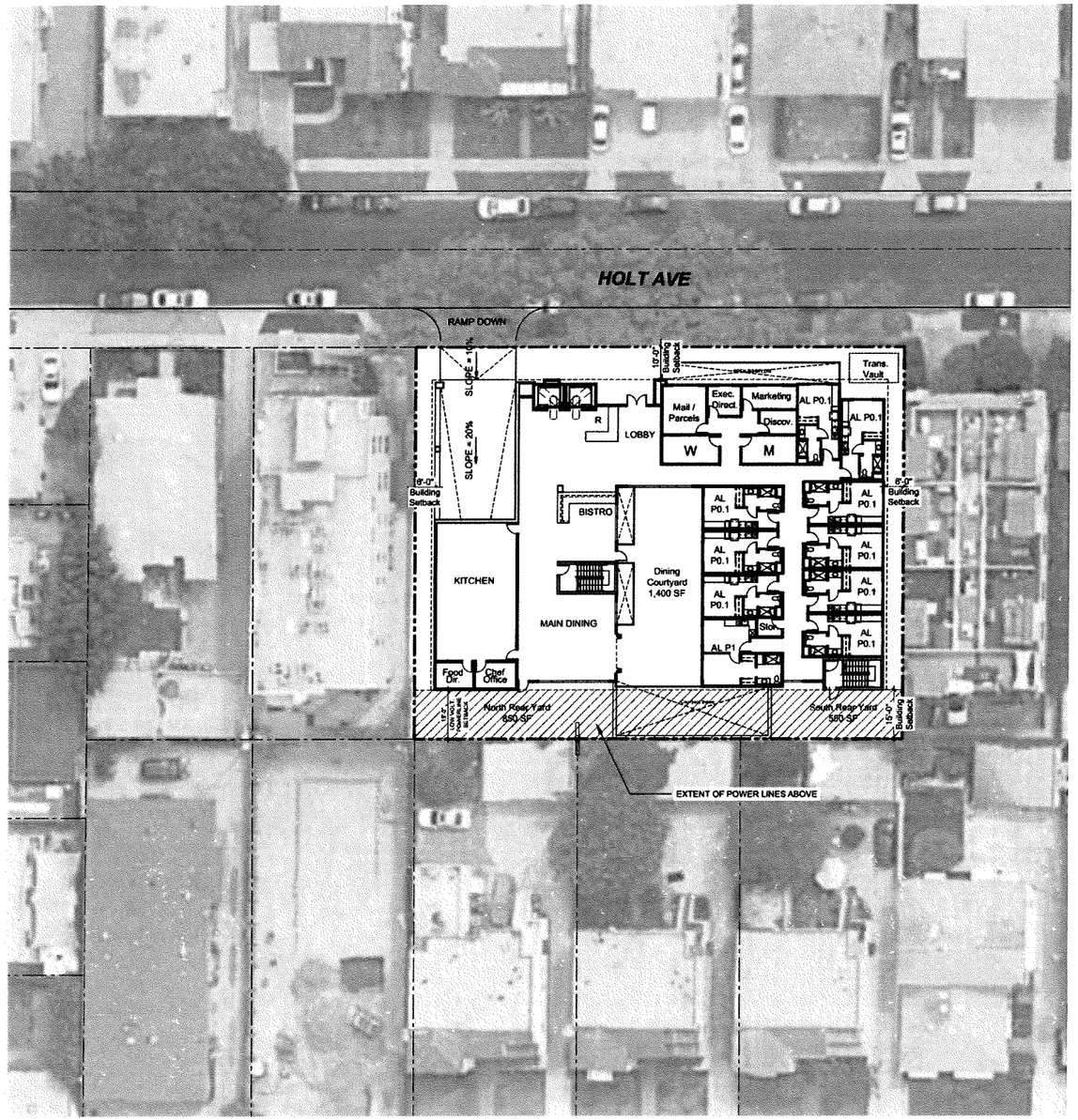
Beverly Hills, CA 90210

HOLT AVE AL MC
LOS ANGELES, CA # 2020-0010

CONCEPT PHASE
NOVEMBER 30, 2020

COVER SHEET
SHEET INDEX

A0.0



PROJECT DATA

SITE SUMMARY:

APN: 4333-024-008	ADDRESS: 825-827 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling
APN: 4333-024-009	ADDRESS: 829-831 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling
APN: 4333-024-010	ADDRESS: 835-837 Holt Avenue	ZONING:	[Q]R3-1-O Multiple Dwelling

SITE AREA	18,003 SF
	0.41 AC
BUILDABLE AREA	11,390 SF
ALLOWED DENSITY	36 Guest Rooms
PROPOSED DENSITY	80 Guest Rooms
	225 SF/Guest Room
BUILDING EFFICIENCY	54%
FAR (Basement + L1- L5)	5.08
FAR (L1- L5)	4.30
LOT COVERAGE	12,840 SF
ALLOWABLE HEIGHT	45 FT (LAMC 12.21.1)
PROPOSED HEIGHT	58 FT
REQUIRED OPEN SPACE	N/A

OPEN SPACE SUMMARY

LEVEL B1 COURTYARD	1,200 SF
LEVEL 1 DINING COURTYARD	1,400 SF
NORTH REAR COURTYARD	550 SF
SOUTH REAR COURTYARD	850 SF
LEVEL 2 MC OPEN PATIO	300 SF
LEVEL 5 PATIO 1	500 SF
LEVEL 5 PATIO 2	500 SF
LEVEL 5 PATIO 3	1,400 SF
TOTAL	6,700 SF

SETBACK SUMMARY (LAMC 12.10.C)

	REQUIRED	PROVIDED
FRONT (Holt Ave.)	20 FT	10 FT
NORTH SIDE	8 FT	6 FT
SOUTH SIDE	8 FT	6 FT
REAR	15 FT	15 FT

BUILDING SUMMARY:

BUILDING AREAS	TOTAL
B1 (Basement)	8,728
L1	8,942
L2	10,351
L3	10,750
L4	10,750
L5	8,159
TOTAL SF	57,680

PROGRAM	TOTAL	
MEMORY CARE ROOMS	6,216	10.8%
MEMORY CARE COMMON SPACE	4,135	7.2%
ASSISTED LIVING ROOMS	24,780	43.0%
ASSISTED LIVING COMMON SPACE	22,549	39.1%
*INCLUSIVE OF BOH PROGRAM		
TOTAL SF	57,680	

ROOM MIX	GSF	BEDS	L1	L2	L3	L4	L5	GUEST ROOMS	TOTAL BEDS	TOTAL GSF	
MC P0	348	1	0	2	0	0	0	2	2	696	
MC P0.1	329	1	0	12	0	0	0	12	12	3,948	
MC P2	393	2	0	4	0	0	0	4	8	1,572	
MC TOTAL			0	18	0	0	0	18	22	6,216	20.1% OF TOTAL GUEST ROOM AREA
AL P0	349	1	0	0	3	3	2	8	8	2,792	
AL P0.1	329	1	9	0	8	8	11	36	36	11,844	
AL P1	433	1	1	0	3	3	1	8	8	3,464	
AL P1.1	868	1	0	0	5	5	0	10	20	8,680	
AL TOTAL			10	0	19	19	14	62	72	24,780	79.9% OF TOTAL GUEST ROOM AREA
TOTAL			10	18	19	19	14	80	94	30,996	

PARKING SUMMARY:

REQUIRED (LAMC 12.21.A.4(d)(5))	RATIO	QUANTITY	TOTAL
MEMORY CARE	0.2 SPACES/ BED	22	5 SPACES
ASSISTED LIVING	0.5 SPACES/ ROOM	62	31 SPACES
TOTAL			36 SPACES
PROVIDED	SUBTERRANEAN GARAGE		36 SPACES

BIKE PARKING SUMMARY: (LAMC 12.21.A.16(a)(2))

		TOTAL
REQUIRED	Short-term	6 SPACES
	Long-term	12 SPACES
PROVIDED	Short-term	6 SPACES
	Long-term	0 SPACES

EXHIBIT "A"
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LEVEL B1

Guest Rooms	-	SF
Corridor	100	SF
Common Areas		
Lobby	640	SF
Bike Storage	332	SF
Theater	835	SF
Storage	184	SF
Shared Living / Library	813	SF
Wine Cellar	103	SF
Salon	385	SF
Staff Lounge	209	SF
Mother's Room	108	SF
AL Coordinator	97	SF
Associate Executive Director	110	SF
Sales	110	SF
Residential Laundry	121	SF
Maintenance / Caregiver Laundry	314	SF
BOM Office	102	SF
Women's	136	SF
Men's	145	SF
Fitness / Physical Therapy	493	SF
Fitness Storage	203	SF
Activites / Open Lounge	2,208	SF
TOTAL	8,728	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 1

Guest Rooms	3,394	SF
Corridor	860	SF
Common Areas		
Lobby / Reception	1,087	SF
Bistro	700	SF
Main Dining	795	SF
Kitchen	1,075	SF
Food Director	100	SF
Chef Offices	100	SF
Mail / Parcels	198	SF
Exective Director	93	SF
Marketing	124	SF
Discovery	84	SF
Women's	146	SF
Men's	144	SF
Storage	42	SF
TOTAL	8,942	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 2

Guest Rooms	6,216	SF
Corridor	2,000	SF
Common Areas		
Lobby	340	SF
Restroom	102	SF
Storage	36	SF
Wellness Office	122	SF
Serve	74	SF
Kitchen	136	SF
MC Dining	487	SF
MC Living Room	472	SF
MC Activities	304	SF
Quiet Room	62	SF
TOTAL	10,351	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 3

Guest Rooms	8,316	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	10,750	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 4

Guest Rooms	8,318	SF
Corridor	1,865	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Storage	38	SF
Janitor	22	SF
Wellness Room	50	SF
Storage	42	SF
TOTAL	10,750	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

LEVEL 5

Guest Rooms	4,750	SF
Corridor	1,701	SF
Common Areas		
Lobby	340	SF
Restroom	75	SF
Janitor	22	SF
Storage	50	SF
Serve	74	SF
Kitchen	136	SF
AL Dining	562	SF
AL Living Room	205	SF
AL Activities	244	SF
TOTAL	8,159	SF
Vertical Circulation		
Stair 1	146	SF
Stair 2	146	SF
Elevators	136	SF

TOTAL 57,680 SF

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NOVEMBER 30, 2020

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SITE PLAN

A1.0

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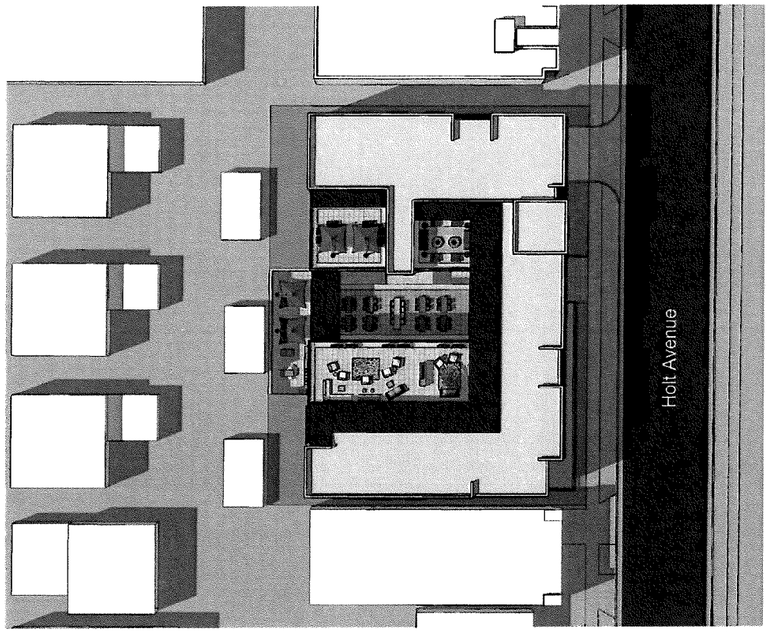
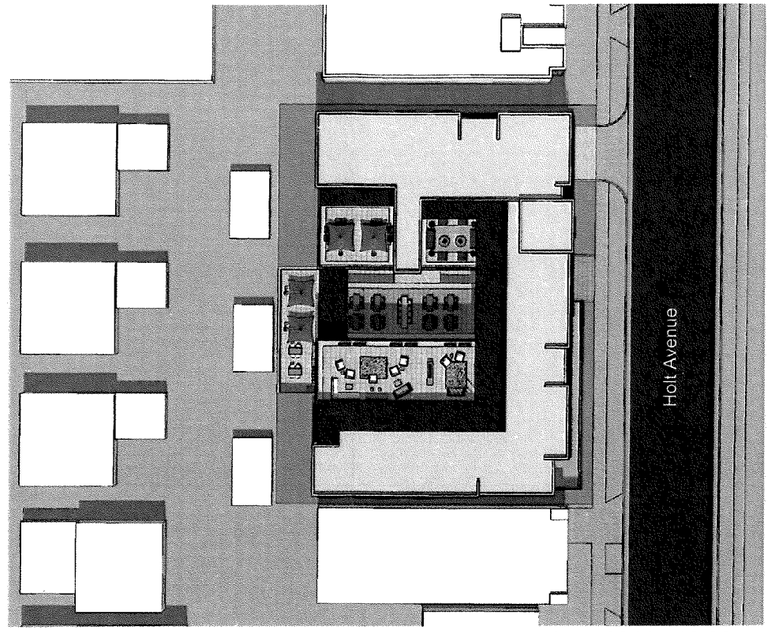


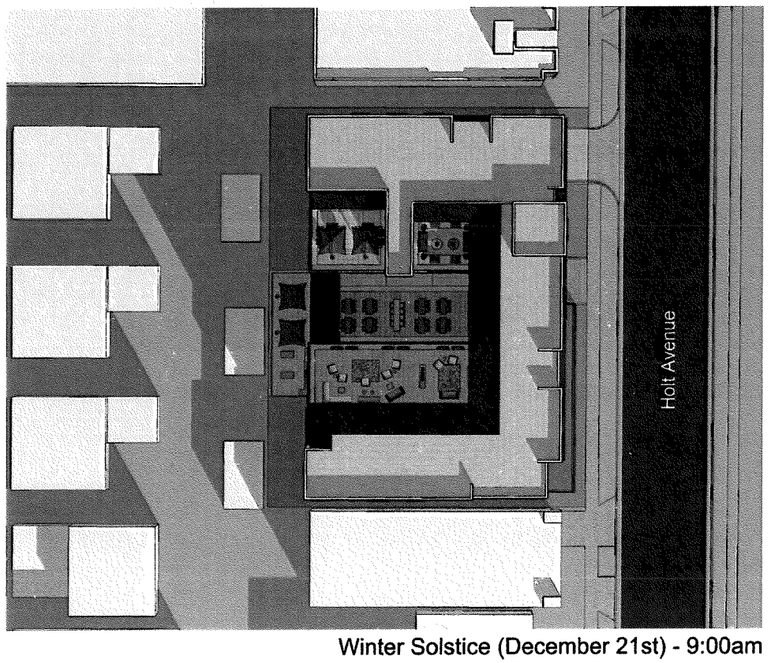
Summer Solstice (June 20th) - 9:00am



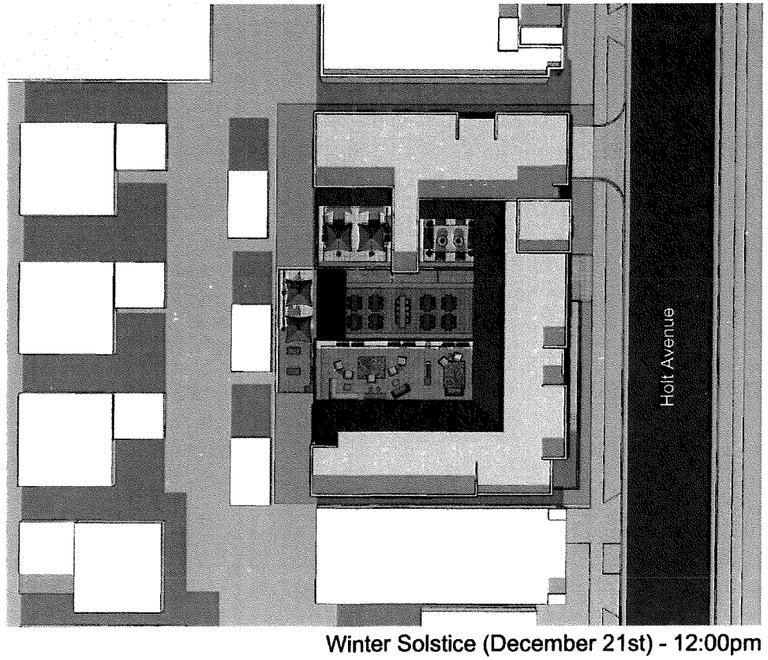
Summer Solstice (June 20th) - 12:00pm



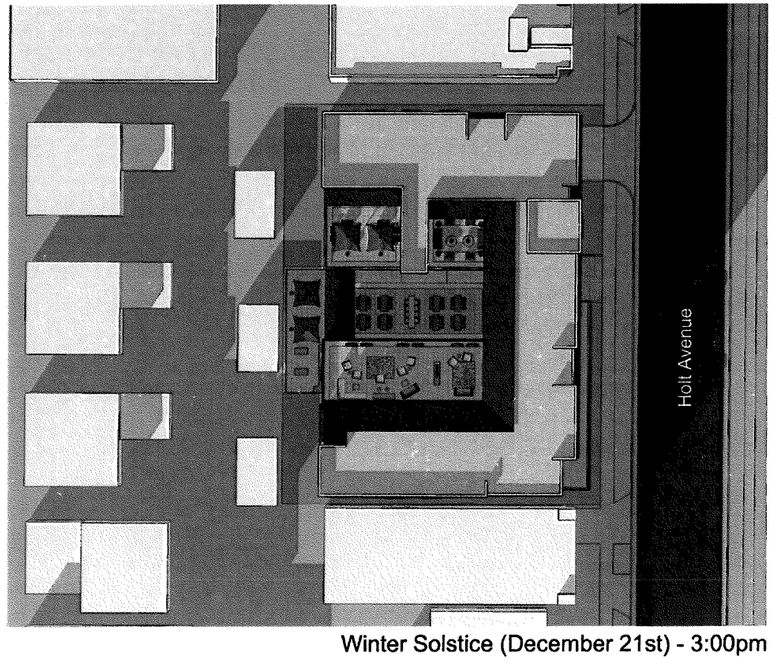
Summer Solstice (June 20th) - 3:00pm



Winter Solstice (December 21st) - 9:00am



Winter Solstice (December 21st) - 12:00pm



Winter Solstice (December 21st) - 3:00pm

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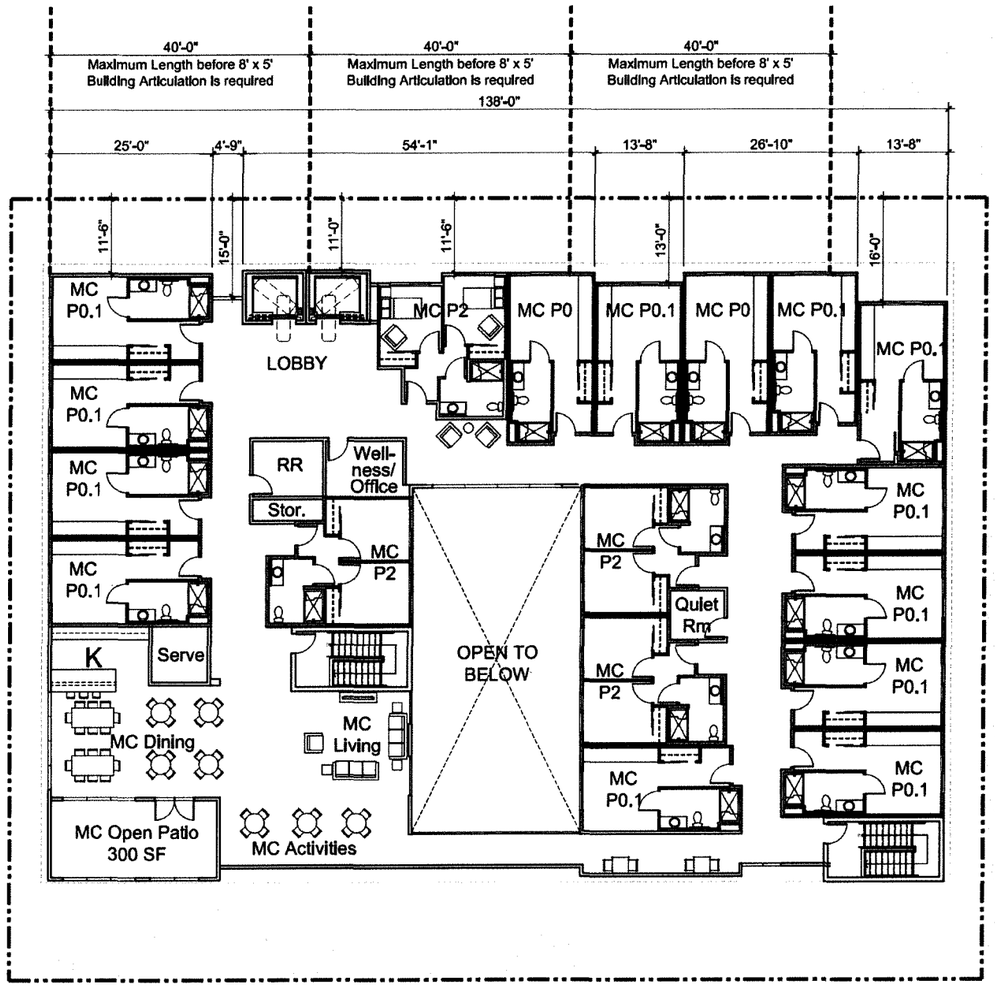
CONCEPT PHASE
MARCH 23, 2020

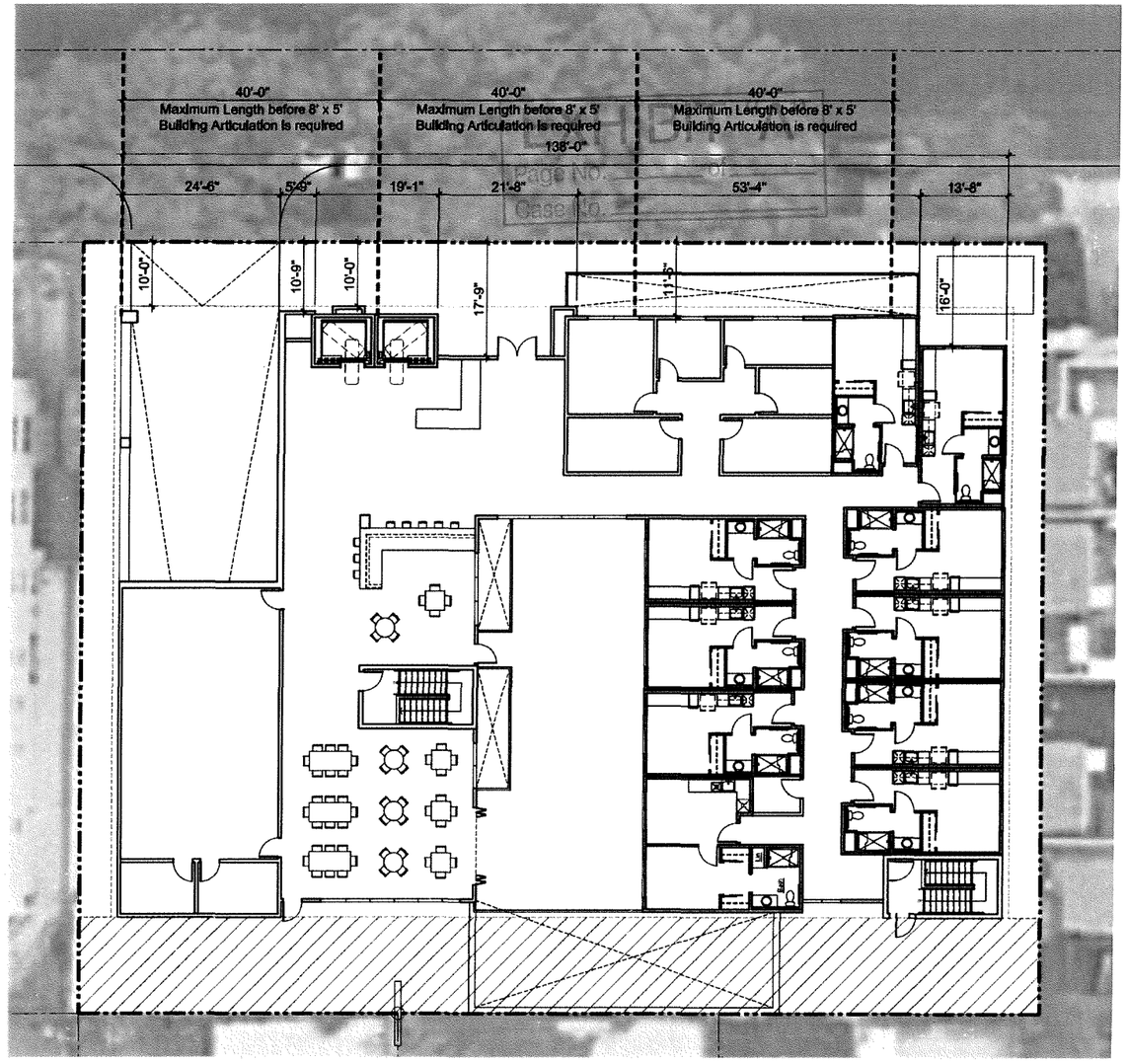
NTS

SHADE AND SHADOW ANALYSIS

A1.1



LEVEL 2 (TYPICAL LEVEL)



LEVEL 1

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CONCEPT PHASE
NOVEMBER 30, 2020

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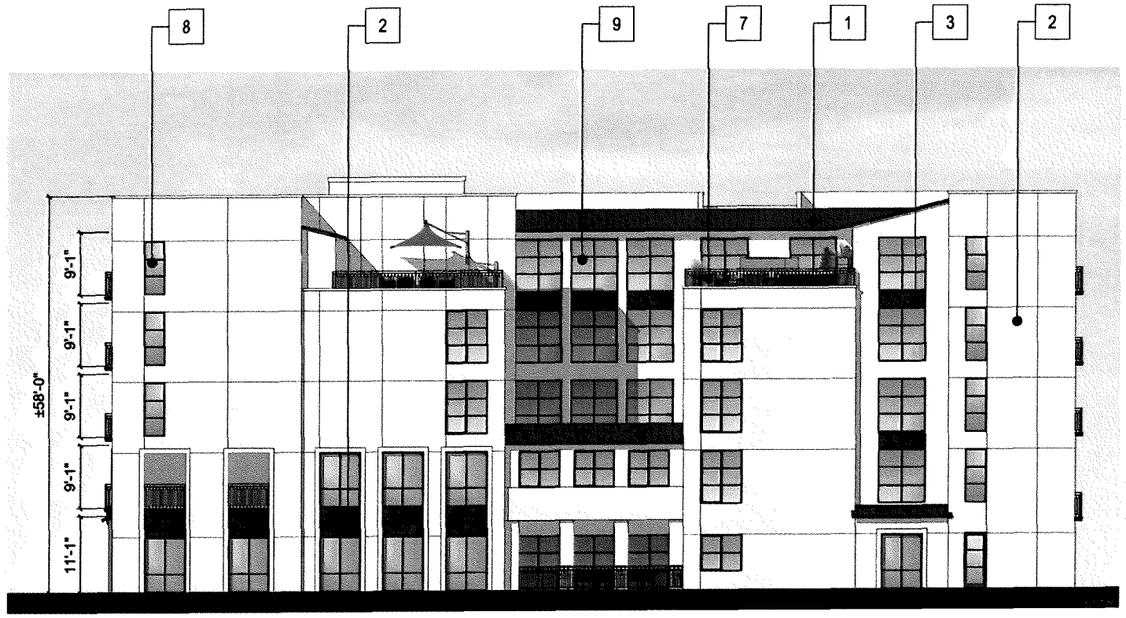
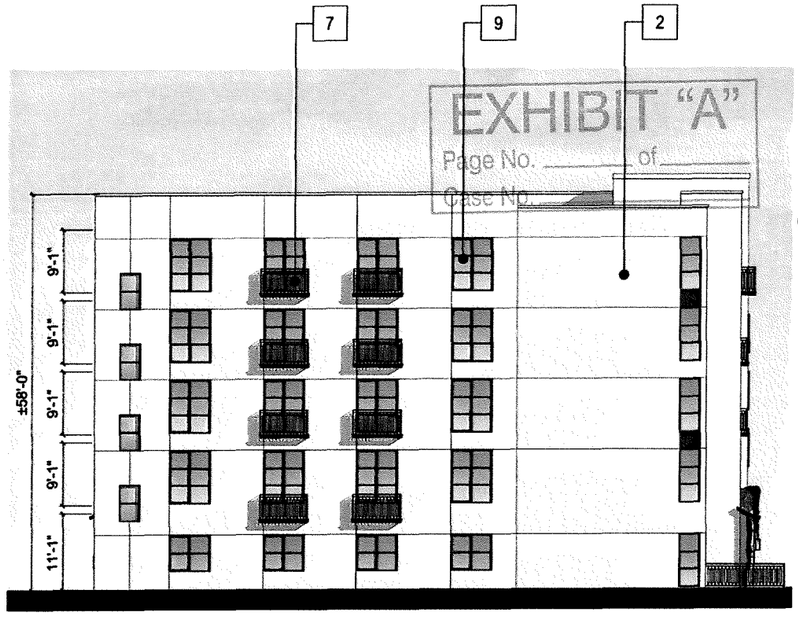
HOLT AVE. SETBACK EXHIBIT

A1.2



3. REAR - West Elevation



4. LEFT - South Elevation

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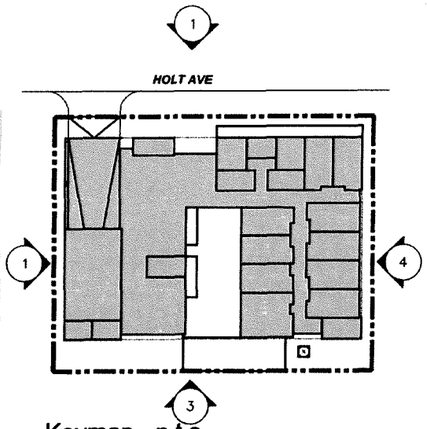


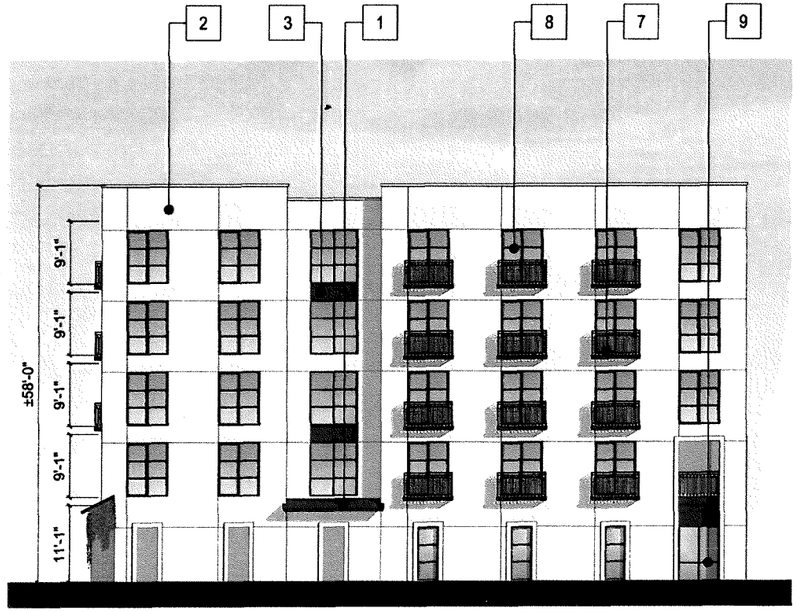
Keymap - n.t.s.

Material Legend

1. Standing Seam Metal Roof
2. Stucco
3. Fiber Cement Panel
4. Stone Veneer
5. Decorative Tile
6. Metal Ornamentation
7. Metal Railing
8. Vinyl Window
9. Storefront Glazing
10. Wall Mounted Light Sconce



1. FRONT - East Elevation



2. RIGHT - North Elevation

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NOVEMBER 30, 2020

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ELEVATIONS

A2.0

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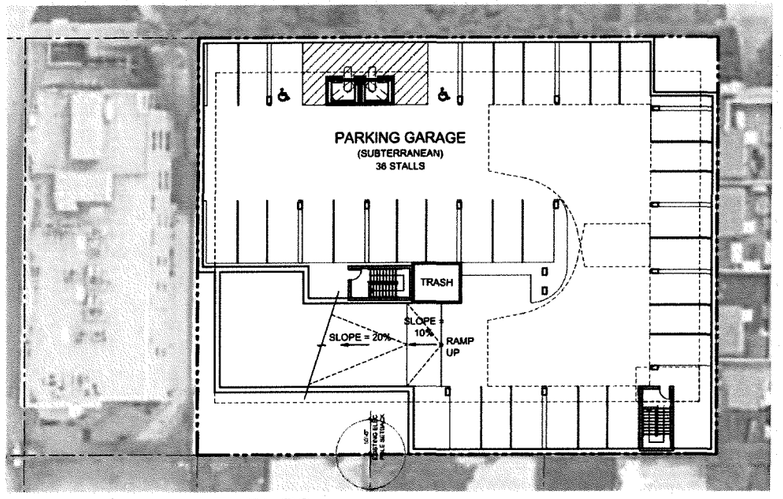
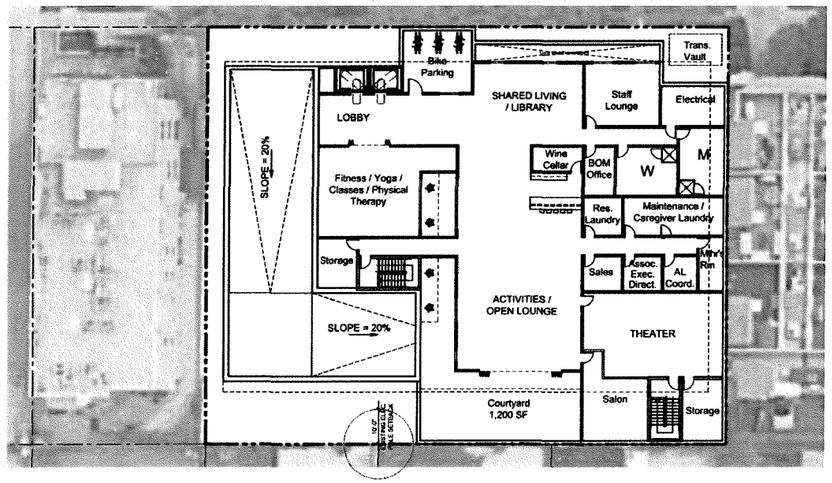
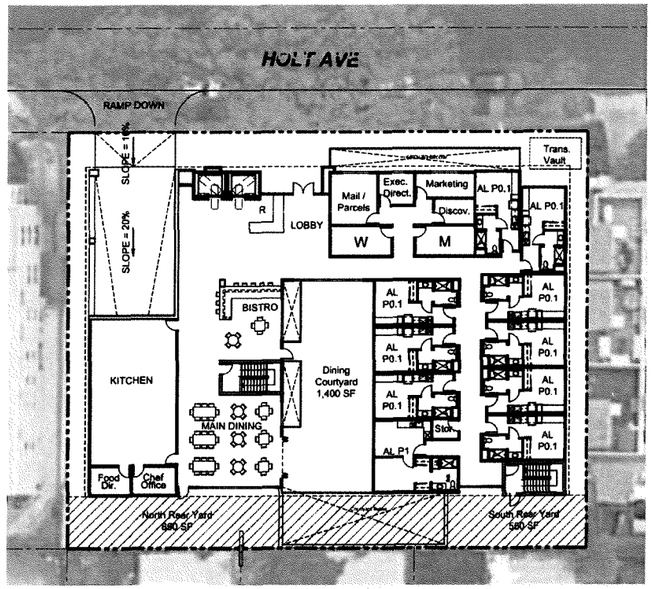


LEVEL B2



LEVEL B1



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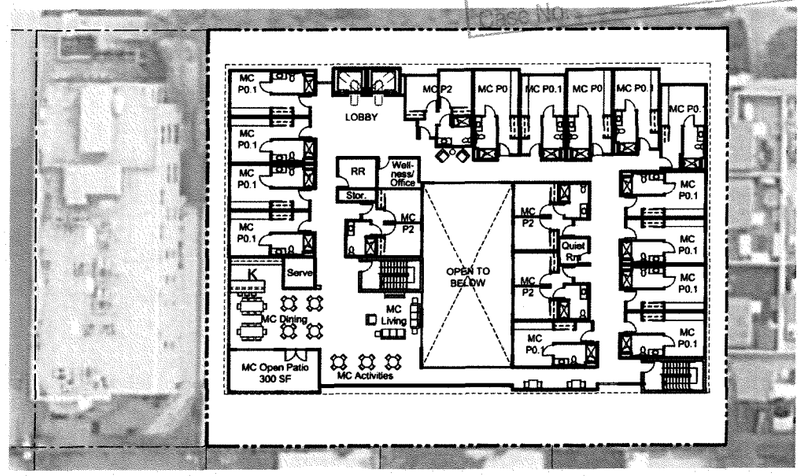

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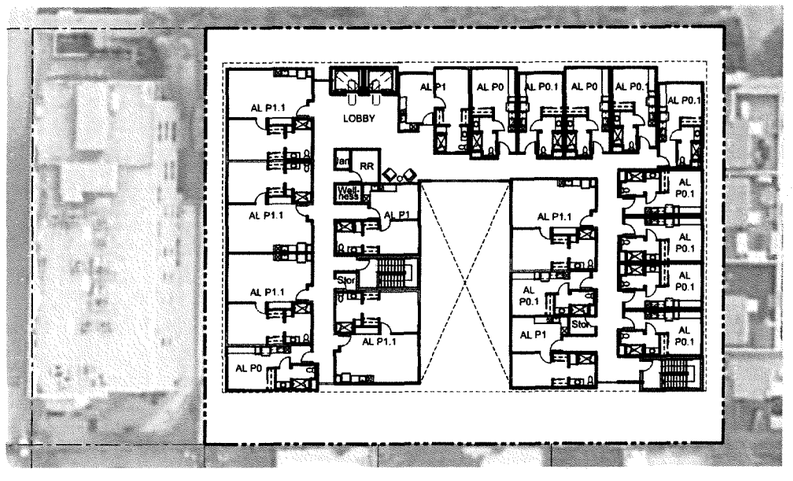
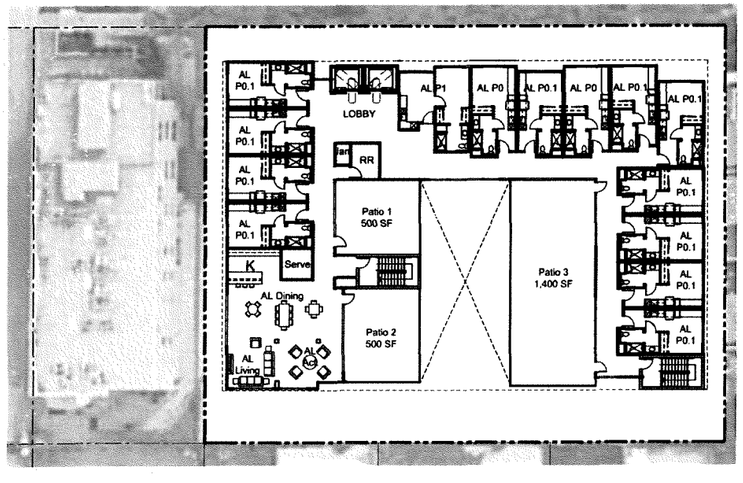


LEVEL 3-4



LEVEL 5

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CONCEPT PHASE
NOVEMBER 30, 2020

0 10 20 40

BUILDING PLANS

A3.1

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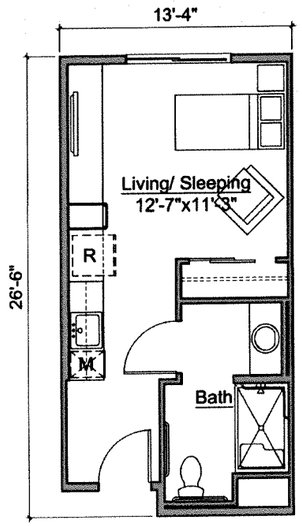
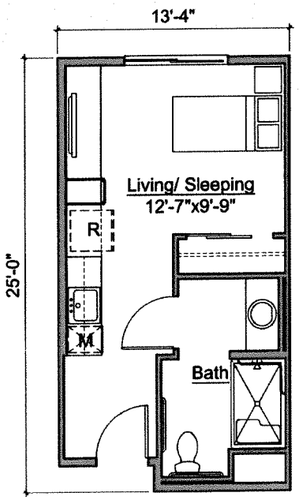
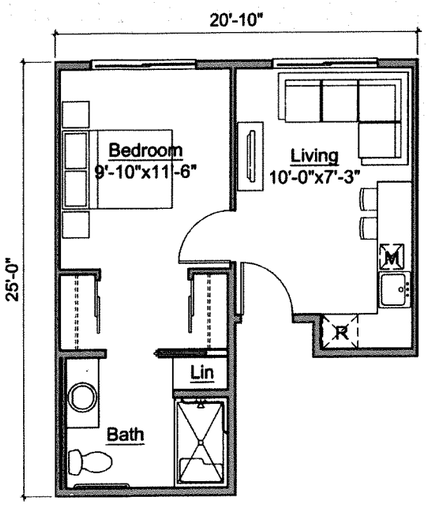


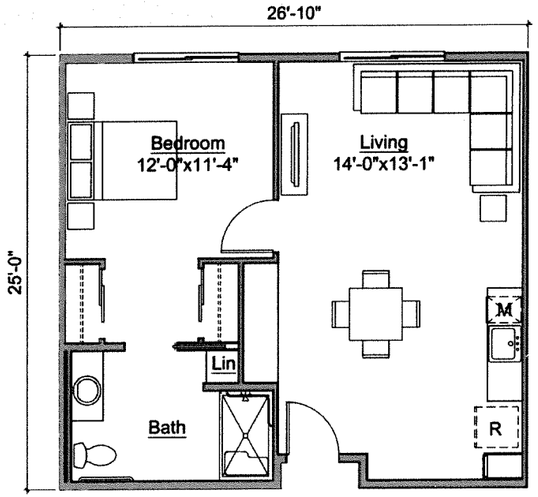
Assisted Living
Unit AL-0
± 349 Gross Sq. Ft.



Assisted Living
Unit AL-0.1
± 329 Gross Sq. Ft.



Assisted Living
Unit AL-1
±433 Gross Sq. Ft.



Assisted Living
Unit AL-1.1
±668 Gross Sq. Ft.

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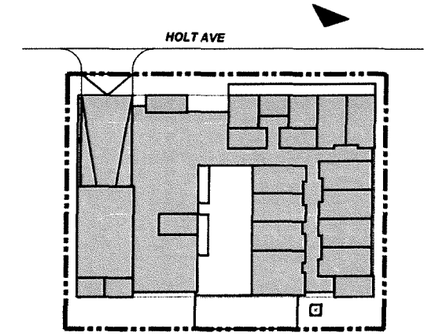

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NOVEMBER 30, 2020

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PERSPECTIVES

A6.0



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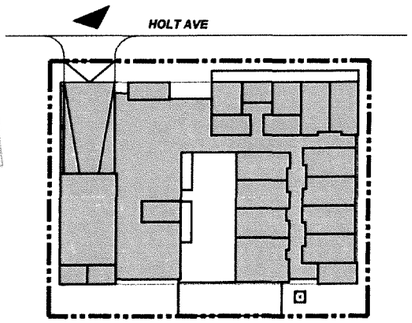

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NOVEMBER 30, 2020

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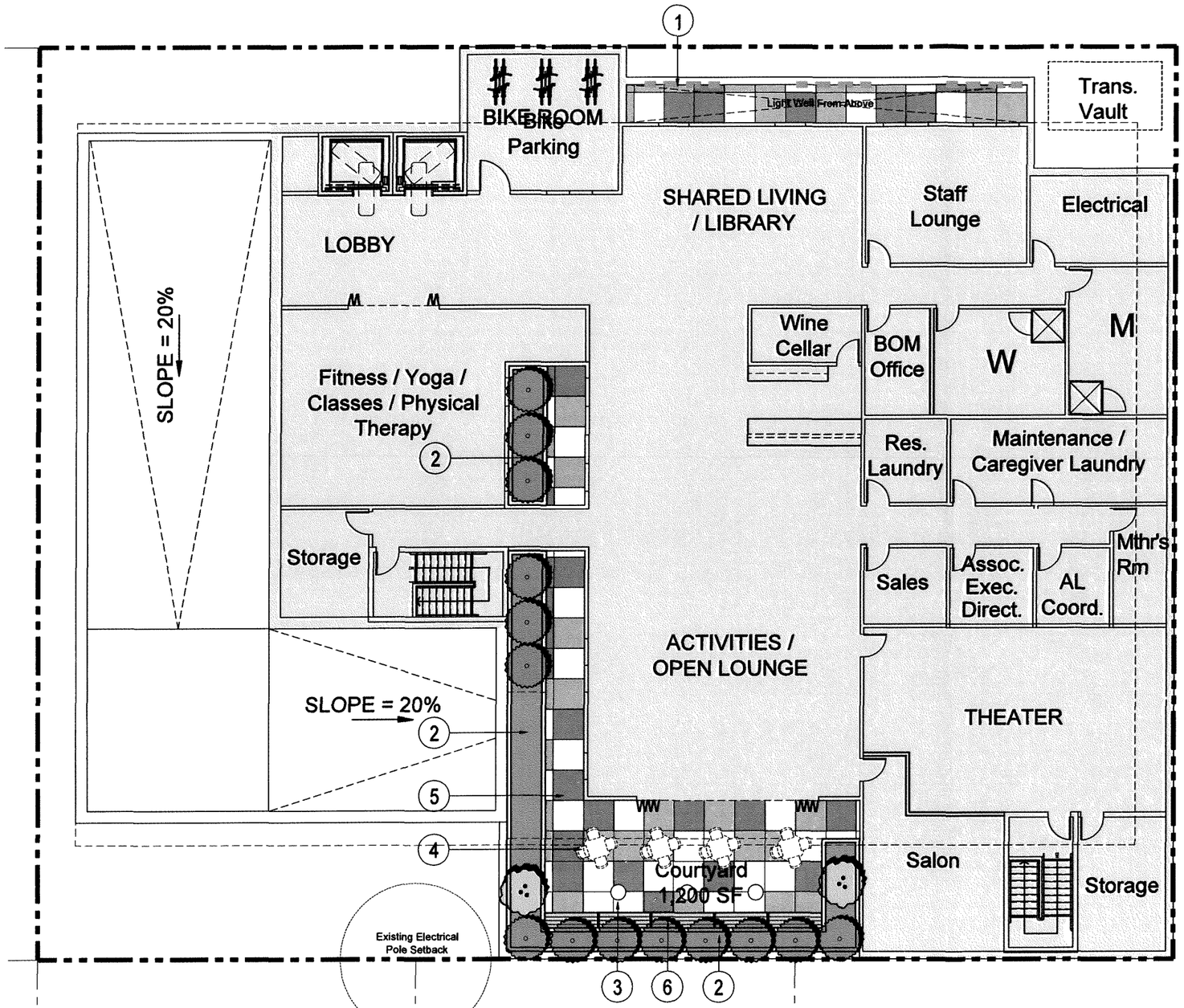
PERSPECTIVES

A6.1



1 PRELIMINARY LANDSCAPE PLAN-BASEMENT LEVEL
SCALE: 1/16" = 1'-0"

N

0 8' 16' 32'
Scale: 1/16" = 1'-0"

TOTAL LANDSCAPE / HARDSCAPE BREAKDOWN

	LANDSCAPE SF	HARDSCAPE SF
BASEMENT LVL:	540.5 SF	1,157.17 SF
LEVEL 1:	1,631.3 SF	3,568.5 SF
LEVEL 2 MEMORY CARE PATIO:	52.5 SF	248.86 SF
LEVEL 5 ROOF DECKS:	400.2 SF	2,000.3 SF
TOTAL:	2,624.5 SF	6,974.83 SF

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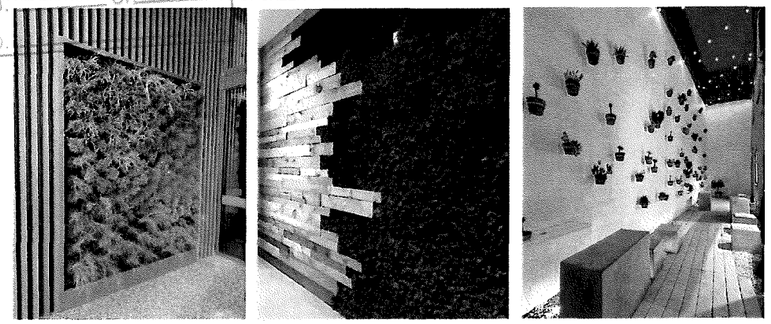
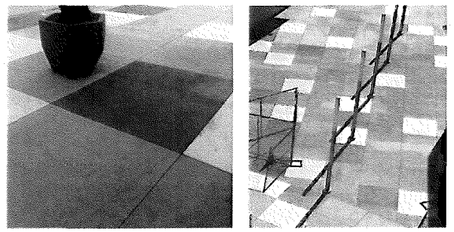
Case No.

KEYNOTES

1. REALISTIC ARTIFICIAL WALLSCAPE / GREEN WALL OPTIONS:

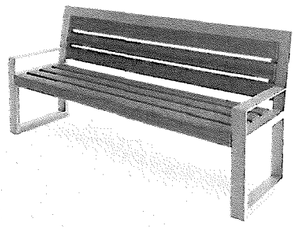


2. BUILT-IN PLANTER
3. COFFEE TABLE
4. READING TABLE
5. STAINED CONC. PAVING



6. BUILT-IN WOOD BENCH W/ ARM REST & SLOPING BACK CUSHION





PLANTING LEGEND

- MARINA STRAWBERRY TREE
  ARBUTUS 'MARINA'
- FERN PINE (HEDGE)
  PODOCARPUS GRACILIOR
- FIDDLE LEAF FIG
  FICUS LYRATA
- SHRUBS & GROUNDCOVERS

PAVING LEGEND

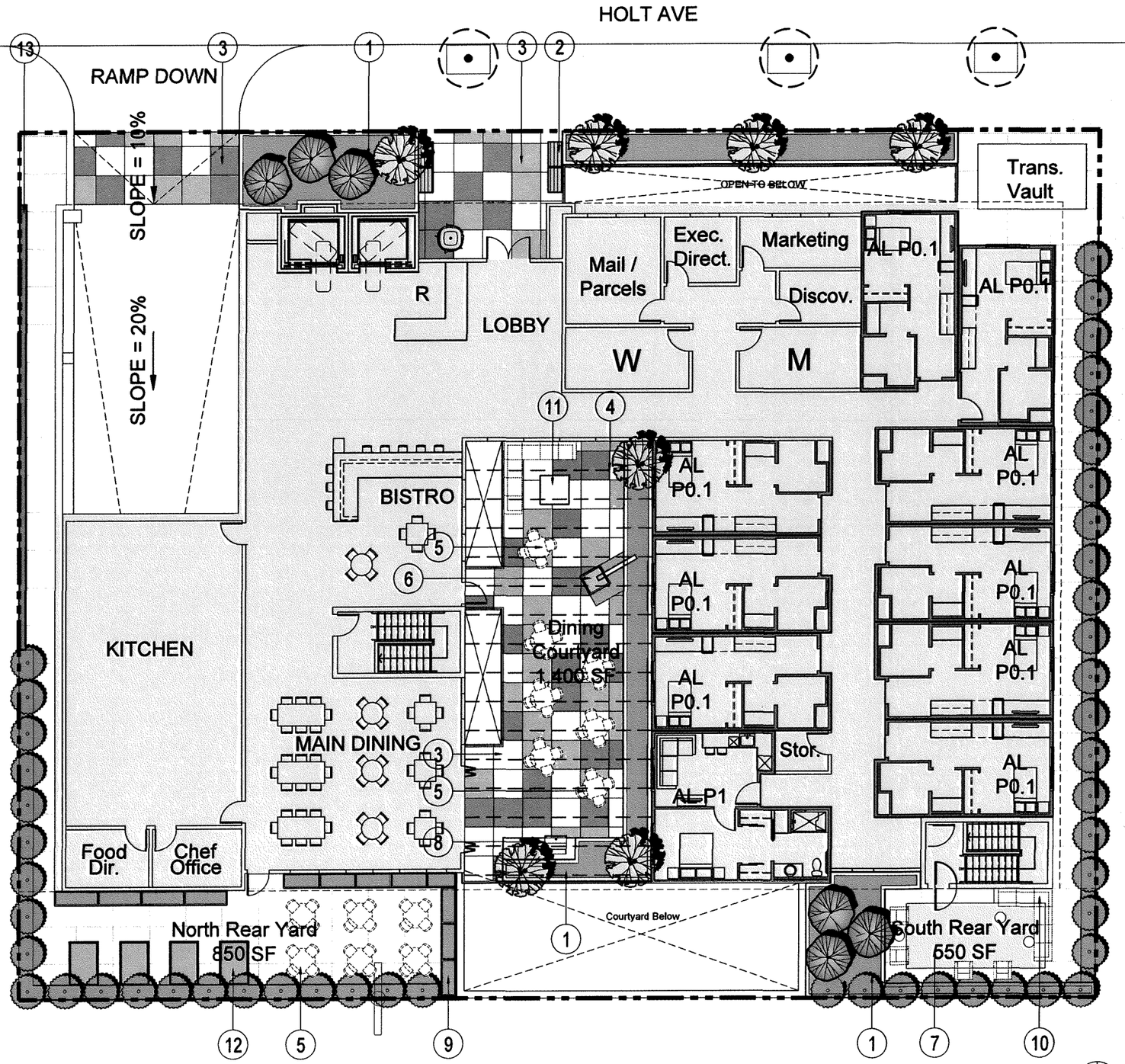
- STAINED CONC. PAVING

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC
Landscape Architects
2669 Saturn Street
BREA CA, 92821
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-1



1 PRELIMINARY LANDSCAPE PLAN-1ST LEVEL
SCALE: 1/16" = 1'-0"

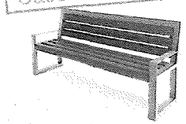
N

0 8' 16' 32'
Scale: 1/16" = 1'-0"

EXHIBIT "A"
Page No. ____ of ____
Case No. ____

KEYNOTES

1. BUILT-IN PLANTER
2. BENCH W/ ARM REST



3. CON. STAINED PAVING



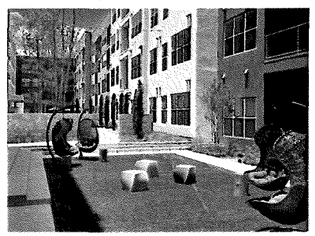
4. CABLE WIRING FOR VINE PLANTING



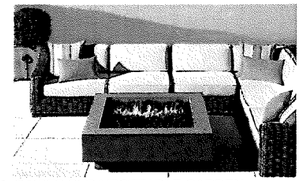
5. TABLE W/ CHAIRS
6. CUSTOM RUNNEL WATER FEATURE



7. SYNTHETIC GRASS LOUNGE AREA



8. BUILT-IN BBQ
9. FIBERGLASS PLANTER
10. OUTDOOR SOFA SEATING W/ TABLES
11. FIREPIT W/ SOFA SEATING



12. RAISED BED VEGETABLE GARDEN



13. STONE VENEER BLOCK WALL

PLANTING LEGEND

TREES

ACER PALMATUM 'SANGOKAKU' ACORAL BARK JAPANESE MAPLE

ARBUTUS MARINA STRAWBERRY TREE

PODOCARPUS GRACILLIOR FERN PINE (HEDGE)

FIDDLE LEAF FIG FICUS LYRATA

EXISTING STREET TREE TO REMAIN

PAVING LEGENDS

VINE CABLE PLANTING

PLANTING

STAINED CONC. PAVING

825-837 SOUTH HOLT AVENUE
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Landscape Architects
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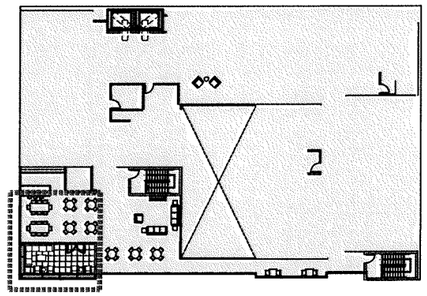
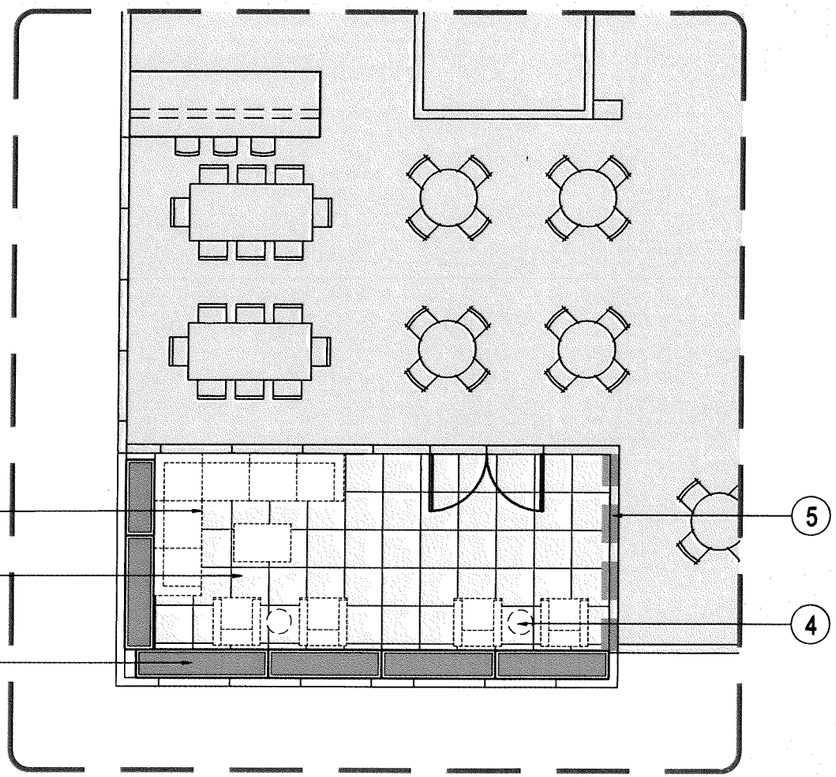
la@sqlainc.com
T. 562-905-0800
F. 562-905-0880
www.sqlainc.com

LP-2

EXHIBIT "A"
Page No. ____ of ____
Case No. ____



KEYMAP - N.T.S.



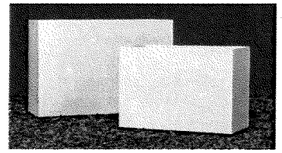
1 PRELIMINARY LANDSCAPE PLAN - 2ND LVL MEMORY CARE PATIO
SCALE: 1/8" = 1'-0"

N

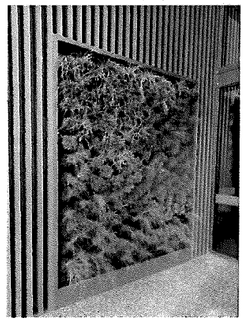
0 8' 16' 32'
Scale: 1/16" = 1'-0"

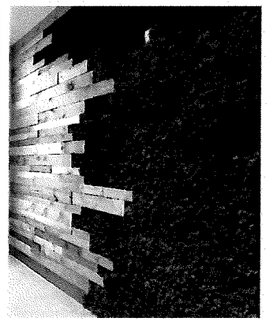
KEYNOTES

1. RECTANGULAR FIBERGLASS PLANTER



2. 2' X 2' PEDESTAL PAVERS
3. SOFA SEATING W/ TABLE
4. SOFA SEATS W/ ROUND TABLES
5. GREEN WALL OPTIONS:





PLANTING LEGEND

SHRUBS & GROUNDCOVERS

PAVING LEGEND

2' X 2' PEDESTAL PAVERS

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

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T. 562-905-0800
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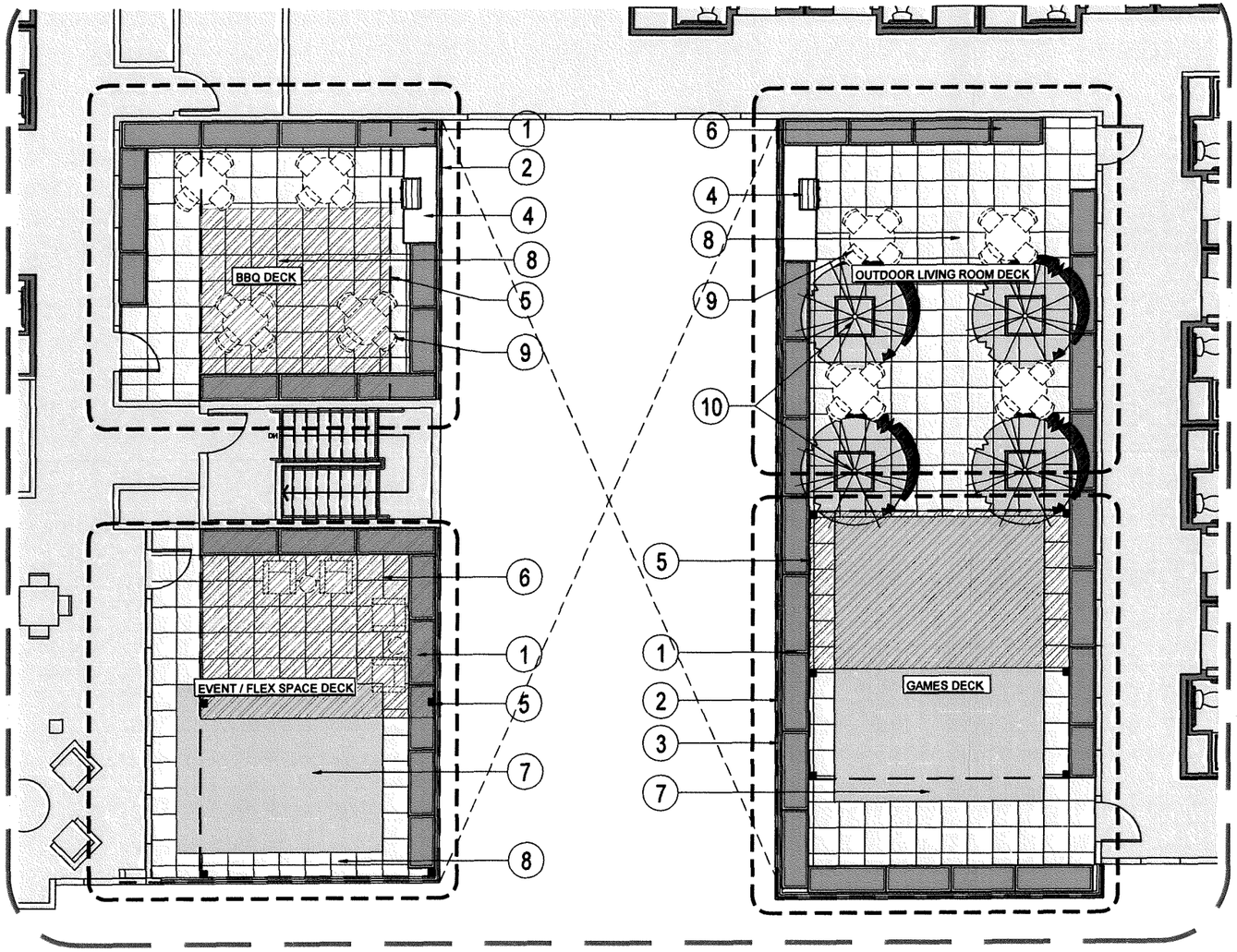
LP-3

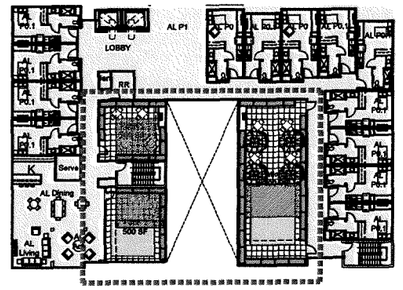


1 PRELIMINARY LANDSCAPE PLAN - 5TH LEVEL
SCALE: 3/32" = 1'-0"

N

0 8' 16' 24'
Scale: 3/32" = 1'-0"

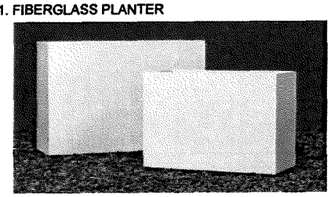
EXHIBIT "A"
Page No. _____ of _____
Case No. _____



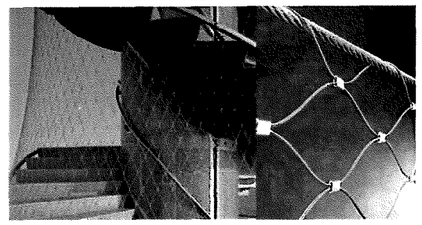
KEY PLAN

KEYNOTES

1. FIBERGLASS PLANTER



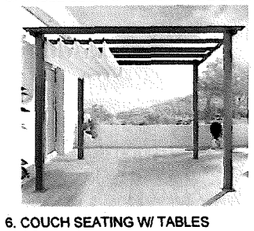
2. 5'H GLASS RAILING
3. 10'H SAFETY NET MESH WALL



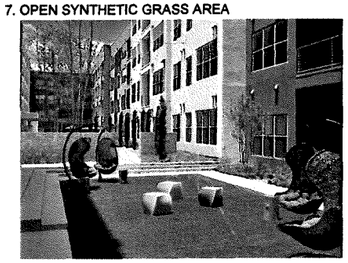
4. BBQ



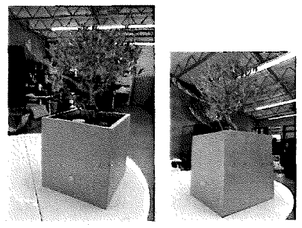
5. CABLE SLIDE & GLIDE SHADE SYSTEM



6. COUCH SEATING W/ TABLES
7. OPEN SYNTHETIC GRASS AREA



8. CONC. PAVING TILES
9. ROUND TABLES W/ CHAIRS
10. 3' X 3' MOBILE FIBERGLASS TREE PLANTERS



PLANTING LEGEND

TREES

CITRUS LEMON
'MEYER IMPROVED'
MEYER IMPROVE LEMON

PAVING LEGENDS

PLANTING
SYNTHETIC GRASS
CONC. PAVING TILE

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

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la@sqlainc.com
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LP-4

	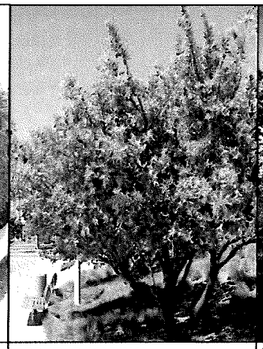		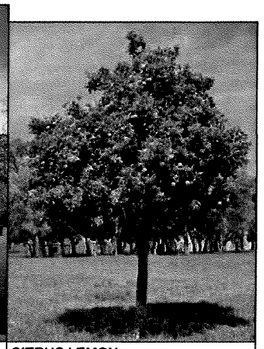
PODOCARPUS GRACILLIOR (HEDGE) FERN PINE	ARBUTUS 'MARINA' STRAWBERRY TREE	ACER PALMATUM 'SANGOKAKU' CORAL BARK JAPANESE MAPLE	CITRUS LEMON 'MEYER IMPROVED' IMPROVED MEYER LEMON

EXHIBIT "A"
Page No. _____ of _____
Case No. _____

1 TREE SELECTIONS
SCALE: N.T.S

825-837 SOUTH HOLT AVENUE
LOS ANGELES, CA 90035

PROJECT # 22013 10/09/2020

SQLA INC
Landscape Architects
2669 Saturn Street
BREA. CA, 92821
la@sqlainc.com
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www.sqlainc.com

LP-5

CORRESPONDENCE

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

re: Elder Care Facility proposed on Holt

3 messages

Angela Efros <angelaefros2@gmail.com> Tue, Jun 23, 2020 at 7:08 AM
To: alexander.truong@lacity.org

Good morning Mr. Truong. We are against the waivers that Urban Concepts is applying for for so many reasons. When is the next hearing so that we may voice our opposition?

Thank you.

Angela Efros
Mobile: (310)993-4595
BRE #01228889

Virus-free. www.avast.com

Alexander Truong <alexander.truong@lacity.org> Tue, Jun 23, 2020 at 1:04 PM
To: Angela Efros <angelaefros2@gmail.com>

Are you close to the project? If so, you will automatically receive notification. Otherwise, you can provide me with your address so that I can send you a notice.

[Quoted text hidden]

--

LOS ANGELES CITY PLANNING

Alexander Truong
City Planning Associate
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA. 90012
Planning4LA.org
T: (213) 978-3308



Alexander Truong <alexander.truong@lacity.org> Wed, Jul 8, 2020 at 5:30 PM
To: Daniel Kianmahd <dk@accesspanorama.com>

[Quoted text hidden]
[Quoted text hidden]

C J Holstrom
842 S. Sherbourne Drive
Los Angeles, Ca. 90035
Cell 310 261-9863
Landline/Fax 310 659-0678

Renata Oom
L A City Department of Planning
Expedited Processing - City Planning Assoc.
(213) 978-1222
Email renata.ooms@lacity.org

September 10, 2020

Dear Renata,

Thank you for taking time to speak with me today. As per our telephone conversation this morning, I am sending you a letter regarding Department of City Planning Application Case No: ZA-2020-2164-SPR and Case No: ENV-2020-2165-EAF. Alexander Truong is assigned to this case and the properties are located at 825 - 837 S. Holt Avenue, Los Angeles, Ca. 90035.

I wanted to send my concerns and information to you so you could forward it to the authoritative individual for further investigation.

The developer on file who submitted the applications and signed the owner application stating that he owns the properties is Daniel Kianmahd. He had this document notarized which states he is the legal owner of the properties. Daniel, in fact is not the legal owner of the properties listed at 825 - 837 Holt, Los Angeles, Ca. 90035.

The owners on title are as follows:

Hedvat Parvia & Kamran and Diana Moradzadeh on title as of 1/27/20
Jean R. Schechel Trust owner on title as of 8/10/2009
Wendy B. Wright owner on title as of 2/1/2002

The property owner application form clearly states that if the property is owned by more than one individual that notarized signatures are required of all owners. It also states other stipulations if the property is in a trust as well. Daniel Kianmahd signed the form as owner falsifying the information and had it

notarized and submitted to the Department of City Planning.

I feel that falsifying information of this nature needs to be addressed and any, and all, further approvals need to be held back until this matter is handled.

I have attached a copy of the Department of City Planning Application for your records.

Please contact me regarding the enclosed for further discussion.

Thank you.

Cheryl Holstrom

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Public hearing, Case No. ZA-2020-2164-ELD-SPR

1 message

Barbara <bigbarbmp@hotmail.com> Mon, Aug 17, 2020 at 3:55 PM
To: "alexander.truong@lacity.org" <alexander.truong@lacity.org>

Dear Mr. Truong,

I am writing to you in regard to the hearing scheduled for August 24, 10:30AM, in regard to the proposed project at 825-837 Holt Avenue.
Case No: ZA-2020-2164-ELD-SPR
CEQA No: ENV-2020-2165-CE

My name is Barbara Marom-Pollack, and I own a condo at 815 S. Le Doux Rd., Apt. PH, one block from the site of this proposed project. I am writing to express my strong opposition to this project for the following reasons.

1. This proposal is for a business, and this is a residential neighborhood.
2. The applicant is requesting a building that will be taller than the maximum allowed, wider than the maximum allowed and smaller yards than allowed, and thus it will be a monstrosity that will dwarf all other buildings and be totally out of line with the neighborhood.
3. The applicant is requesting 80 guest rooms in lieu of the permitted 36. This number of residents, plus staff and visitors, will overwhelm the neighborhood and contribute undue congestion to an already congested area, and totally change the nature of the neighborhood.
4. 36 parking spaces is not enough to accommodate residents, many of whom will still have cars, plus the staff, plus visitors. Therefore an already difficult street parking situation will become untenable. Of course traffic will also be increased on this residential street — day and night as staff comes and goes.

In short, this project is not suitable for this residential neighborhood, and I hope it is not approved.

Respectfully submitted,
Barbara Marom-Pollack
815 S. Le doux Rd, Apt. PH
Los Angeles, CA 90035

310-659-9974

bigbarbmp@hotmail.com

Sent from my iPad

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

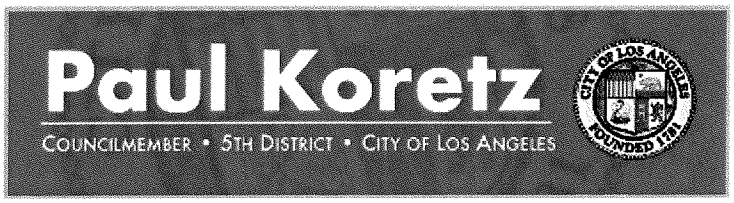
Re: 825-837 Holt

Aviv Kleinman <aviv.kleinman@lacity.org> Tue, Aug 11, 2020 at 11:51 AM
To: Levi Yitzhaq Garbose <leviyitzhaq@gmail.com>, Alexander Truong <alexander.truong@lacity.org>
Cc: nv <kehoona@aol.com>, Robin Garbose <robingarbose@gmail.com>

Thank you for your comments. I am copying Mr. Truong who can attach your comments to the case file.
I understand your concerns regarding the size and massing of the project. The neighborhood is zoned R3 which allows large scale buildings like this to be built by-right within the zoning parameters.
There have also been many comments submitted supporting the project, and the concept of an eldercare facility for the Pico-Robertson community.
The decision will ultimately be up to the Zoning Administrator at the upcoming hearing, so I recommend you virtually attend that and speak as well.

Thank you,

Aviv Kleinman



Aviv Kleinman, M.U.R.P.

Planning Deputy
Councilmember Paul Koretz - Council District 5
Encino - Valley District Office:
15760 Ventura Blvd Suite 600
Encino, CA 91436
(818) 971-3088
West LA - Wilshire District Office
6380 Wilshire Blvd, Suite 800
Los Angeles, CA 90048
323-866-1828
LA City Hall Office
200 N. Spring Street, Suite 440
Los Angeles, CA 90012
213-473-7005
Email: Aviv.Kleinman@lacity.org

If you would like to sign up to receive the Fifth Council District e-newsletter, click here

****

PLEASE NOTE: All e-mail correspondence with the Office of Councilmember Paul Koretz (including any attachments), along with any associated personal identifying information, is considered a public record under the California Public Records Act and may be subject to public disclosure under the Act.

****

On Mon, Aug 10, 2020 at 5:19 PM Levi Yitzhaq Garbose <leviyitzhaq@gmail.com> wrote:
HELLO AVIV!

I hope all is well with you.
I live at 8622 Gregory Way, Los Angeles, 90035 in one of the remaining duplex houses on the corner of Sherbourne and Gregory Way . My family of four has lived here for the past 18 years, BH. We have just "survived" the construction two lots south on Sherbourne. It was very disturbing to us 6 days a week including Shabbat. I know many residents on

my street as well as Holt. EVERYONE IS OUTRAGED BY WHAT IS BEING PLANNED ON 823-837 HOLT! The last stand of beautiful duplex houses to be destroyed and a 5 story monster is to be built in their place?

This is an outrageous invasion of our neighborhood in every possible way with no one benefiting from it but the builders and their investors! We all pay high rents and taxes to live here. We deserve to be able to live in peace and quiet!

I trust you will make every effort to stop this travesty from going forward.

Sincerely,

Levi Garbose

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Re:

1 message

Kehoona <kehoona@aol.com> Mon, Aug 10, 2020 at 3:41 PM
To: alexander.truong@lacity.org
Cc: aviv.kleinman@lacity.org, leviyitzhaq@gmail.com, darrell.benvenuto@gmail.com, bradleeaxelrod@sbcglobal.net

Mr. Truong:

Am writing this from a phone in a Dr. Office. I said that hundreds of people OBJECT to this drvelopment. That is an estimate based on conversations with a handful plus of neighbors who i have bumped into.

In my building, i know that I am the only.one who received notice.

I know that at least 15-20 people received no notice based on seeing some peopld dog walking and other neighbors who have contacted other neighbors.

As you know, there are serious postal issues, for example the South Beverly Hills postal office has only ONE staff member and people report no mail that is expected being delivered.

Cannot at this moment respond properly, and we are in touch with legal representatives to see if we can find reoresentation. Brad Lee Axelrod, Esq. Is reviewing the case to see if he will take it, but we are also in touch with big firms about pro bono representation.

Please consider this as a formal request for information about what eldercare facilities have been granted variances within a 5 mile radius in the city. We have no resources to access this information.

People are working at home, or, in my case often bedridden, and the idea of an 80 unit facility, being constructed where 36 units is the norm is daunting.

We know that eldercare is a prioriority, but so is affordable housing and if this is granted it will not only destroy the neighborhood but lead to more developers asking for variances, owners selling out and a loss of housing which is desperately needed.

Not to mention the noise, dust and vibration while Covid keeps us at home.

Have no wish to be combative or unfriendly and am relying on you to properly assess whether this is really proper. Destroying a quiet residential street for a development which coukd easily go on pico or wilshire or a non residential area.

Let me know when we can speak later in the week, but there are other resudents who have questions. When was the property purchased? Why late notice and a quick hearing before we can organize? What if they do not use ot for eldercare but it really turns into just residential real estate.

Cannot physically type anymore and neighbors will be in contact.

Also, how do we submit written objections and get on the agenda. Why a telephonic and not a zoom hearing. Many residents are elderly and many speak little english. But they vote.

That is all i can handle physically right now, but i look forward to the list of properties with variances granted.

Please advise.

More to come.

When is a good time later in the week afyer noon for a call with several of us?

Thankyou and thankyou for working during the pandemic.

brad

Please help us.

On Monday, August 10, 2020 Alexander Truong <alexander.truong@lacity.org> wrote:
Please review LAMC Section 14.00 B.4 regarding specific instructions for notification; this should clarify the issue of method of notification.

I disagree with your statement regarding who didn't receive notice. I have the list of all those that received notification provided by the applicant and when a member of the public raises issue with not receiving notification, I'm responsible for verifying that such notification was sent according to our list. If you don't tell me who didn't receive notification, how is it possible for me to cross reference my information?

Earlier today, you mentioned hundreds of owners/occupants didn't receive notification. This is concernerning as this project is required to notify within a 500-foot radius and we are to provide notice to all owners and occupants within such radius. If you are able to provide such names, I can reference with the maling affidavit report that summarizes all owners and occupants that were notified.

I look forward to your list.

On Mon, Aug 10, 2020 at 2:32 PM Kehoona <kehoona@aol.com> wrote:

Mr. Truong:

Sent you notices and petitions in progress drawn by a neighbor. Hope they all came through. There is one which hopefully will indicate who got notices but i believe all notices needed to be sent registered mail and to owners as well. It is a burden to ask a disabled tenant to tell YOU who did not receive.

Notice us your bailiwick.

Please let me know about rescheduling phone call per vpice message.

brad neufelf

--

LOS ANGELES CITY PLANNING

Alexander Truong
City Planning Associate
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA. 90012
Planning4LA.org
T: (213) 978-3308

E-NEWS

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Construction Notice?

3 messages

Darrell Benvenuto <ceo@visiononlinegames.com> Tue, Aug 4, 2020 at 3:11 PM
To: alexander.truong@lacity.org

Hi Alex —

One of my neighbors stopped by today talking about some construction planning on 825-837 Holt Avenue for a medical facility.

He was asking if I would be participating in the hearing, but I had not even received any notice of this whole affair before he mentioned it.

This is a quiet residential neighborhood, you can't just go building some kind of big medical facility right smack-dab in the middle of it, much less not notify everyone about the hearings by not sending out notice. The people here are going to be up in arms about it.

You need to push back whatever Hearing is being planned to later on the calendar and send out clear notices of what is being planned to everyone in the neighborhood via Certified Mail.

There are going to be some major objections to this from the community, and the lack of notice gives the appearance of trying to minimize the ability for people to participate in the public hearings — which (while probably not the case) is doubtless going to cause a huge amount of friction.

You should send out these kinds of notices in this manner (via Certified Mail) as a CYA, if nothing else. This neighborhood is filled with Jewish attorneys — things that could result in litigation should always be approached with care.

— Darrell

Alexander Truong <alexander.truong@lacity.org> Tue, Aug 4, 2020 at 3:32 PM
To: Darrell Benvenuto <ceo@visiononlinegames.com>

What is your address?
[Quoted text hidden]

--

LOS ANGELES CITY PLANNING

Alexander Truong
City Planning Associate
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA. 90012
Planning4LA.org
T: (213) 978-3308

E-NEWS

Alexander Truong <alexander.truong@lacity.org> Tue, Aug 4, 2020 at 4:34 PM
To: Daniel Kianmahd <dk@accesspanorama.com>, Stephen Kia <stephenk@urban-concepts.com>

FYI
[Quoted text hidden]
[Quoted text hidden]

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Re: Case No. ZA-2020-2164-ELD-SPR

ben cohen <ben-co@att.net> Sun, Aug 2, 2020 at 8:35 PM
To: "alexander.truong@lacity.org" <alexander.truong@lacity.org>
Cc: ben cohen <ben-co@att.net>

Dear Mr. Alex Truong;

This is regarding Project Site 825-837 Holt Avenue, Case Number ZA-2020-2164-ELD-SPR, CEQA Number ENV-2020-2165-CE.

I am 100% against this project. I live on Le Doux Road, which it is one block over.

This is a residential area and they are trying to bring commercial business into it.
We already have major parking issue at this area. People have to fight for parking space. Now they want to bring in a commercial business into it which beside people living there, there would be many other people coming and going like; employees, Doctors, Visitors, Cleaning staff, Service people, Suppliers, City inspectors, and investors.
Also most likely we will have 3 or more times per day Ambulance and Fire Department visiting the project. That means loud noises in the middle of the night and major nuisance.

This is not the correct location for this project. Please do not grant them the permit for this project.

I thank you so much for your understanding and listening to the area residents.

Best Regards,
Ben Cohen

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

825-837 Holt

5 messages

Kehoona <kehoona@aol.com> Tue, Aug 4, 2020 at 12:41 PM
To: alexander.truong@lacity.org
Cc: leviyitzhaq@gmail.com, bradleeaxelrod@sbcglobal.net, aviv.kleinman@lacity.org

Mr. Truong:

I am a resident of Holt at 849. It has come to my attention that very few of the residents in the affected area have received the notice of hearing. Because of this i would formally like to request a delay in the hearing and have some assurance that there is adequate time to preoare objections to the project.

Itvis UNHEARD of to take a residential neighborhood and destroy the character if a quiet street with such a project.

It is possible that an attorney will be retained to deal with this matter. As of know there has not been adequate notice for the hearing.

This alone would subject the process to judicial review.

I am disabled and a long term resident.

We will be involving the local councilman and other departments for review.

Because of Covid, the time to prepare is not adequate as many of the residents are not able to contact those who would normally assist.

80 units over the zoning limit?

13 feet higher than the highest building which only has about 8 units on the block?

Very little frontage?

That is all exceptional and without precedent in the neighborhood.

Please move the hearing at least 4 weeks more to allow for adequate comment. This is a formal request.

Also please, send me the contact numbers and emails for the Urban Concepts and Panorana group.

Thank you in advance.

A copy has been sent to Brad Lee Axelrod, Esq.
who may be retained to deal with this matter.

Brad Neufeld

Alexander Truong <alexander.truong@lacity.org> Tue, Aug 4, 2020 at 12:43 PM
To: Kehoona <kehoona@aol.com>
Cc: leviyitzhaq@gmail.com, bradleeaxelrod@sbcglobal.net, Aviv Kleinman <aviv.kleinman@lacity.org>

Provide names and addresses of those who did not receive notice.
[Quoted text hidden]
--

Alexander Truong
City Planning Associate
Los Angeles City Planning
200 N. Spring St., Room 763

August 11, 2020

Alexander Truong

City Planning Associate

Department of City Planning

200 N. Spring Street, Room 763

LA, CA, 90012

Dan Daftari

10701 Wilshire Blvd, UNIT 701

LA, CA 90024

ZA-2020-2164-ELD-SPR (Support)

825 -837 South Holt Avenue

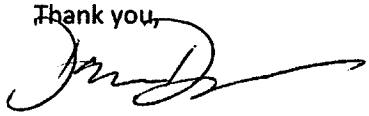
Mr. Truong,

Admittedly, most of my life I haven't really thought about senior care. But that has changed recently, as my parents age. My brother, a doctor, has also stressed upon me the importance of having adequate facilities. And more recently I learned the more financial aspect of the poor options for senior care we have in this community, which is something I can understand even better than everything else.

Most seniors are stuck between a rock and a hard place right now - outdated facilities or individual caregivers that are very expensive. I can't even imagine what they'll be charging five, ten years from now. This building seems like it will appeal to seniors who are put off by current options. And really, you can't go wrong with it. This is just what the community needs, so I hope you do your part in making it happen.

On a purely economic level, if seniors don't have a decent, safe place to age in, they'll want to stay in their homes. This will result in less people selling their homes, which will exasperate the current housing crisis. Therefore, not building a better assisted living facility has a direct impact on housing affordability. This would impact me and so many others at my age looking into buying homes for the first time. It could result in me never being able to own a home near my parents and brother.

Thank you,



Dan Daftari

August 16, 2020

Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Re: ZA-2020-2164-ELD-SPR – *Our Support*
825 -837 South Holt Avenue

Adam & Tamar Schlesinger
9830, Vidor Dr, 401
Los Angeles CA, 90035

Dear Alexander,

I'm writing to you because I've seen my parents struggle regarding caring for my aging grandparents. But this shouldn't be as stressful as it is. We need more senior housing facilities, better quality facilities. Families are going through enough when their loved ones reach the age where they need that extra help.

As I watch my parents try to care for my grandparents, I think about their future. About what options they'll have once they reach the age where I'll need to do the same for them. I'm hoping that they'll be able to have a peaceful transition into the proposed facility. They agree with me, excited about the many things to do in the area, which will be exciting as my child grows up and gets to spend more time with her grandparents. It's peaceful, quiet, and better for the community than an apartment would be, bringing in less traffic and being lower in height than an apartment building would be.

I grew up in this neighborhood and fully support this project. I hope you will support it as well.

Sincerely,

Adam & Tamar Schlesinger

Armin Rafiee
317 S. Holt Ave Unit PHE
Los Angeles, CA 90048

June 1, 2020

RE: SUPPORT FOR HOLT AVE SENIOR HOUSING PROJECT

To Krystal Navar / Land Use Chair:

My name is Armin Rafiee, and I want to share a little about myself to you. When my family moved to Los Angeles from Iran in 1988, we moved to a small apartment at 1431 S. Holt Ave when I was 2 years old. My parents still live there. I have essentially lived in Council District 5 my entire life, and I currently live just a few moments away in a condominium on Holt and Burton way with my wife who is pregnant with our first child. Furthermore, my brother lives just a few blocks away on 1486 Rexford. As you can see, we are a close-knit family, and living within the same vicinity is paramount to keeping our close ties.

Growing up in the Pico-Robertson area, I had the privilege of making life long friends who all live within close proximity. Living here is not only a part of my identity, but I plan on raising my kids in this area so they can be close to their grandparents, uncles, and experience the roots from which I grew up in.

To further my commitment to the neighborhood, I am closing on a new house next week, which is just south of my condo, and only 7 blocks west from the proposed project for the assisted living facility.

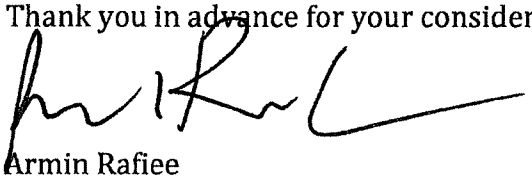
I am writing to you to express my excitement for this project. First of all, we need more housing in this area. More housing means less homelessness. As a board member of my HOA, we have expressed countless times to the city councils office over and over again about the homeless encampment right across my condo on Holt between 3rd and Burton Way. This homeless encampment is a threat to my family as they conduct in illicit behavior and make it a less desirable for me to walk with my family around our own neighborhood in fear of getting attacked or harassed. More housing would help mitigate this issue.

As a property owner, I understand that not all development is good for us, but this project for sure is. It is providing assisted living for an area that has so many seniors—my parents being amongst them. Our community desperately needs it. I worry about my parent's living situation as they are approaching their 80's. They still reside in the same apartment they moved in 32 years ago, and they have a hard time walking up and down the stairs to get to their unit. I could see them living here one day, just moments away from their children and grandchildren. This would drastically enhance their quality of life as their family is everything to them.

I know Pico-Robertson very well, especially this part. I grew up playing in La-Cienega park, and have very fond memories there. There are so many 4, 5, or even 6 story buildings, but the proposed project is only 5 stories. The parking seems reasonable, and the rooftop faces the inside, so the likelihood of noise complaints is unlikely. Also, seniors don't drive, so this will minimize the traffic in the area.

I hope this letter will influence your decision of approving this project, as it will effectively influence the quality of my life and my parents life.

Thank you in advance for your consideration,



Armin Rafiee

August 15, 2020

Mr. Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

ZA-2020-2164-ELD-SPR – SEEKING ARPPOVAL OF HOLT ELDERCARE

Mr. Alexander Truong,

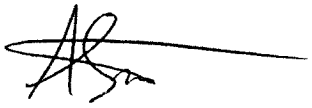
We heard about the proposed senior living facility and we think it's a GREAT idea. We were so excited when we were told about it. You see, as we get older, the problem of housing has been weighing on our minds lately.

Personal caregivers are expensive. So, we're left to choose between keeping my parents at home, and the numerous dangers that come with that, or putting them in a subpar facility. People who used to lead the family and take such good care of us must face the idea of living out their lives in a place they don't like. It's a heartbreaking decision for families to have to make.

Luckily, we have hope in that new senior living facility. It's much better suited to seniors than the other options, in a quiet place with plenty of medical care nearby. The building will be much nicer than

the others we've seen. And we say this as a couple who will one day need such a facility. We're still able to manage on our own, but when the time comes when we can't anymore, we refuse to be a burden on our son and grandchild. We want the choice to age in place, in a facility we love and that our son and grandchildren would enjoy visiting. It's time to take better care of our seniors and provide them with the kinds of options we hope for once we reach their age.

Sincerely,



Avi & Sandra Schlesinger

9546 Bolton Road

Los Angeles, CA90034

5/29/2020

Mr. Saeed Babaeean
910 South Holt Ave.
#202
Los Angeles, California 90035

Holt Avenue Assisted Living and Memory Care

Miss Navar/Land Use Chair,

My name is Saeed Babeean and my condominium is 1 block south of the proposed project. I am strongly in support of the project. I am closely connected to this area - my sister lives one block west of the project and my mom is about four blocks east of the project. My sister lives close by my mom so she can take care of my mom.

Anyone who has lived in the Pico-Robertson area is aware of the large senior population here. It takes a 5-minute walk around the neighborhood, near Pico, Olympic, Robertson, at the parks nearby to see how seniors have difficulty taking care of themselves and that they don't have good options for their 70's, 80's and 90's.

This kind of project makes total sense for this area and at that location. Like any other development, I am sure people will have mixed feelings about this and some just don't like any change. It is on a side street. But think about you when you rent an apartment, some like to be on busy streets, some on side streets. Some prefer hard wood, some prefer carpet. We need assisted living in various locations, various sizes, so that our seniors have options.

As a concerned neighbor, I would recommend looking past the year or year and a half it will take to build this building, to support it. Senior housing isn't bad to live next to, across from, or down the street from. I actually own an investment property in Santa Monica that is right behind an assisted living facility. I've owned the property for years and I'm there visiting frequently and can tell you that there are never any noise issues, parking issues, or traffic issues that come from that building. In fact, I can't remember any problems from them. The caregivers come and go at off-hours and because the tenants don't drive, there's hardly any traffic anyway.

We owe it to our seniors to give them more options than what is there today.

Regards,



Saeed Babaeean

August 19, 2020

Mr. Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Ben Bundy, Owner
Tiffany's Laundry
9607 Venice Boulevard
Los Angeles, CA, 90232

Senior Housing – **NEEDS** to Happen

825 -837 South Holt Avenue - ZA-2020-2164-ELD-SPR

Mr. Alexander Truong,

I wanted to let you know about a sad trend I've noticed when I go to the laundromat. I come across an alarming number of seniors who have to do their own laundry when they clearly have issues just trying to walk on their own. Half the time I'm afraid they're going to have an accidental fall and hurt themselves. I always step in and help when I see it, but of course I'm not always there. And it points to a bigger problem.

This city does not have the proper options needed for senior housing. It's so bad that these seniors stay at home longer than they should, without the aide they clearly need, just because they don't want to live out their lives in some subpar facility. Who can blame them? It's not a fair situation to put them in, and it causes a lot of preventable damage behind closed doors. Thankfully, you've been presented with a solution in the form of this new building.

It's in a quiet location, so they wouldn't have to deal with the ridiculous traffic on busy corridors. It's near doctors at, Kaiser, Cedars and UCLA. And it'll provide them with the help they need. The idea of a housing option that takes care of senior's daily affairs, such as laundry and housekeeping, is exactly what we need more of.

This younger generation already doesn't have the proper respect for their elders. We're showing a poor example to them by how we treat our seniors. Aging in place is a key to strong communities. Good facilities is one of the most important things we can provide seniors. So, I hope you'll set an excellent precedent for those who come after you by tending to these needs.

Sincerely,

Ben Bundy

August 10, 2020

Alexander Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Simin and Sion Daftari

10590 Wilshire Blvd, 807

Yes for Seniors (ZA-2020-2164-ELD-SPR) at 825 -837 South Holt

Dear Alexander Truong,

As we are growing older, we're grateful to have loving children and grandchildren, a happy marriage, and a great life to look back on. It's a little scary however, to look forward into the future. We're going to need some extra help soon, there's no way around it. Our children have been great so far. Our son's a doctor, so that's been beneficial. But we can't rely on them forever, we won't. Personal caregivers are expensive. So, the only option for us will be a senior facility. There are a few problems with that though.

Belmont Village is huge, you could get lost in it. Watermark and Carmel Village don't have rooms for people with dementia and that may be an issue down the line. Sunrise Beverly Hills is much too busy, and don't even get us started on the dilapidated buildings on Olympic near Robertson. There just aren't any good options for seniors in this area, which leaves us grappling with an uncertain future.

This new building though, would change that for us and so many other people we know. It would be built in a well thought out location, with doctors close by, things to do, and a community of people small enough to get to know one another. It's ideal.

Sincerely,



Simin and Sion Daftari

Mr. David S. Freeman

853 Le Doux Rd, 301

Los Angeles, CA 90035

6/1/2020

Re: Eldercare Facility on Holt Avenue

Dear Krystal Navar,

I would like to voice my support for the proposed eldercare facility on Holt Avenue between Wilshire and Olympic. I live on the other side of the block and this location is ideal for seniors with easy access to public transportation, medical facilities and parks that are all very important to seniors. The proposed building is a 5-story building in a neighborhood with 4-6 story buildings everywhere; it makes sense and it has minimal impacts because seniors in assisted living don't drive.

My great aunt lives in an assisted living facility in Santa Monica and absolutely loves it. My family moved her there because she could no longer safely live by herself and having looked for senior housing myself I can tell you there are not enough quality facilities at reasonable prices in West LA. She is much safer, happier, more social in this facility and has a built-in social network. It's expensive to live here and to keep family close by and this structure will help increase the number of available housing units and thus keep housing costs down for everyone. More quality senior housing will allow seniors to move out of their larger homes and help keep skyrocketing single family and condo prices from rising uncontrollably.

I am a third generation Angeleno on both sides of my family. All of my extended family and friends live here except for my brother and his two kids who live in Dallas; my brother was making over $250,000 when he decided to move to Dallas with his two kids due to LA's high cost of housing. We need more housing for every group of people—young, old, and everything in between. Imagine after three generations your family had to spread out due to this severe housing shortage. I bought my condo with my savings in 2019 and I could have bought a mansion in Texas for the same price. More housing means housing costs goes down. Any type of sensibly designed housing is good to have and there is a definite need for senior housing in this area.

Regards,

David Freeman

THE WATERMARK
AT BROOKLYN HEIGHTS

ÉLAN COLLECTION

(ZA-2020-2164-ELD-SPR Holt Eldercare)

8/21/2020

Mr. Alexander Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Sahar Edalati

11 Pony Circle

Roslyn Heights, NY

11577

Dear Alexander Truong,

I am writing as a gerontologist, senior housing operations expert, and L.A. resident.

By way of background, I served as the Activities Director of Watermark Beverly Hills, an assisted living facility, which is located less than a mile away from this project location, from 2014 to 2017.

In 2017, I served as the Executive Director of Sunrise Beverly Hills, also an assisted living facility, which is located less than a mile and a half from this project location. In late 2017 to 2019, I moved to Sunrise Culver City. Along the way, in 2018, I received the National Center for Assisted Living's Administrator of the Year award.

I relocated to New York City earlier this year where I am currently an executive director for a building here in Brooklyn.

Regarding ambulance noise, a concern that I believe has been raised in the community, I'd like to indicate that the entire point of assisted living is to vastly improve the safety and quality of life of its residents, including the need for emergency visits from the fire department and paramedics. In my experience, ambulance calls are 98% non-emergency calls for transport, meaning no sirens and loud noises and no flashing lights. This is contrary to the general perception of the public.

Community: 21 Clark Street • Brooklyn, NY 11201 T: 347-343-4900 • F: 800-893-6674 • watermarkbrooklyn.com

Application materials for the establishment of an Assisted Living Residence are currently under review by the New York State Department of Health. This document has been printed on recycled paper.

In fact, the reason why seniors' adult children and their parents choose assisted living is because of fearful episodic events, such as a dangerous fall, forgetting to turn off the stove, or consuming the wrong medication. All of these dangers are nearly eliminated when the senior moves into a senior housing facility with caregivers to help with all activities of daily living, which significantly limits the need for emergency services.

I would also like to note that residents of assisted living communities typical don't drive or even own cars. In my experience, I never received a complaint about parking or traffic from any neighbors.

Lastly, Sunrise Beverly Hills was located on a busy street, Crescent, next door to a Whole Foods and a stone's throw from the Montage Hotel. Sunrise Culver City and Watermark were on quiet side streets. Generally, seniors chose Sunrise Culver and Watermark over their respective nearby alternatives because of their residential and quiet nature. Seniors take walks during the day; they look outside their windows during the day; they hear what's going on outside. Many of them prefer quiet, just like they did before they needed assistance with activities of daily living. That doesn't change. I understand there has been discussion about senior housing belonging on commercial streets. I whole heartedly disagree. Seniors should have options, including quiet residential streets, for where they want to live as they age.

Sincerely,



August 17, 2020

Mr. Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Joseph & Mandana Elazari
10751 Wilshire Blvd, #1106
Los Angeles, CA 90024

Re: ZA-2020-2164-ELD-SPR – Options For Seniors
825 -837 South Holt Avenue

Dear Mr. Alexander Truong,

As you consider the new senior living facility, we wanted to tell you a bit about Mandana's mother and her struggle with aging safely. Due to the limited options of assisted living facilities in the area, we haven't been able to find her a place to live.

We've looked into Belmont Village, but it's far too big and my mother would prefer a smaller building with less people so they get that tight knit community feeling. We looked into Sunrise Beverly Hills, but it's too busy and noisy for seniors who are sensitive to that sort of thing. It's also not a walkable area, which is important to my parents who enjoy getting outside and staying active. Most atrocious: the building on the north side of Olympic and Robertson was shut down recently and cannot get relicensed.

This new building would address those concerns, being in a quiet location while still remaining close to things such as museums, churches, a farmer's market, and The Grove. It's also close to multiple doctors that can offer seniors that extra care they need. It's ideal for the community, since the building will be lower than a new apartment building would be, and since seniors living in these facilities don't drive, it will generate less traffic than a new apartment building would. From my point of view, you can't go wrong with this new facility. I personally would greatly appreciate having the option to transition my parents into a new

place that would care for their medical needs, while keeping them happy and social at the same time.

Thank you for your time,

Mandana Elazari

Joseph & Mandana Elazari

August 15, 2020

Alexander Truong

City Planning Associate

Department of City Planning

Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

I SUPPORT PERMITS FOR ASSISTED LIVING AT 825 -837 HOLT AVE (ZA-2020-2164-ELD-SPR)

Dear Mr Truong,

I'm writing to you because I'm a senior who has some concerns about my future care and options regarding senior housing. Though I have three children and several grandchildren that live nearby, they can't be with me all the time, and I have been getting lonely. I've considered moving into assisted living for this reason.

Besides, my friends tell me how expensive caregivers are for their husbands and assisted living is a way better, affordable option because the expense is shared. But the options for assisted living facilities aren't great. My brother in law lived in the white building on Olympic and Robertson. It was terribly old and dated inside. I would never want to live there. My nephews told me that the pink building across the street, on the northeast corner of Olympic and Robertson, was shut down forever because it was in complete disrepair and couldn't be used as an assisted living facility anymore. It shocks me they were allowed to operate as long as they did, and I'm scared of finding myself aging in a place like this.

This new building seems like it would be a much better fit. I want to age somewhere between Pico-Robertson and Westwood, which is near my loved ones and all the grocery stores, temples, doctors, etc. that I know. This building is situated conveniently in this area, in a peaceful spot too. When I move into a retirement home one day, I don't want to walk outside of the lobby into a busy street like Robertson or Olympic.

All my concerns and desires would be met by this new building, so I can't tell you how much I hope it will be built. Please consider the needs of seniors like me as you think about this

project. So far, this community has not done well at providing seniors with adequate housing choices. You can change that, and I pray you do.

Sincerely,

Frida Shayan

1810 Malcom Ave. #307

Los Angeles, CA 90025

Manoucher & Nahid Harounian

1102 La Peer

Los Angeles, CA, 90035

May 31, 2020

City of Los Angeles Land Use Chair

Holt Assisted Living

To Land Use Chair:

We have lived in our home for almost 20 years, which is about 10 blocks southwest of the project. Our 3 children have been living in this community most of their lives and they all got married and they all live not too far from this community. We plan to stay here as long as we can, but at one point, we will need a retirement home. Unfortunately there are not enough choices for retirement homes at all. Mostly have no vacancies and if they are available the quality of life is not satisfactory. The city and especially this community is in need of such a facility. This is a nice building and we hope you approve it. We can see ourselves living here. Thanks.

Manoucher & Nahid Harounian

August 11, 2020

Alex Truong

City Planning Associate

Department of City Planning

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Joe Yomtoubian

222, Loring Ave, Los Angeles CA 90024

ZA-2020-2164-ELD-SPR – YES

825 -837 South Holt Avenue

Alex Truong,

I value the older generation highly. They've given me the best they could offer and now I want to do the same for them. I'm here for them now, helping out when they need that extra support, looking out for them, trying to keep them active. But I'm no qualified caregiver, and I know that someday my limited expertise won't be enough. Sadly, there are a lack of options in this area, which puts those of us with aging parents in an awkward situation. We don't want to dump our parents off at a facility they'll hate, but eventually seniors do get to a point where it's dangerous for them to remain at home. My parents had to deal with this themselves when it came to my grandparents who opted to stay at home. This was incredibly hard on our family as we tried to take care of them. Our time spent with them ended up being more about checking in rather than enjoying their company, and we worried about them all the time. It wasn't a good situation for anyone involved, but at this point, I'm afraid my parents won't have anywhere safe to move into either once they reach that age. This new building however, could allow my parents to avoid going

through the same thing my grandparents went through. It's a quiet location that is suited to seniors, and that my parents have agreed they could see as a great option for their future. It gives me hope that they will be able to have a better transition than my grandparents had.

Your help is greatly appreciated,

Joe Yomtoubian

Rachel and Sara Maghen
9049 Alcott Street, Unit 304
Los Angeles, CA 90035

May 31, 2020

Krystal Návar
Land Use Chair

Dear Ms. Návar,

We are writing to you in support of the 825-837 South Holt Avenue Retirement Home Eldercare Facility project. We currently own a condo within a few blocks of the project. Our family has been in recent discussions regarding future long-term care options for our parents, who are nearing their 70s. While we have entertained the idea of eventually moving our parents into our condo and hiring a full-time caregiver, we would prefer to move them into a nearby senior housing facility.

As a dietitian who works in an acute care facility, with a predominantly geriatric patient population, Rachel is familiar with the pros and cons of various living environments for the elderly. She has seen, firsthand, the positive impact that social community, mental stimulation, physical activity, and good nutrition have on the quality of life of seniors. In reviewing the plans for the 825-837 South Holt Avenue Retirement Home Eldercare Facility, we are confident that the facility will meet our family's needs of ensuring the best quality of life for our parents during their final decades of life. Our family is particularly excited about the outdoor barbecue and game room, fitness center, and bocce ball!

Sincerely,

Rachel and Sara Maghen
9049 Alcott Street, Unit #\304
Los Angeles, CA 90035

6/22/2020

Ramtin Rafiee

1486 South Rexford Drive

Los Angeles, CA 90035

RE: HOLT ASSISTED LIVING AND MEMORY CARE

Dear Krystal,

My is Ramtin Rafiee and I live at 1486 South Rexford Drive. I've lived at this house for 5 years. My mother and father live on 1431 South Holt Avenue. They are hitting their 80's. I'm very supportive of this project due to its location and accessibility to where they currently reside. There are not too many options that are available or facilities that are new and capable of giving them the environment and cleanliness that they are accustomed to and that I am looking to providing them.

This project, when I heard about it, was a God send. I am looking forward to seeing it get built.

Thank you,

Ramtin Rafiee

August 20, 2020

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

City Planning Associate

Department of City Planning

Alexander Truong

Ben Behnam & Jasmine Gabaee

1535 Club View Dr, Los Angeles, CA, 90024

ZA-2020-2164-ELD-SPR – Caring for Our Seniors - 825/837 South Holt Avenue

Dear Alexander Truong,

When we were younger, we didn't exactly realize just how much our parents did for us. Honestly, I don't think I realized it until I became a parent myself. Caring for my own children has given me a glimpse of all the patience, love, and tears that went into raising me and I couldn't appreciate my parents more. I want to give them as much as they've given me. As they get older, I'm going to have that chance. They took care of me for so long, that now it's time for me to take care of them. Just like I became a parent eventually, I will need assistance once I'm older myself. We all will. I want to provide my parents with the kind of care I'd want. The kind of place I would enjoy being in. That's a little difficult currently in this area, and I do want them to stay in this area. They want to be here to see their grandchildren grow up, and to spend time with us all. But there aren't a lot of great options. Some facilities don't offer the proper care, others are too big, or too busy. So, I'm grateful to know there's a new assisted living facility in consideration. This new facility is close to us and overall it seems like it will be a welcoming environment well suited to making great memories. We couldn't ask for more in a facility, so now I'm asking you to make it happen.

Thank you for your assistance in this matter,

Ben Behnam & Jasmine Gabaee

August 13, 2020

Mr. Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Leanne Tomar

10525 Selkirk Ln

Los Angeles CA, 90077

ZA-2020-2164-ELD-SPR (Senior Retirement Center at 825 -837 South Holt Avenue)

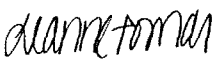
Dear Mr. Truong,

I love living in this area, soaking in the sun with plenty of things nearby to do. But there is one big piece missing from my life: my parents. They currently live on the east coast and I miss them greatly. But as they age, they're considering moving to the area so they can live out the rest of their lives making memories with me. There's nothing I'd love more, but currently there is no way I can responsibly allow them to do this, because there are no good facilities nearby, and like all daughters, I just want the best for them.

Since my parents would be moving to a completely different area, they want to age in a place that eventually feels like home. This new building would be small, allowing for that personal sense of community for those who reside there. It's also in a quiet place, without the busy traffic that can be found on places like Olympic. And it's near Beverly Hills and Century City offices and business districts, which will make visiting so much easier for the working professionals (I own an

executive search firm). Plus, there's plenty to do in the area so visitors like me can make those treasured memories that will stick with us long past our loved ones are gone. This building would be so beneficial for the entire community, and I hope you'll give it the serious thought it deserves.

Sincerely,



Leanne Tomar

Letter of Support for ZA-2020-2164-ELD-SPR / 825 -837 South Holt Avenue

August 11, 2020

Mr. Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Hami Gabayan

1717 Club View Dr

Los Angeles 90024

Dear Mr. Truong

My husband and I are very concerned about the options seniors have in Pico-Robertson for senior housing as they reach the age where they can no longer care for themselves. This is an especially pressing issue since there are a ton of seniors in this area. My grandmother has reached that precarious age herself and having her live at her home on her own is simply frightening. She fell in her condo once and it took hours for someone to check in on her. They found her lying on the floor, hurt but thankfully okay. I can't imagine what would've happened if she suffered through something worse, there alone. No caregiver around to watch over her. No one to provide immediate medical attention.

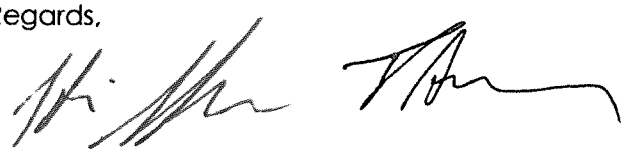
It was scary and made us think of our aging parents and how we can provide the best care for them as they age, like they did for us when we were young. We both have parents who live in the area, and as they age, they wish to remain in the area they love and know. However, there are so few options here that aging in place would be difficult, and that's too bad because aging in place is a key to strong communities.

Taking care of our elderly is so important, we still have so much to learn for them and we should respect their needs, especially when it comes to housing. But the current selection for senior housing isn't suitable for many seniors. We have our own child, so

when our parents can no longer manage on their own, we want to know they'll be taken care of in a way that we just can't provide. Building this new facility would ensure that. It's well designed and seems like an appropriate place to house our senior population.

It's so important that seniors have somewhere they can go that they'll enjoy, rather than be forced into a senior living facility that they'll resent. Facing an unfavorable environment leads many seniors to stay in their homes much longer than they should, risking injuries like those my grandmother suffered. Please keep this in my mind as you consider this project.

Regards,



Hami & Tiffany Gabayan

August 9, 2020

Alexander Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA 90012

Tala Mohebi & Adrian Taghdiri

117 S Doheny Drive

Unit 309

Los Angeles CA, 90048

LETTER OF SUPPORT FOR ZA-2020-2164-ELD-SPR | 825 -837 South Holt Avenue

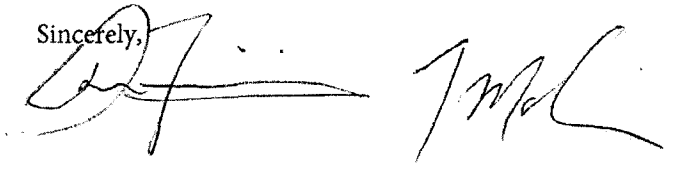
Alexander Truong,

We would like to share our opinion about the new, proposed senior living facility. We are a young couple who doesn't have to think about that kind of thing for ourselves yet, but we do have parents who are reaching that age. They both live in southern California, and eventually we'd like them to move nearby so they can watch their grandchildren grow up and be part of the family. However, there are currently no good assisted living options, so we wouldn't feel comfortable with them moving to the area quite yet.

We live in a condo, so we appreciate some of the concerns that people living nearby might have. Traffic is something we're tired of too; we don't want to add anymore. But seniors in these types of facilities don't drive, so this building would generate far less traffic than an apartment building would. We also understand the height concerns, as our street has a bunch of developments too. However, since this is a 5-story building in an area that could allow 6-stories, we think it's a much better option than other buildings that would likely be taller.

All things considered; we think this project is a great idea. It fits the neighborhood and would give seniors a great place to go. We know our parents will want to age on a quiet street, not a busy one like ours or La Cienega. And they'll enjoy the things to do nearby, and of course, being close to a family who will strive to make their retirement the best it can possibly be.

Sincerely,



Tala Mohebi & Adrian Taghdiri

August 9, 2020

Alexander Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA 90012

Tala Mohebi & Adrian Taghdiri

117 S Doheny Drive

Unit 309

Los Angeles CA, 90048

LETTER OF SUPPORT FOR ZA-2020-2164-ELD-SPR | 825 -837 South Holt Avenue

Alexander Truong,

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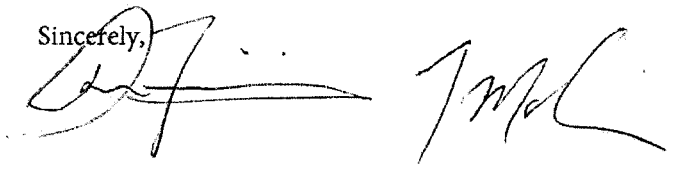
All things considered; we think this project is a great idea. It fits the neighborhood and would give seniors a great place to go. We know our parents will want to age on a quiet street, not a busy one like ours or La Cienega. And they'll enjoy the things to do nearby, and of course, being close to a family who will strive to make their retirement the best it can possibly be.

Sincerely,



Tala Mohebi & Adrian Taghdiri

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August 17, 2020

Mr. Alexander Truong
City Planning Associate
Department of City Planning
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Oron Maher
1260 S Beverly Glen Boulevard, #106
Los Angeles, CA, 90024

In Support of Eldercare Facility
ZA-2020-2164-ELD-SPR
825 -837 South Holt Avenue

Mr. Alexander Truong,

I'm writing to you to express my support for the proposed, new senior living facility. I think it's a great idea, and so do many other people I've talked to. My parents and my wife's parents all live in Los Angeles and we love this city. However, it does have a deficiency when it comes to senior care, specifically regarding housing. My parents are at least twenty years away from needing this, but we all know that someday it will become a topic we'll need to discuss. In the meantime, I've watched how my friends' grandparents and other elderly people in my network have struggled finding suitable retirement homes. My heart goes out to them, and it makes me worried about my parents' future.

This new facility would help ease the difficulty seniors in our area face as they look at options for senior housing. This new building is well designed and ideal for the seniors in this area. It won't only help seniors either.

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We all know about the housing issues the city is currently dealing with. Measures have been taken to address this. Governor Gavin Newsom's housing goals specifically call out building housing for all demographics, including seniors, to address the shortage that is responsible for the rising housing prices. Helping seniors is most important of all, because if seniors have housing they can age in that provides the comfort, socialization, and stimulation they're looking for, they will leave behind houses that can serve as new homes for couples just starting out.

Overall, this project would help the community out greatly and we're all rooting for it. I hope you'll make the right call and help provide this great resource for seniors.

Regards,

Oron Maher

DocuSigned by:
Oron Maher
D5BC9EAA5BFC49B...

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Assisted Living and Dementia Care Housing 825 -837 South Holt Avenue

Marci Maniker <m.maniker@gmail.com> Wed, Aug 19, 2020 at 6:24 PM
To: alexander.truong@lacity.org
Cc: aviv.kleinman@lacity.org, elizabeth.garcia@lacity.org

Dear Alexander Truong, City Planning Associate, Department of City Planning,

According to the Senior Housing Resources in Los Angeles County website, "Recent studies by the County of Los Angeles Community and Senior Services and the City of Los Angeles Department of Aging have projected that the number of L.A. County residents over age 60 will double over the next 20 years, going from a current estimate of 1.5 million to almost 3 million.

Many seniors and their families will be making difficult decisions related to housing and health care, and there is a growing demand for affordable senior housing information services. Although there are several important programs that provide low rents or rent assistance, the demand for senior housing is high, and vacant units fill quickly." (https://housing.lacounty.gov/SeniorHousing.html)

As a 60 year old in west Los Angeles, I know that there are not enough senior facilities in the Pico-Robertson, Castle Heights, Cheviot Hills, and the other neighborhoods in the area. The Panorama Group is proposing an option that will help close this housing gap.

I understand the building height is of some concern and yet it would be nearby other very tall buildings in this part of LA., and that the height of the building will be lower than another new apartment building under the current City regulations. Also, it won't bring in the traffic that other buildings would as
seniors in these homes can't drive. Additionally, it's located conveniently near the 10 freeway.

I urge you to consider the Los Angeles elderly you'll be serving when you approve this project.
Best,

Marci Maniker
M.Maniker@gmail.com
Los Angeles, CA 90064

August 18, 2020

Mr. Truong
Department of City Planning
Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Manouchehr Zahirpour
10622 Ashton Ave. Los Angeles CA 90024

Re: My Opinion of Support
Retirement Facility at 825 -837 South Holt Avenue (ZA-2020-2164-ELD-SPR)

Mr. Truong,

This project is of interest to me because as a senior myself, I'm worried about where I'll end up spending the last years of my life. The choices I have currently are horrible and I don't want to have to choose between them, but right now they're my only option. I can't afford an individual caregiver now, let alone ten years from now when minimum wage goes through the roof, and I don't want to put that burden on anyone else. Plus, I want to age here on the Westside. This is my home, where I've built my life.

And there's so many other seniors who live in the area and want to age in place too. But society doesn't take good care of the elderly anymore, especially when it comes to retirement. It's ridiculous. Haven't we had enough stress in our lives already? This should be a time of peace and this new building will provide that. It's well designed and looks like a great place for us to live in peace and quiet, while still having the option to talk to each other and visit the many places in the area. I hope you'll listen to all of us making that transition and do what's right for the seniors in this area.

Sincerely,

Manouchehr Zahirpour



soro
south robertson
neighborhoods council

Alexander Truong
Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012

14 July 2020

Re: Case Number ZA-2020-2164-ELD-SPR

Dear Mr. Truong:

I am writing on behalf of the South Robertson Neighborhoods Council ("SORO NC") to comment on the proposed Eldercare Facility at 825-837 S Holt Ave.

At a duly-noticed meeting of the General Board on June 22, 2020, SORO NC voted 17 yes / 00 no / 00 abstain to recommend that the applicant's project be approved. The project provides 80 guest rooms for much-needed Assisted Living and Dementia Alzheimer's care in a residential neighborhood just south of Beverly Hills and west of La Cienega Blvd and La Cienega Park.

Please do not hesitate to contact me if you have any questions about this comment letter.

Sincerely,

Martin Epstein
President, South Robertson Neighborhoods Council

Sincerely,



Martin Epstein
President, South Robertson Neighborhoods Council

Cc: Aviv Kleinman, Office of Council Member Paul Koretz
Krystal Návar, SORO NC Land Use Committee Chair

Martin Epstein
President

Ken Blaker
Vice-President

Jon Liberman
Treasurer

Vacant
Secretary

Charlie Stein
Corresponding Secretary

South Robertson Neighborhoods Council

PO Box 35836
Los Angeles, CA 90035

P: (310) 295-9920
F: (310) 295-9906
E: info@soronc.org

June1, 2020

Dr. Sherwin Matian
435 Arnaz dr unit 303
Los Angeles, CA 90048

825-837 South Holt Avenue Retirement Home Eldercare Facility

To Land Use Chair:

I am writing this letter on behalf of my family, my parents and siblings, in support of the senior housing project.

My grandmother lives at 1417 South Holt Avenue and she is the exact type of resident that wants a building like this.

She is not doing very well living in her place because she doesn't have friends to interact with. We are also very busy with our careers and familiesso we don't have time every day to visit her and talk with her in person.

She would be a lot happier surrounded by people her own age and with professional staff in a building like this.

At this location, we could visit her easily just like we do now. I reside near Burton Way and Robertson which is just a few miles north and my parents are a few miles east.

That part of LA,on Holt, is full of apartments of this size and type so is totally belongs in the neighborhood. We really want to move my grandmother in here one day. We look forward to seeing it under construction.

Thank you,

Dr. Sherwin Matian

From: Robert Miller <bigbird@sbcglobal.net>
Sent: Tuesday, June 2, 2020 11:12 AM
To: landusechair@soronc.org

Subject: Assisted living and Memory care on Holt

Dear commissioners

My name is Robert Miller and I have lived owned property in the neighborhood that has been discussed today. I first moved into the neighborhood in 1988 when I was a college student. I was fortunate enough to be able to purchase Property on Holt about 25 years ago. Over the last several years I have watched the changes happening around my duplex. Summer good summer bad. I decided to get involved in this project after many many offers on my duplex. What touch me about this project is that it is a midsize elderly facility that Deals with memory care in a very smart way. Alzheimer's runs in my family and it is hard to fine facilities that address this in a dignified and caring way. In my meetings with the buyer I truly was impressed and touched with his caring and really trying to use innovative new approaches to dealing with the subject matter of memory care and the elderly. As much as I am sad to see my building go away. I believe this project will be a win for the community and it's something that is truly need it.

Robert Miller
Professor of art/Gallery director
Rio Hondo College

August 20, 2020

ZA-2020-2164-ELD-SPR – **SUPPORT SENIORS**

825 -837 Holt Ave

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

City of Los Angeles

Department of City Planning

City Planning Associate

Alexander Truong

1403 Greenfield Avenue, #103

Los Angeles, CA, 90024

Joe Mobassernia

Alexander Truong,

My wife and I have chosen to start a family in this area, welcoming a new baby recently. This community offers so much to us with job opportunities and plenty of things to do. We love being part of it. We feel like we can build a great future here and are lucky to have our family nearby for their love and support. But unfortunately, this area isn't kind to everyone. We are severely undeserving our seniors, particularly regarding senior housing. Which is a true shame, as they're the reason we have all we do today.

There are no good senior facilities available around here. Those that do offer services, don't provide for their residents adequately. So, people like my grandparents are reluctant to even consider living in one of these facilities. It puts seniors and their families in a tough spot, as it becomes dangerous

for seniors to care for themselves. No one wants to force their loved ones into a place they won't enjoy living in, but they also don't want them to hurt themselves while unattended. It's a terrible dilemma that isn't fair to anyone. This new facility could change that, giving many people in this community a sense of relief and hope. It's well thought out and offers the support and ideal environment these other facilities are lacking.

Now, I do get the drawbacks. I live in an area that's seeing a lot of construction lately. The noise is annoying, especially when we want to take a walk with our child. But this project is essential for an important part of the population. And once that initial construction is finished, it'll bring far less noise than an apartment complex or any other building would, as seniors aren't known for being loud. Plus, there won't be as much added traffic as these residents won't be driving either. It's a short-term sacrifice for a long-term gain. It'll give the many seniors in Pico-Robertson a way to age in place in a home that will fulfill them and give their families peace of mind. I hope you'll support this facility, as I know so many people in the community already do.

Many thanks,



Joe Mobassernia

August 11, 2020

Mr. Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Daniel & Linda Moreh

629 Westholme Ave, Los Angeles, CA, 90024

Re: **Build the Senior Facility On Holt**

ZA-2020-2164-ELD-SPR

Dear Mr. Truong,

We're writing to you because we learned of a plan to build a new assisted living facility, and we wholeheartedly support it. Currently, we aren't in need of such a facility. We have three daughters, two of which still live with us, so our family is still quite lively and self-sufficient. But as we get older and look to the future, we know that someday we will. We would hate to be a burden on them, but we'd also like to enjoy our retirement and there aren't enough quality options currently available for when that time comes.

There are many problems with the limited selection we have now, but this new facility sounds like it would address these issues. The plans show that the building is well designed and perfect for seniors who need a little extra care. It's in a quiet area, so we wouldn't have to hear the dreaded traffic that comes during rush hour. And since seniors in these facilities don't drive, we won't be adding to that traffic. Despite the quiet, it would still allow us to be connected to the community. This would help fight loneliness, so our children don't feel guilty for not being able to visit every day.

Though we would still like to see them often, so we'd like a quality facility in the area and this seems to be the perfect fit. We hope you'll take advantage of this chance to better meet the needs of seniors in our area.

Sincerely,

Daniel & Linda Moreh

August 14, 2020

Yes to Senior Housing at 825 -837 South Holt Avenue (ZA-2020-2164-ELD-SPR)

Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Shawn Morim
455 Willaman Dr.
Los Angeles CA 90048

Hello Alex,

My wife and I are among the many seniors in Pico-Robertson that are looking into suitable, assisted living facilities and are having difficulty finding one that meets our needs. We're getting to the point where we no longer can manage a home on our own and we'll have to seek out help soon. But we don't want to leave this area. We have three children who live around here and several grandchildren we'd like to see grow up and attend their important events. Spending time with them is the best part of our lives right now. Aging in place is important to us for that reason. But the options around here are limited, making this transition even more difficult. We do not want to task one of our busy children with taking care of us but looking into other facilities has proven to be a fruitless task. In general, all the places we've looked into are lacking which makes this all so daunting.

However, this new facility sounds amazing. It's in a great location where we won't be subjected to the hustle and bustle of Wilshire and La Cienega. It's a bit smaller than some of the other buildings, allowing for that personal touch. While still being close enough to museums and parks that we can take the grandchildren to when they come to visit. We are desperate for another, better option, so we hope you'll seriously consider this one.

Regards,

Shawn Morim

August 13, 2020

Mr. Alexander Truong

City Planning Associate

Department of City Planning, City of Los Angeles

200 N. Spring Street, Room 763, Los Angeles, CA, 90012

Nathan Saadat

10433 Wilshire Blvd #1003 Los Angeles, CA, 90024

'YES' FOR SENIOR HOUSING

ZA-2020-2164-ELD-SPR / 825 -837 S. Holt Ave.

Alexander Truong,

I was made aware of the proposed plan to build a new senior center and I love the idea. I'm a newlywed with plans of maybe having children in the future, and my wife and I would love to grow a family in a community that cares for the elderly.

So far, this city has neglected to do so and that's kind of terrible. There aren't a lot of options for senior housing and I've heard some negative things about the few options we do have available for the seniors in the area. This new place sounds like a solid idea.

It's in a quiet location, and you can tell a lot of thought has been put into this to ensure it's well designed and suitable for seniors. In general, it's best to have plenty of quality options for seniors to move into when they can never take care of themselves. This is one step forward into ensuring that the seniors in our area can have a retirement that reflects nicely on the whole community.

Stay well,

Nathan Saadat

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August 18, 2020

Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Nelly Nikfarjam
155 S Swall Drive, #202
Los Angeles, CA 90048

Re: ZA-2020-2164-ELD-SPR – **GREAT** Option
825 -837 South Holt Avenue Assisted Living and Dementia Care

Dear Alexander Truong,

The topic of senior housing is on the forefront of my mind lately, as my mother's aging. So, when I heard about this project, I had to speak up. My mother currently lives alone and is doing fairly well so far. I'm pregnant with my second baby, and she often watches my son for me. She gives me so much support and love that when she reaches the age when she needs a little extra care, I want to do the same for her. She is getting older and I worry about what will happen when she reaches the point when she has trouble taking care of herself, doing basic daily activities like cooking and cleaning. Since she lives alone, the problem is particularly relevant as it could get to the point where it's dangerous for her to be on her own. I will certainly help as much as I can, as long as I can, but I already have my hands full with raising two children. Plus, I don't have any experience in the medical field, so if something went wrong, I wouldn't know how to help. I wouldn't know the signs to look out for to prevent something terrible from happening. And we couldn't afford a personal care giver now, let alone 10-15 years from now when prices are bound to go up. My mother will likely have to reside in a senior care facility, but right now that prospect looks bleak.

There aren't many options for senior housing in the area, and there aren't any of quality that I'd feel comfortable with my mother living in. After all she's done for me, I want to best for her. Right now, I don't feel like I could provide that though. That's why this new project is so important.

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I can tell by all the careful planning that this new building will be more than suitable for our communities' seniors. It's in a quiet area without a lot of busy traffic, which could be dangerous for seniors, especially those experiencing difficulties with memory. There are plenty of things to do for visitors and seniors alike. And it'd be smaller than other facilities, allowing the residents to really get to know each other and form friendships. Overall, this project is ideal for this community, and would provide a sorely needed option for our seniors. I hope that by the time my mother needs that extra care, that she'll be able to stay here.

Warm regards,

DocuSigned by:
Nelly S. Nikfarjam
37C7FF9E2DA64A2...

Nelly Nikfarjam

August 20, 2020

Alexander Truong
City Planning Associate
Department of City Planning
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Orly Benyaminy
100 Doheny Dr #416
Los Angeles, CA
90048

In favor of building retirement center at
825 -837 South Holt Avenue (ZA-2020-2164-ELD-SPR)

Dear Alexander,

I'd like to express my support for the proposed new senior care facility. I'm in my thirties but you should know that the lack of care facilities affects people of all ages. My parents and extended family all live close by, so talk about the future has come up a few times and it doesn't look great. How can we expect our seniors to age in a safe place when there aren't any viable options?

It's clear my father will one day need assistance with things such as using the bathroom, and he's afraid that one day he'll have an accident without the support he needs. Can you imagine that kind of shame? My

mother does what she can, but she's getting older too. So, they're in a tough situation. They want to stay in the area where all of our family resides, but they also want to live in a place they find comfortable and it's certainly what they deserve.

I think this new facility will provide that comfort they're looking for, and that I wish for them. Most importantly, there's medical care situated near the proposed site which will give us all peace of mind. With all the seniors in the area, there should be plenty of people who would love a building like this. I know this would give my parents, and the older generation in my extended family, some peace of mind knowing they have a reasonable place they could one day call home. Please, show seniors that we support them. That aging doesn't have to be confusing and scary. Help provide them with a safe and stable home.

Thank you,

Orly Benyaminy

August 19, 2020

200 N. Spring Street, Room 763
Los Angeles, CA, 90012
ZA-2020-2164-ELD-SPR
825 -837 South Holt Avenue

Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles

Dear Alexander:

I'm writing to you about the state of senior opportunities in this community, as a concerned daughter who only wants the best for my parents. I watched my grandparents age in a way that was both difficult for them and my family. We became watchful and concerned, putting a damper on the fond memories we were trying to make. None of us were fully happy with the arrangement. I want my parents to have access to better options when the time comes when they need that extra help. *I believe all seniors deserve quality options, and you've been presented with a great one.*

The proposed assisted living facility is in a quiet location that's close to doctors, with Cedars to the north, Kaiser to the south, and UCLA not far at all. In general, the plans show that the building is well designed and great for housing our seniors. And there are a lot of seniors in Pico-Robertson, so it's definitely in an appropriate location. It's up to you to give

them a decent place for them to age in the community they feel comfortable in. A community that will benefit greatly by their presence.

Kind Regards,

Desiree Pakravan

Desiree Pakravan
906 Thayer Ave
Los Angeles, CA 90024

August 16, 2020

Mr. Alexander Truong

Department of City Planning

City Planning Associate

Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

SUPPORT FOR ELDERCARE LOCATED AT 825 -837 S HOLT AVE FROM RESIDENT WHO LIVES ONE BLOCK AWAY (ZA-2020-2164-ELD-SPR)

Dear Mr. Alexander Truong,

I heard about this plan for a new senior care facility and I got to say, I was grateful that something like this is being considered. I live one block away from the proposed site and I would love to spend the rest of my life in a place like that. I've been a little worried, getting into my seventies and considering the options we have for people like me. They're not great, they're really not. I mean that one building got shut down recently and can't even be re-licensed which, good riddance. But that's got to tell you something about the facilities around here. It's not like I'll be able to afford a personal caregiver either, so I don't know what I'll do. I want to stay in this area. I have family nearby, and I would hate to leave them. So, having a solid option just one block away from my house is exciting. It's a great location too, not on a street with tons of cars driving by like on Olympic. And there's things to do, as it's located near temples and parks.

It'll be a great place to stay connected to the community, make some new friends, spend time with family in the area, and have some peace and quiet when desired. The city should be happy about it too, lower than a new apartment building and it'll bring in less traffic (which we already have plenty of) and parked cars. Overall, the plans promise a great building that I would love to see. Please make this a reality for me. I'll be keeping tabs to see what happens.

Sincerely,

Parviz Zahirpour

853 Le Doux Ave. #101 Los Angeles, CA 90035

From: parviz@sykik.com <parviz@sykik.com>
Sent: Tuesday, June 2, 2020 11:53 AM
To: landusechair@soronc.org

Subject: Supporting Holt Assisted Living Project

To whom it may concern:

My family has been living in this area since the mid-80s. As my parents got older, we noticed there is such a big shortage of senior assisted living in the area. Specially, after passing of my father, we looked hard to find my elderly mother such a place, in the area she was familiar with and had friends to visit. What we could find, were few overcrowded, outdated locations. I am sincerely believe they would enjoyed living in such a living environment that one in question. It would have improved their life style and improved their social environment. I believe seniors in our community need more support so they can stay in their area as they get older. For decades, this neighborhood has been dealing with a shorthand supply of senior housing making it harder to care for our senior citizens.

We are blessed to have a developer such as the Panorama Group interested in investing in our neighborhood and seniors. I have full trust that Panorama's goal is for the good of our community and seniors.

I fully support their project on Holt and I am confident it will benefit our seniors and our neighborhood.

Thank you,

Parviz Hedvat

Sykik/TechPlay

May 30, 2020

Benjamin Pezeshki, MD

2511 Castle Heights Ave

Los Angeles, CA 90034

SoRo Neighborhood Council

825-837 South Holt Senior Housing

Dear Mrs. Navar:

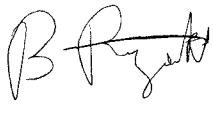
We are writing in support of the senior housing project. Our property at 2511 Castle Heights has been in our family for years. My sister lives in the house currently. My mother, Manijeh, plans to move in the house in her golden years with a caregiver. I'm currently single but will probably move in to the house at some point after my sister moves out.

I strongly support more senior housing in this part of LA. Most families here have been here for generations, minimum for decade and would prefer to remain nearby, near their intergenerational homes.

Seniors cannot take care of themselves when they get old. Sheer age reduces people's independence, that's a fact. We need to provide housing options that reflect this fact and reflect the huge onset of seniors coming as a result of the Baby Boomer population.

There is no reason not to approve this housing project. It is incumbent upon the leaders of our community to plan for the care of our beloved elderly as they graduate to the life stage that requires assistive housing. We are currently underprepared for those needs and this project will help us with that care.

Thank you,



Benjamin Pezeshki, MD

SUPPORT FOR RETIREMENT HOME (ZA-2020-2164-ELD-SPR)

825 -837 South Holt Avenue

August 17, 2020

Alexander Truong

Department of City Planning

Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Ray & Rona Benyamini

10579 Holman Ave Los Angeles, CA

90024

Mr. Truong,

My wife and I have taken an interest in the proposed assisted living facility because my mother is aging, and I'm worried about what will happen when she's no longer able to do things like cook on her own or remember to take her meds. My siblings and I live close by, and we help where we can. I have three kids who take up a lot of my time and attention. We just can't provide her with the care and support she needs. We visit as often as we can, but she has mentioned being lonely and worried about her future. She's open to the idea of moving into a senior home, but lacking good options, we have yet to find a suitable place for her.

Our uncle lived in the facility on Olympic and Robertson, and he hated it. I wouldn't want for my mother to spend her last years in a place she hates. And we heard that the pink building on the corner of Olympic and Robertson was shut down because it was a wreck. This doesn't inspire much trust in these facilities.

Hearing about this new facility though, gave us all hope. It's close to where my mother currently lives, which is perfect because she loves her community and would feel most comfortable staying here. I'd love to take my kids to visit Grandma and check out the new Academy Awards Museum at the same time. Going on different outings would provide bonding experiences that will keep her connected to the family, while she builds her own, separate support system surrounded by seniors she can relate to. You can tell a lot of thought has been put into this facility, and it seems like they really care about the needs of seniors, unlike some of the other places we've looked at. It would mean so much to us all if we could have this option for our mother. I hope you take it into serious consideration and realize how beneficial it would be for the whole community.

Thank you for your time,

Ray & Rona Benyamini

August 10, 2020

Mr. Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Parviz & Jila Saeedian
354 Hilgard Avenue
Los Angeles, CA 90024

ZA-2020-2164-ELD-SPR
825 -837 South Holt Avenue

Dear Mr. Truong,

My husband and I are writing to express our **SUPPORT** for the proposed senior assisted living facility. This topic is important to us as we're reaching the age where we'll have to choose between living with our children and grandchild, being a burden on their young families, or spending our last years in a facility. We like the facility option but don't see any good options. This building would be a great option.

Currently, there are such limited options when it comes to these facilities. In-home caregivers are far too expensive, and prices are only rising. We looked into Belmont Village, but it's far too big. We need something smaller and more manageable. This building is the right size.

These new plans are ideal, as they've shown the building to be well designed and the ideal place to spend our golden years. The building would in a peaceful, quiet spot compared to somewhere noisy and chaotic like Olympic, which have a few old buildings. However, there are still plenty of things nearby that we could do to keep active, entertained, and happy. It's near temples and churches, which would be comforting to those whose spirituality gets them through the tougher times.

I do hope you'll ensure this new building is built, as we genuinely don't know what we'll do if we aren't provided with a better option.

Sincerely,

Mr and Mrs Parviz Saeedian

Please consider this letter closely

May 29, 2020

Mr. Daniel Saghian & Mrs. Tamara Gidanian

2256 Bagley Avenue

Los Angeles, CA 90034

Holt Avenue Eldercare

Land Use Chair Navar:

Our family has lived in Beverlywood for decades. We're in our second Beverlywood home now and we don't plan on ever leaving the area. We worked hard to raise our children here and it's become a very special place to us. It's home.

Tamara is a teacher in the community and has been for about 15 years. Many of her students and their families live in the neighborhood where we've grown strong community ties. Our two children live within 4 miles of us and our daughter got married just a few years ago.

As both Tamara and I have recently dealt with the passing of our parents, we've begun thinking about retirement and our plans for the future. We noticed that there aren't good options for retirement homes in the area. We believe that something new would be good and this project looks great. It has all of the right features, common areas, and assistance we might need.

Sincerely,

Mr. & Mrs. Daniel Saghian

June 1, 2020

Opinion Regarding Holt Avenue Assisted Living

Dear Krystal Navar,

We would like to express our support for the Holt Avenue Assisted Living Facility. My husband, his family and I are highly invested in the South Robertson Neighborhood Council, more specifically the Pico-Robertson neighborhood.

My mother and father in law live at 844 South Wooster and my husband and I own the property next to his parents at 846 South Wooster, 4 blocks west of the project. Our plan has been to move into one of the units one day so we can take care of his parents next door.

Having a quality assisted living facility in our neighborhood would be very meaningful, it is an investment for our grandparents, parents, and our future. Developments are bound to happen and I can't think of a better one that won't affect traffic count, is a quiet use and won't attract loud and rowdy young groups. It is the lowest impact development we can ask for. My parents are also close by, and when time comes, we would want our parents to age safely in the neighborhood they are a part of and in a classy, beautiful establishment with great amenities. Proximity is key because as you may have experienced, Los Angeles's population is growing exponentially and getting somewhere just 4-5 miles away can take 45 minutes, that would be a nightmare if I am trying to get to my family members in case of an emergency. Having a quality and local assisted living facility will also help financially, instead of hiring a full-time caregiver at home, having the ability to share that cost amongst other residents will be much easier financially. Lastly, I support having an assisted living facility in our neighborhood because it creates a community for the seniors, they won't have to age alone and that gives us a piece of mind knowing they aren't alone; life is too busy and hectic, the ability to be available often for our parents is getting much harder; knowing the seniors will have other residents they can socialize with is very comforting.

We don't know how anyone can have the heart to deny a project like this, it is what our community needs. We vote yes to investing in our future, for us and our family, therefore we would like to share our support for the Holt Avenue Assisted Living Facility.

Sincerely,
Brenda & Jonathan Saidfar
310-569-5856

August 10, 2020

Alexander Truong
City Planning Associate
Department of City Planning
City of LA
200 N. Spring Street, Room 763
LA, CA, 90012

3031 Tiffany Cir,
LA, CA, 90077
Shereen Tabibian

Re: New Senior Facility - Support (ZA-2020-2164-ELD-SPR)

Dear Mr. Truong,

My husband and I aren't exactly looking into retirement options yet. With two kids under three, that stage of life seems so far away. But of course, we'll all have to face it someday and currently my parents' thoughts are heading in that direction, so we're quite invested in this new proposal.

Unfortunately, the current selection of senior housing is less than ideal to put it lightly. We'd love to keep our parents in the area, as it's a joy to have our children spend so much time with their grandparents. All of us, including my siblings, live within five miles of each other. But there are so few options around here and none that are suitable for my parents' needs, so the future is quite uncertain.

This proposed facility offers a way to change that by providing a quiet, relaxing, and nurturing place for seniors to live. Not only will it be great for seniors, it will also be beneficial for the whole community. We live in Bel Air and we haven't really seen multifamily get built around here. This

would be a wonderful place for this, among apartments that are all similar in height. It's well located on the way to the 10 freeway entrance, providing easy access for visitors. It's also shorter than a new apartment building would be and less likely to bring unnecessary traffic.

This new building is well planned to suit the community and of course, the most cherished members, our seniors. We owe it to them to provide them with the best, since they built the very things that surround us now. This project is a great way to honor them as they transition into that next stage of life.

Sincerely,



Shereen Tabibian

Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street
Room 763
Los Angeles, CA, 90012

Mitra and Mayer Simanian
332 Hilgard Ave,
Los Angeles, CA, 90024

August 20, 2020
825 -837 South Holt Avenue Assisted Living – Please Approve
(ZA-2020-2164-ELD-SPR)

Alexander Truong,

As people who have spent our lives giving to the community, raising a family, and working hard, we strongly support this project. We don't want to be a burden on our children in the future. We appreciate their help, but they're not professionals and they have their own lives to live. We want to watch them grow. We don't want to weigh them down or hold them back.

That said, we also don't want to go into a facility we hate or retire in a place that feels like a punishment for getting older. We don't deserve that and neither do our friends who are also facing this same predicament. There aren't very many options for assisted living facilities in the area, and the ones we do have aren't of great quality which makes this choice tough. So far, we haven't found any good options for aging, but this new building could change that. It's going to be a great facility in a quiet location, where we don't have to worry about busy traffic. Yet there's plenty of things nearby we can do with our friends. It also offers wonderful amenities and a vibrant common area. It's in the area we know and love, so the transition won't be as

drastic. Overall, it's a facility we can see ourselves spending the rest of our lives in. It's just the kind of facility this community needs.

We appreciate your help with this,

Mitra and Mayer Simanian

June 2, 2020

To Whom It May Concern:

I have been a resident of this area for many years and I have received several offers for my property. None of them caught my attention because I am not a supporter of new multi-family properties, but this one was different. When I knew it was for senior housing, I felt more comfortable and I know it's for the better of our community.

I fully support this project and I am excited for our senior population.

Wendy Wright
837 S. Holt Avenue
Los Angeles, CA 90035
(310) 918-9175

Ira Yasnogorodsky, Esq.

843-845 South Holt Avenue

Los Angeles, CA, 90035

May 30, 2020

RE: Holt Assisted Living and Memory Care

Dear Krystal Navar, Land Use Chair:

Our family has owned 843-845 South Holt Ave Los Angeles, CA 90035 for almost 40 years, which is exactly one parcel south of the subject property. My grandma lived downstairs at 843 S. Holt Ave and my parents, sister and I lived upstairs for approximately 20 years, before we leased the apartment to others. This street and neighborhood will always be near and dear to my heart.

Although I am a big fan of Spanish style duplexes, I also recognize that Los Angeles has a severe housing shortage, especially for Baby Boomers that are retiring. I have noticed multiple projects in our neighborhood that are 4-6 stories high. It makes sense to build more housing, especially since Holt is located only blocks away from the new subway stop at La Cienega and Wilshire.

Change is never easy. I know that there will be construction noise and likely more traffic. However, I think the temporary sacrifice is worth it in the long run for our neighborhood and community.

As a result, please consider this letter as support for the Holt Assisted Living and Memory Care project.

Best Regards,

Ira Yasnogorodsky, Esq.

Re: ZA-2020-2164-ELD-SPR – My Future

825 -837 South Holt Avenue Assisted Living

August 15, 2020

Mr. Alexander Truong

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Department of City Planning

City Planning Associate

Yehouda Zargar

2520 Castle Heights Ave.

Los Angeles, CA 90034

Mr. Truong,

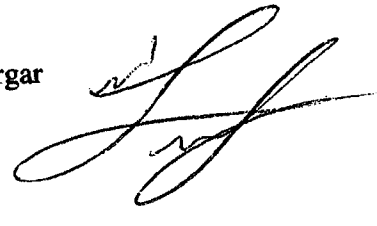
As I'm digging into my 60s, I'm pretty happy with my life. My children are successful, and off starting families of their own. My son is married and lives nearby. One of my daughters is engaged and I'm sure the other will follow soon enough. In a few years, they'll all be gone and I'm proud of them for it. Life is moving on around me, while I'm slowing down. I'm starting on a new path of life, and I certainly don't want to be the person who burdens my children as they're busy building their own future.

I'm starting to see how in the future I'll need help with things like medication, grooming, cooking, all the things I can do now on my own. I know it's getting close to that time where I'll have to move into an assisted living facility, but I haven't liked any of the ones I've seen so far. Sunrise Beverly Hills is right next to Whole Foods, meaning that it's busy and noisy. Carmel Village is old, and Watermark is dated.

This new place looks like the far better option. A decent place for seniors like myself to go that is well thought out for us. It meets so many needs from medical, to social, to providing plenty of things in the area for us to go do so we don't get bored. It's the kind of place I could see my children actually enjoying coming to visit me in, and hopefully someday they'll even feel comfortable bringing some grandchildren with them. Us seniors deserve better options, and this is the best I've seen so far. So, do us a favor and let's make this a reality.

All the best,

Yehouda Zargar



UrbanConcepts

3731 Wilshire Blvd., Suite 670
Los Angeles, CA 90010
tel 323-966-2610
fax 213-388-1678

www.urban-concepts.com

595 Piedmont Ave, N.E. Suite 320-186
Atlanta, GA 30308
tel 770-413-5875
fax 770-413-5876

Bill Christopher
Principal

October 7, 2020

Mr. Fernando Tovar, Associate Zoning Administrator
Department of City Planning
CITY OF LOS ANGELES
200 N. Spring St., Room 763
Los Angeles, CA. 90012

Re: ZA-2020-2164-ELD-SPR / 825-837 Holt Avenue
Petition from the Neighbors

Dear Mr. Tovar:

We are in receipt of the communication from Alex Truong transmitting a petition purporting to be from local neighbors. Please note that significant issues have been raised regarding the validity of the petition signatures.

A cursory look at the first page would indicate that all of the names and signatures have been written by the same two people. Much of the second and fourth pages are similar in nature.

In addition, please note the following email from Ira Yasnogorodsky to Alex Troung:

> On Fri, Aug 21, 2020 at 10:55 AM Ira Yasnogorodsky <imyasno@gmail.com> wrote:
>
> Dear Alex,
>
> My family owns the duplex located at 843-845 South Holt, one parcel south of the Eldercare project. I wrote the attached letter previously in support of the project and I spoke at the neighborhood council meetings in favor of the project. I saw a petition circulating (attached) to stop the project containing my father's name, my sister's name, and my grandmother's name. My father and sister didn't sign that petition nor were they even aware of it to authorize it to be signed by someone else. Moreover, my grandmother died in 2011.

I just wanted to call this to your attention and it's deeply concerning that someone is falsifying signatures.

Regards,

Ira Yasnogorodsky, Esq.

With regard to the issues raised in the summary of the petition, we offer the following in responses:

a. The FAR request includes a large portion of the 1st basement level, given that Building & Safety requires that we include that in the overall FAR calculation. Hence, much of the added FAR occurs below grade where it does not have an impact on the surrounding community.

b. The base density for dwelling units is 23 in the R3 zone for this site. City policy, under Proposition JJJ, allows for 70% density bonus under the adopted TOC guidelines, which raises the permitted density to 39 units. Assuming an average population density of 2 people per unit, such a building would house about 78 people vs the 80 guest rooms proposed. Hence, the proposed building will not significantly increase population density beyond a comparable TOC project.

   Also note that the resident population generally does not drive or attract a significant number of visitors.

c. There are a significant number of buildings in the surrounding community that either exceed 50 feet in height or have roof structures that extend above 50'. Two case in points among those documented by our surveyor in the attached document "Local Roof Heights". The first is the building immediately to the north of the subject site at 819 South Holt. The base roof height is 45 ft, but the projection rises to over 52.5 feet. The second case is one block over at 90p Le Doux, where the base height of the roof is 55.5 feet. Hence the requested 58' height is not a significant deviation from other examples nearby.

   At 58' tall, the building falls well within the Fire Department criteria for mid-rise buildings of less than 75' in height to floor level of the uppermost floor. In addition, the building will be built to 2019 California Building Code which specifies the seismic design criteria for the building, intended to minimize the loss of life in the event of a significant seismic event. Many of the other buildings in the local area were built under earlier codes and do not meet the stringent requirements of the current code.

d. Our redesign of the project, in concert with the Council Office, reduces the requested waiver to 6' rather than 5', providing adequate emergency access. Under most typical circumstances throughout the City, a 5' side yard provides adequate emergency access.

e. Reducing the front yard set back does not create safety concerns for pedestrians or vehicles. The building does not obstruct the sidewalk or vehicular access.

f. Again, having a building wider than 40' does not create any visibility impact or safety concerns, The building on the east side of Holt in the same block (852 S. Holt) is a building the covers three lot with a footprint similar to the proposed project.

If you have any questions, please call me.

Sincerely,

Urban Concepts



Bill Christopher
Principal

cc: D. Skolnick, CD5
A. Kleinman, CD5
D. Kianmahd
A. Brady
File

UrbanConcepts

3731 Wilshire Blvd., Suite 670
Los Angeles, CA 90010
tel 323-966-2610
fax 213-388-1678

www.urban-concepts.com

595 Piedmont Ave, N.E. Suite 320-186
Atlanta, GA 30308
tel 770-413-5875
fax 770-413-5876

Bill Christopher
Principal

October 9, 2020

Mr. Fernando Tovar, Associate Zoning Administrator
Department of City Planning
CITY OF LOS ANGELES
200 N. Spring St., Room 763
Los Angeles, CA. 90012

Re: ZA-2020-2164-ELD-SPR / 825-837 Holt Avenue
Response to Community Issues

Dear Mr. Tovar:

We are in receipt of a copy of the "Community Response" to the proposed Eldercare facility at the above referenced location in reference to the proposed eldercare residential project ("Project") located at 825-839 Holt Street ("Property") in the City of Los Angeles ("City").

We offer the following in response:

The neighbors note that "Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner."

We point to the City's adoption of Article 14.3 in the Zoning Code which provides for the "*development standards for Alzheimer's/ Dementia Care Housing, Assisted Living Care Housing, Senior Independent Housing and Skilled Nursing Care Housing, create a single process for approvals and facilitate the processing of applications of Eldercare Facilities. These facilities provide much needed services and housing for the growing senior population of the City of Los Angeles.*" As such, the City has explicitly prioritized the production of eldercare facilities and provided the means by which they are to be permitted and analyzed. This code provision, first adopted in 2003 under Ordinance 178,063, thus amended the code to allow for a uniform process to facilitate the construction of needed eldercare facilities, and to provide relief from strict zoning requirements. Some of the rationales for such relief were stated in the Planning Department staff report to the City Planning Commission

recommending the adoption of the 2003 ordinance, which include that (1) "[t]hese facilities should ·be relieved from applicable height, setback, and FAR limitations since increased floor area does not mean increased density" and intensity of use in light of the needs of the senior population; (2) "[t]he growing number of senior citizens in Southern California ... who need special living environments and services find that there is an inadequate supply of these housing types in the state," and (3) that "[b]ecause of the large percentage of floor area dedicated to common areas in ... Assisted Living Care Housing projects, such as restaurant style dining areas and large lobbies, these buildings are configured differently than most apartment buildings." (May 8, 2003 Planning Department Recommendation Report, Case No. CPC-2003-1038-CA, pp.7, 9, 12.)

1. The neighbors contend that the neighborhood is "unique". The fact of the matter is that the neighborhood is hardly unique and highly inconsistent in quality and character.

   There still remain some elements of the early Spanish mission revival fabric that dominated the community in the 1930's left in small pockets. However, the community has long been zoned R3 (going back at least to the 1980's), and the effects of that zoning classification can be seen throughout the local streets surrounding the Project site.

   The ZIMAS map of the community, which is generally bounded by Beverly Hills to the north, La Cienega Park to the east, Robertson to the west and Olympic to the south, shows that at least 50% of the properties have been redeveloped to R3 standards, including almost the entire block between Sherbourne, Gregory Way, Chalmers and Bedford, one bock west of the subject site.

   Our survey of the community identified at least forty (40) buildings within this community that have been built to the R3 standard or higher. See the attached location map, attached as **Attachment A**. We also provide photographs and a map of 12 different 4-6 story buildings within <u>two blocks</u> Project site, which include the surveyed heights of such buildings, attached to this letter as **Attachment B**.

   And now, subject to Measure JJJ, the neighborhood development pattern is changing again with the introduction of Transit Oriented Communities Incentive Guideline projects. The subject site falls within Tier 3 which promotes a 70% density bonus for the area, portending denser and taller developments within this R3 multi-family area. Thus, as demonstrated in Attachments A and B, there are a wide variety of buildings constructed over the last several decades of similar size and scale to the Project within the surrounding blocks, which reflect different design aesthetics. This demonstrates both that the Project is compatible

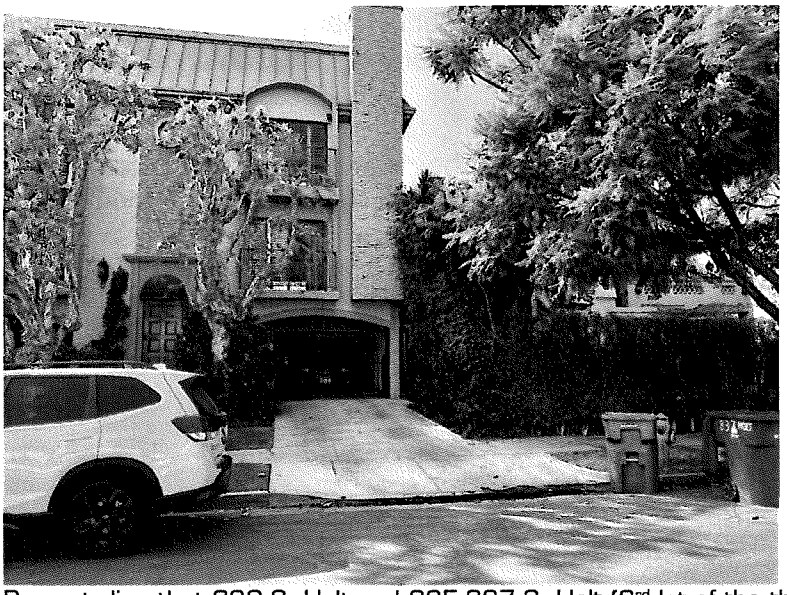
in size and scale to the surrounding neighborhood, and that the character of the neighborhood reflects many building styles and designs that have been constructed over many decades that do not reflect a uniform or unique style.

2. The tiering and articulation that the neighbors advocate is generally at odds with the current state of the built environment. None of the of the forty (40) multi-family buildings that we surveyed in the community are "tiered". All of them have facades facing the street that extend from garage to the roof.

   The developer has worked extensively with the Council Office, and the Urban Design Studio within the Planning Department, to be responsive to the neighbors regarding articulation of the façade. The resulting articulation provides for a four-layer treatment. The first layer, at the 10' set back line, is a surround at the main entry. The next layer is set back an additional foot to the face of the ground level. Above the ground level, the main façade of the building is set back an additional 12 inches. Within the main façade are recesses that break up the planes of the wall and setback an additional 18 inches, making the rear of the recesses 13' 6" from the front yard setback line.

   Nothing in the design of the building or its placement on the lot would preclude "young children who play freely on the sidewalks, riding scooters and bicycles." Nor would the size or placement of the building impact elderly residents or neighbors walking their dogs. Moreover, the Project is replacing three existing curb cuts and driveways facing Holt Street with just one, reducing by 66% the locations in which conflicts between cars and pedestrians utilizing the existing sidewalk could occur.

3. The neighbors have raised the issue of visibility for those vehicles exiting the building at 839 South Holt. Note that the proposed project has a notch in the southeast corner of the floor plan which, when added to the 6-foot side yard setback provides the necessary site distance triangle for vehicles exiting the neighboring parking garage. This design would furthermore be subject to LADOT review during the permit plan check process to ensure sufficient sight lines are maintained. That being said, there is no information provided that would suggest that this building, which contains a 10 foot front yard setback and the aforementioned building notch, would create visual conflicts causing a dangerous condition – no physical features that would cause such visual obstructions have been identified, because there are none. In fact, currently there is a hedge that blocks the view of the Project site from 839 Holt that would be removed by the Project. Accordingly, and with the proposed building notch, the Project would improve visibility and sight lines over the current condition, and thus improve safety.



Property line that 839 S. Holt and 835-837 S. Holt (3rd lot of the three lots that comprise project site) shares. Note privacy hedge that is about 10 feet high and lines 835-837 Holt side and front property line.

Of note, as noted, in response to community concerns, the Project applicant has also agreed to increase the side yard setbacks to 6 feet from 5 feet..

The mention of wildfires, while a significant factor in the history of the State and in some cases, the City as well, is not relevant, because none have ever come within miles of the subject community.

The proposed project would also be built to current Building Code (2019 California Building Code) which provides the latest, state of the art standards for fire and life safety to meet current and future safety needs. Obviously, many of the older structures in the neighborhood do not meet the same standards.

4. In response to community concerns the Project applicant proposes and would accept a voluntary condition of approval limiting deliveries to the Project to be limited to the time period of 7:00am to 2:00pm.

5. Currently the site occupies 150' of frontage along Holt Avenue, with three separate driveways, leaving street parking for about six cars, many of which belong to residents of the existing duplexes. The new development would have one 24' drive way and proposes two loading spaces (one for deliveries and one for passenger pick-up/drop-off). That will leave about 80 feet for about four local parking spaces. Since the proposed project would provide internal structured parking and will thus

no require utilization of street parking, the proposed project will not impact the availability of street parking.

6. The neighbors contend that the proposed project will not be affordable. Section 14.3.1 of the Code makes no mention of affordability or requirement to provide covenanted affordable housing, only that the project "*provide services to the elderly such as housing, medical services, or long-term care to meet citywide demand.*" The project is designed to meet a largely unmet citywide demand that is particularly acute in the surrounding community. Moreover, the project will be paying hundreds of thousands of dollars in Affordable Housing Linkage Fees. In other words, any "impact" on affordable housing availability is addressed by the Affordable Housing Linkage Fee.

7. The neighbors note a "tremendous" parking problem in the neighborhood. In that circumstance, the parking issues in the community are the same as many other neighborhoods west of downtown LA that were built out in the late 1920's and the 1930's. In that time period, the standard for pavement width in residential areas was 30' curb to curb, with some slight variations. Similarly, adjacent commercial projects were built without any parking, which puts additional pressure on local residential neighborhoods.
Given that vehicle ownership, size and usage were very different in that era, current street usage in most neighborhoods in central and western LA make for certain challenges. The subject project, as noted in #5 above, will not have an impact on the local parking availability. We believe that the parking pool (36 spaces) available within the building will more than adequately serve the demands of the building, which we note will only serve assisted living and memory care residents, which, as indicated further below, have the lowest parking demand requirements in the code. The residents, with very few exceptions, would not drive or own cars. Given the location of the Project in a Transit Priority Area, many of the support staff members would arrive by public transit. To facilitate staff's use of transit, we have added male and female showers for staff members that choose to bike to work.

   Operationally, the history of eldercare facilities shows that the visitor load on parking demand is very low. The City's analysis of parking needs for eldercare facilities resulted in a demand of .5 space for each assisted living guest room and .2 spaces for each memory care bed. The proposed project is designed to meet those standards.

   The project provides an opportunity to coordinate deliveries from a limited number of sources to the project's resident population thereby reducing the overall number of deliveries

8. The neighbors raised three issues with regard to scale, height and character. We refer back to paragraph number 2, where show that over 50% of the buildings in the overall neighborhood are larger, multi-family buildings which do not relate to "Mediterranean and Mid-Century design". The proposed is in substantially compatible with the surrounding neighborhood in scale, height and character. Please see Attachments A and B.

9. Lastly, the neighbors make the claim that the project is not "*in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan and with any applicable specific plan.*"

   The City's policy is stated in Section 14.3.1, prioritizing Eldercare development to meet a clear and serious need for such housing. By adoption of that code section, the proposed Project is in conformance with zoning and the applicable General Plan and Community Plan in the R3 zone and a Transit Priority Area among a variety of similarly scaled uses.

   Specifically, in terms of the Housing Element of the City's General Plan Framework, the project addresses the following plan policies:

   Per the City's 2013 *Housing Needs Assessment*:

   > *While the City's overall population is projected to increase by about 4.5 percent between 2010 and 2020, its senior population (65 and older) is expected to grow by approximately 45% percent during this time period (to approximately 562,992)11. By 2020, seniors are expected to account for more than 14% of the City's households, compared to 10.5% in 2010.*
   >
   > *The housing needs of seniors are particularly challenging and require special attention because of the combination of fixed incomes, physical and sensory disabilities, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Housing for seniors should provide or be located in proximity to information, transportation, social/health services, and opportunities for community involvement.*

   Per the City's 2013 Housing Goals, Objectives, Policies and Programs

   > Objective 1.1
   >
   > Produce an adequate supply of rental and ownership

housing to meet current and projected needs

9. Facilitate Housing for Seniors and Disabled Persons

Give senior and disabled housing projects preferential access to Development Services Case Management (development review service). Assist developers in developing housing for seniors and for disabled persons through streamlined land use entitlement procedures for a variety of housing types, including:

Independent Senior Housing, Assisted Living Care Housing, Skilled Nursing Care
***Housing and Alzheimer's/Dementia Care Housing, pursuant to the Eldercare Facilities Ordinance**. (emphasis added)*
Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provided. Provide expedited permitting services for senior developments through the Development Services Case Management (DSCM) program as well as the Parallel Design Permitting Program (PDPP). Also see the support of accessible design in housing unit design (Program 11), the development of supportive housing options that serve persons with special needs (5, 6, 119, and 121) and the removal of zoning barriers to health and health facilities (133).

In terms of the Wilshire Community Plan, the project addresses the following plan policies:

1-1.3 Provide for adequate Multiple Family residential development.

Program: The Community Plan Map, identifies land where Multiple Family residential development is permitted.

1-2.1 Encourage higher density residential uses near major public transportation centers.

Program: To accommodate the anticipated population increase to the Wilshire Community Plan Area by the year 2010, the Plan designates a number of increased residential density city blocks, in close proximity to the City's highest number of major public transit corridors, major bus route stops, and subway stations

The Project fulfills these goals by providing much needed eldercare housing in a well-designed, well-thought out, appropriately scaled building in an R3 multi-family zone and a Transit Priority Area.

10. The neighbor's accusation that the developer has "unclean hands" due to signing the application as "Owner in Escrow" is clearly unjustified and, in point of fact, very disturbing.

    City policy on this point has been long standing. In January of 1980, then Chief Zoning Administrator Thomas Golden wrote in ZAI #42, that "ownership" for the purposes of filing applications extended to Owners in Escrow, provided that such owners in escrow provided escrow documentation.

    The subject application was filed the Planning Department on that basis and accepted by City staff, as has been the case consistently over the past 40 years. This is a standard practice in the City, and the applicant here clearly indicated that it was in "escrow," which clearly indicates for anyone who wishes to review the file the status of the applicant with respect to the subject property. Nothing misleading or improper occurred, and the accusations to the contrary are nothing more than a misguided attempt to cast negative aspersions on the developer. The allegation is unworthy of serious consideration.

We thank you for your consideration of this project.

If you have any questions, please call me.

Sincerely,

Urban Concepts

Bill Christopher

Bill Christopher
Principal

cc: D. Skolnick, CD5
A. Kleinman, CD5
D. Kianmahd
A. Brady
File

Connect Create Collaborate

Fernando Tovar <fernando.tovar@lacity.org>

Letter- 825-837 Holt Ave ELD - ZA-2020-2164-ELD-SPR

2 messages

Daniel Skolnick (via Google Docs) <drive-shares-noreply@google.com> Thu, Oct 15, 2020 at 8:51 PM
Reply-To: Daniel Skolnick <daniel.skolnick@lacity.org>
To: fernando.tovar@lacity.org

daniel.skolnick@lacity.org has attached the following document:

Letter- 825-837 Holt Ave ELD - ZA-2020-2164-ELD-SPR

Google Docs: Create and edit documents online.
Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because daniel.skolnick@lacity.org shared a document with you from Google Docs.

Google

Letter- 825-837 Holt Ave ELD - ZA-2020-2164-ELD-SPR.pdf
118K

Fernando Tovar <fernando.tovar@lacity.org> Fri, Oct 16, 2020 at 10:27 AM
To: Daniel Skolnick <daniel.skolnick@lacity.org>

Thank you Daniel, in receipt.

Regards,

Fernando
[Quoted text hidden]
--

Fernando Tovar, Associate Zoning Administrator
Department of City Planning
T: (213) 978-1303 |
200 N. Spring St., Room 763
Los Angeles, CA. 90012

825-837 Holt Ave ELD - ZA-2020-2164-ELD-SPR

Dear Zoning Administrator Tovar,

The office of Councilmember Koretz made an effort to build consensus between the development team and the adjoining neighbors. While agreement for use was reached, the design, height, and setbacks of the building remain points of contention. As proposed, the mid-block location combined with the excessive height, reduced yards, and lack of loading zone threatened to adversely affect and degrade the adjacent properties.

Although Councilmember Koretz generally supports Eldercare facilities, the project application is requesting many deviations from the zone (including the Q condition) will cause a looming effect upon abutting properties, reduce the feeling of light and air, and congested the street due to operations without an off-street loading zone.

The Councilman recommends that the project is denied. However, If approved, it must not exceed the zoning code's building envelope on the lot. It is also requested that any approval substantially incorporate the recommendations of Urban Design Studio (UDS) to ensure the design of the building incorporates the Los Angeles Citywide Design Guidelines, and provides an off-street loading zone. Recommend conditions are provided if the project is approved:

1. No building or structure located on the subject property shall exceed (4) stories and 45 feet in height, as defined by Section No.12.21.I of the Municipal Code. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any nearby residential properties.

2. Employee shifts shall be staggered and the applicant shall provide employee incentives to encourage the use of public transportation. All staff and employees who drive to the site shall be required to park on-site.

3. All deliveries and loading and unloading shall be conducted on-site from either the parking area or the designated zone in the front of the project. The applicant

shall ensure that contracts with vendors and suppliers acknowledge this restriction.

Justifications

Eldercare Facility Unified Permit Findings of Approval SEC. 14.3.1.E .

1. The project's location, size, height, operations and other significant features are not compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety;

The project is located mid-block on a residential street with mostly 2- and 4-story apartment buildings. The project is requesting waivers for increased FAR, height, and decreased setbacks from the existing [Q]R3-1-O zone. As proposed, the project is requesting the following:

a. A maximum of 80 guest rooms, with 62 assisted living rooms and 18 memory care rooms, in lieu of the otherwise permitted 36 guest rooms pursuant to LAMC Section 12.10-C,4;
b. A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;
c. A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.
d. A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.
e. A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.
f. 5-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.
g. Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21- A,16(a)(2).

The request has been filed pursuant to the City's Eldercare Ordinance, Section 14.3.1 of the Los Angeles Municipal Code (L.A.M.C.) which authorizes the Zoning Administrator to permit an Eldercare Facility on a lot or lots located in the A 1 through R3 Zones, or in the RAS3, R4, RAS4 and R5 and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in the respective chapter, or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action subject to certain required findings. The Zoning Administrator is authorized to grant relief from the zoning regulations, including use regulations, when an Eldercare Facility is not permitted by-right in the underlying zone or when permitted by-right but the applicant seeks relief from the underlying zoning regulations. The Zoning Administrator's authority in granting relief from the zoning regulations only applies to an Eldercare Facility and not authorized to permit relief to allow other uses not permitted by the underlying zone.

The project site is comprised of three (3) rectangular parcels of land totaling 18,003 square feet (0.41 acres) The subject site has a frontage along Holt Avenue. The property is zoned [Q]R3-1-O with a land use designation of Medium Residential. The property is located within the Wilshire Community Plan Area.

As proposed, the project as proposed is not compatible and will adversely affect their quality of life by introducing a large, looming structure due to the reduce setbacks, lack of fifth floor stepback and limited facade articulations reducing light and air currently enjoyed by adjoining properties. The lack of a dedicated off-street loading zone will, incentivise circling for already limited on-street parking on Holt Avenue, a designated local street, and create operational challenges for paratransit, medical transport (non-emergency), and deliveries. Moreover, the lack of showers and changing rooms available to staff will disincentivizing the use of bicycles in addition to the already reduced on-site bicycle parking.

2. that the project shall provide services to the elderly such as housing, medical services, social services, or long term care to meet citywide demand;

The project does indeed provide services to the elderly, by providing social services, long term care, and housing to the residents. provided, such as social and physical activities and labeled as fitness and therapy rooms, as well as storage.

3. The project <u>will</u> create an adverse impact on street access or circulation in the surrounding neighborhood;

As proposed, the medical transport, paratransit, deliveries, and medical waste transport will result in an adverse impact on street access and circulation in the surrounding neighborhood. The developers are proposing to work with LADOT to introduce loading zones in front of the property. If the request is granted, the delivery and transportation vehicles will not need to block the street, however on-street parking spaces will be removed due to the new spaces. If the restriping request is not granted, delivery and transportation vehicles will be forced to circle for parking, idle in street the and attempts to load in the middle of the street may occur, causing circulation impacts to other users of the street. Holt Avenue adjoining the property to the west is a designated local street with a designated right-of-way width of 60 feet and a roadway of 36 feet.

4. The project does <u>not</u> provide for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood;

As proposed, the proposed building is not compatible with the arrangement of the other buildings on the block. The building is requesting setback waivers to build up to a 10-foot front yard setback as opposed to the prevailing 20-foot setback on the remainder of the block. In addition, the proposed building will be required to implement a Low Impact Development program on its front facade, which will further remove landscaping features. The entire front facade of the building features little articulation, which implements an imposing vertical 58-foot structure on the block.

Project deviation including the requesting the following:

A maximum Floor Area Ratio (FAR) of 5.06:1 in lieu of the otherwise permitted 3:1 FAR pursuant to LAMC Section 12.21.1;

A maximum building height of 58 feet in lieu of the otherwise maximum 45 feet pursuant to LAMC Section 12.21.1.

A continuous width of the exterior walls fronting Holt Avenue to exceed 40 feet without a change in plane as otherwise required pursuant to Ordinance No. 167,335.

A 10-foot front yard in lieu of the otherwise required 20-foot front yard pursuant to Ordinance No. 167,335.

5-foot side yards in lieu of the otherwise required 8-foot side yards pursuant to Ordinance No. 167,335.

Waiver of the long-term bicycle parking requirements otherwise required pursuant to LAMC Section 12.21- A,16(a)(2)

5. that the project is <u>not</u> in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and with any applicable specific plan.

The project proposed demolition of 3 rent-stabilized duplex dwellings, which will lead to a loss of affordable RSO housing. This is in conflict with the following Community Plan policy:

Policy 1.2.2- -Encourage and incentivize the preservation of affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing

Objective 1-3 - Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Policy 1-3.1 - Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods.

SEC. 16.05. SITE PLAN REVIEW

1. that the project is not in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;

The project proposed demolition of 3 rent-stabilized duplex dwellings, which will lead to a loss of affordable RSO housing. This is in conflict with the Housing Element 2013-2021:

1.2.2- -Encourage and incentivize the preservation of affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable Housing.

1.2.8 Preserve the existing stock of affordable housing near transit stations and transit corridors. Encourage one-to-one replacement of demolished units.

Objective 2.4 Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City. Policies:

2.4.1 Promote preservation of neighborhood character in balance with facilitating new development.

2.4.2 Develop and implement design standards that promote quality residential development.

2. that the project does not consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking

facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties;

As proposed, the proposed building is not compatible with the arrangement of the other buildings on the block. The building is requesting setback waivers to build up to a 10-foot front yard setback as opposed to the prevailing 20-foot setback on the remainder of the block. In addition, the proposed building will be required to implement a LID program on its front facade, which will further remove landscaping features. The entire front facade of the building features little articulation, which implements an imposing vertical 58-foot structure on the block. Neighbors have raised questions as to whether the project will provide enough off street parking. The developers claim that many of the property's employees will utilize transit and ride bicycles to the site, yet only 6 short term bicycle parking spaces are provided. If that is the case, then the project must provide a changing room for employees and shower if they are reliant on bicycle access. Plans do not include a light program.

3. **that any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The project does indeed propose a large amount of its space to provide recreational and service amenities to its residents. This includes dining areas, a wellness clinic, a theater, a library, a fitness center, and lounges, along with outdoor courtyards.

September 17, 2020

Mr. Truong

Department of City Planning

200 N. Spring Street, Room 763, Los Angeles, CA, 90012

Alex Shahryar

8420 Blackburn Avenue, Unit 301

Los Angeles, CA 90048

SUBJECT: Support for Senior Housing Case ZA-2020-2164-ELD-SPR Located at 825 -837 South Holt Avenue

Hello Mr. Truong,

As a resident who lives in a neighborhood similar to the Holt Avenue area, I understand the frustration with new buildings popping up all the time. I am in a part of LA that is zoned for multifamily and is seeing a ton of construction of new multi-story buildings, especially due to the new transit oriented regulations. While this can be frustrating, there are not many alternatives to deal with the housing crisis. Given this reality, I would prefer that new developments create value in our community, especially for our seniors.

We all know elders who do not have adequate familial support and would benefit greatly from a senior facility close to their families. This would make sure to maintain strong family relationships, while providing access to expert care for our elders. The existing facilities are subpar and do not meet the needs of our most vulnerable population. As a multifamily zoned neighborhood in Los Angeles, South Holt Avenue is an excellent location for such a

development. Moreover, this location is better served by a senior facility than another apartment building, primarily because it is close to Cedars Sinai and UCLA. My understanding is that the maximum height of the building is lower than that of a new apartment building under the current city regulations. Not only does this use take care of a population that needs housing options, but it also has less of an impact than other buildings that might be placed there and creates less traffic. Thank you for considering my support for the proposed development.

Sincerely,

Alex Shahryar



Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Apparent Fake Signatures on Holt Eldercare Project

Ira Yasnogorodsky <imyasno@gmail.com> Fri, Aug 21, 2020 at 10:55 AM
To: alexander.truong@lacity.org
Cc: elizabeth.garcia@lacity.org, aviv.kleinman@lacity.org

Dear Alex,

My family owns the duplex located at 843-845 South Holt, one parcel south of the Eldercare project. I wrote the attached letter previously in support of the project and I spoke at the neighborhood council meetings in favor of the project. I saw a petition circulating (attached) to stop the project containing my father's name, my sister's name, and my grandmother's name. My father and sister didn't sign that petition nor were they even aware of it to authorize it to be signed by someone else. Moreover, my grandmother died in 2011.

I just wanted to call this to your attention and it's deeply concerning that someone is falsifying signatures.

Regards,

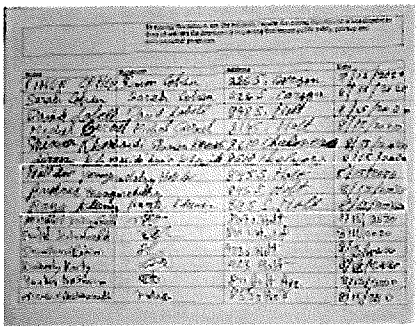
Ira Yasnogorodsky, Esq.

843-845 S. Holt Ave LLC
LY Developers Investment Co. LLC

NOTICE: This message is intended only for the individual to whom it is addressed and may contain information that is confidential or privileged. If you are not the intended recipient, or the employee or person responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use is strictly prohibited. If you have received this communication in error, please notify the sender and destroy or delete this communication immediately.

2 attachments

Holt Petition Signatures 08.15.20._Simon Cohen.jpg
2009K



Letter Supporting Holt Assisted Living Project.pdf
35K

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Fwd: Holt elder care project

Alexander Truong <alexander.truong@lacity.org> Fri, Aug 21, 2020 at 12:32 PM
To: Shuki Greer <shuki@bergergreer.com>
Cc: Aviv Kleinman <aviv.kleinman@lacity.org>

How have we not met our procedural requirements?

On Fri, Aug 21, 2020 at 12:28 PM Shuki Greer <shuki@bergergreer.com> wrote:
Alex and Aviv,

Happy Friday.

Please see the email below. It seems that there were notice issues with the SORO meeting as well, which frankly makes me concerned that there is something fishy happening with the notice that the developer is required to complete in this matter. **I request that this email be made a part of the record.**

Further, I do think this presents further evidence that should concern the city regarding the procedural requirements that needed to be met. I understand that your typical process is simply to accept the developer's list as proof of proper notice and not look into it further, but we continue to unearth additional proof that the neighborhood was not properly noticed in this case. We continue to demand that the city delay the meeting, and renew that request at this time.

Best,
Shuki

---------- Forwarded message ---------
From: **Kenneth Blaker** <kenblaker@outlook.com>
Date: Fri, Aug 21, 2020 at 12:12 PM
Subject: Holt elder care project
To: Kehoona <kehoona@aol.com>, Shuki Greer <shuki@bergergreer.com>

Dear Brad and Shuki,

As you know I am a member of the SORO NC board (and its Vice President). But I am writing this on my own behalf, and not on behalf of the board.

The proposed Holt elder care project was presented in early June to the land use committee of the board, which voted to send the matter to the General Board. The General Board met on June 22 and voted to send a letter of support for the project.

Since then I have learned 2 things that concern me.

First, that many people who live near the proposed site did not receive notice of those 2 meetings. In fact we were assured that timely notice had been sent out to all residents and owners in a 500 ft. radius. So when I learned that well over a hundred area residents within that radius have signed a petition against the waivers being sought, I was surprised and dismayed. When 5 personal friends and acquaintances told me they had not received notice, I believe them and believe that the letter of support may well have been obtained under false premises.

Second, you have shown me some case law related to location of elder care facilities and their impact on neighboring properties. The SORO board was not aware of that case law, and it is possible that this information might have led to a different outcome.

My own feelings, as I have told you directly, is that the project looks like a well thought-out and good addition to the neighborhood - but the location on a densely populated residential side street is just wrong. I would love to see that facility on one of our major streets, like La Cienega or Robertson – but I understand that location cannot be dictated to developers who can only work with the locations available to them.

I cannot guess how a vote would go if the new information I have learned were presented to the board in a 'motion to renew'. But I have seen instances where the board changed its position when presented with additional information and additional stakeholder comment.

Neighborhood Councils are established by Article 9 of the City Charter. Please note the introductory paragraph, sec. 900 which reads:

"To promote more citizen participation in government and make government more responsive to local needs, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood."

In keeping with the charter I believe it is appropriate for this matter to return to the council at the next possible board meeting, and hope we'll be given the time to make that happen. The next possible scheduled General Board meeting will be September 17.

Please feel free to forward this email to the city as part of your efforts.

All the best,

Ken Blaker

424-335-9770

--
Shuki Greer, Managing Partner
Berger Greer LLP
Attorneys At Law
468 North Camden Drive Suite 278B
Beverly Hills, CA 90210
www.bergergreer.com
Telephone: (310) 285-5355

Notice To Recipient: This message and any attachments are sent by a law firm and may contain information that is attorney-client privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail or telephone immediately, and permanently delete the original and destroy all copies of this message and all attachments.

--

Alexander Truong

Connect Create Collaborate

Alexander Truong <alexander.truong@lacity.org>

Fwd: Holt elder care project

Kehoona <kehoona@aol.com> Thu, Aug 20, 2020 at 2:44 PM
To: alexander.truong@lacity.org
Cc: aviv.kleinman@lacity.org

From: Kenneth Blaker <kenblaker@outlook.com>
Date: Thursday, August 20, 2020
Subject: Holt elder care project
To: Kehoona <kehoona@aol.com>, shuki <shuki@bergergreer.com>

Dear Brad and Shuki,

As you know I am a member of the SORO NC board (and its Vice President). But I am writing this on my own behalf, and not on behalf of the board.

The proposed Holt elder care project was presented in early June to the land use committee of the board, which voted to send the matter to the General Board. The General Board met on June 22 and voted to send a letter of support for the project.

Since then I have learned 2 things that concern me.

- First, that many people who live near the proposed site did not receive notice of those 2 meetings. In fact we were assured that timely notice had been sent out to all residents and owners in a 500 ft. radius. So when I learned that well over a hundred area residents within that radius have signed a petition against the waivers being sought, I was surprised and dismayed. When 5 personal friends and acquaintances told me they had not received notice, I believe them and believe that the letter of support may well have been obtained under false premises.
- Second, you have shown me some case law related to location of elder care facilities and their impact on neighboring properties. The SORO board was not aware of that case law, and it is possible that this information might have led to a different outcome.

My own feelings, as I have told you directly, is that the project looks like a well thought-out and good addition to the neighborhood - but the location on a densely populated residential side street is just wrong. I would love to see that facility on one of our major streets, like La Cienega or Robertson – but I understand that location cannot be dictated to developers who can only work with the locations available to them.

I cannot guess how a vote would go if the new information I have learned were presented to the board in a 'motion to renew'. But I have seen instances where the board changed its position when presented with additional information and additional stakeholder comment.

Neighborhood Councils are established by Article 9 of the City Charter. Please note the introductory paragraph, sec. 900 which reads:

"To promote more citizen participation in government and make government more responsive to local needs, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils

shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood."

In keeping with the charter I believe it is appropriate for this matter to return to the council at the next possible board meeting, and hope we'll be given the time to make that happen. The next possible scheduled General Board meeting will be September 17.

All the best,

Ken Blaker

Connect Create Collaborate

Fernando Tovar <fernando.tovar@lacity.org>

Fwd: Re: From neufeld 849 holt URGENT

2 messages

Kehoona <kehoona@aol.com> Tue, Aug 25, 2020 at 1:35 AM
To: alexander.truong@lacity.org
Cc: aviv.kleinman@lacity.org, cjholstrom@sbcglobal.net, darrell.benvenuto@gmail.com, fernando.tovar@lacity.org, nikkivescovi@gmail.com

From: Kehoona <kehoona@aol.com>
Date: Tuesday, August 25, 2020
Subject: Re: From neufeld 849 holt URGENT
To: alexander.truong <alexander.truong@lacity.org>

We will see on detailed examination what is correct. The exclusion from the phone call will show on the records.

On Monday, August 24, 2020 Alexander Truong <alexander.truong@lacity.org> wrote:
I'd like to respond to your claim that I didn't respond to your many queries with the below summary.

I'd also like to note that CD5 and the applicant have been responsive and available to you but you have chosen to not respond to the many offers to answer your questions, despite numerous opportunities and following up.

August 4: Email received and responded the same day.
August 10: Email received and responded the same day.
August 11: Scheduled phone call for project discussion; Neufeld canceled.
August 11: Provided two available phone call time slots as requested for you and other affected neighbors. No response.
August 13: CD 5 responded to inquiry for further discussion. No response.
August 16: Inquiry sent and responded the next business day. CD5 offered a meeting. No response.
August 17: List of questions provided and responded the same day with two meeting offers. Meeting not taken by Neufeld.

Thank you,
Alex

On Mon, Aug 24, 2020 at 2:19 PM Kehoona <kehoona@aol.com> wrote:

Mr. Tovar:

I reside at 849 Holt. I was on the line for 3 hours and not heard. I heard my hand being raised numerous times.

Am disabled. Attorney Greer represents the neighborhood.

It is urgent you call me. Also that i be allowed to orally comment on the record.

1) we have signed affidavits that over 40 residents did not get notice.

2) Walnut Acres and the Eldercare ordinance controls the case.

4) Over 150 people in the area petitioned against.

5) the developer has said that without exception, if there is no waiver that the facility is not feasible.

6) it is a question of location and waivers, and if you do not follow Walnuts mandate there will be serious issues. THERE IS NO WAY WITHIN WALNUT THAT THE HARM TO ADJACENT PROPERTIES is not HUGE. It is significant and material.

7) the properties were either purchased or conditioned and if not purchased there is no standing.

8)You cannot possibly make the findings unde Walnut Creek without proper notice or based on the information in the record.

9) All the claims by the developer are speculative. The surveys were not available for review and comment.

10) It is unheard of to have such a development even in the eldercare ordinance of 57 thiusand square feet on a residential block destroying the quality of life. Also, thevfindings regarding the other properties required under Walnut regarding dimunution of value and harm cannot be made without notice.

11) That i was denied comment is horrific.

12) I am aporeciate your work but rest assured we will pursue this through appeal and judicial review and that we will depose everyone in this case until the truth is reached.

13) my computer is down so i am typing on a phone, am disabled and request a conversation with you on the record as i was denied comment and your phone records will show i was on the call.

14) At 15 thousand a month or whatever huge price this is, such a project does little to help eldercare reduction. Those who can afford it could easily find other facilities.

There will be more comment, but i am pleading with you to hold another hearing and to call me back at 310 995 8918. You know as well as i that any court will toss your finding for lack of notice. The developers have themselves said that it is not feasible unless they get the waivers. Please review this carefully and call me to forestall serious review of this matter. O waited 3 hours on the line. Mr. TRUONG NEVER RESPONDED to many of my queries abd it is urgent you allow my comment.

Too ill to continue but please call me to discuss the lack of hearing me in public. I demand, respectfully, to be heard. The record will show i was on the line and was denied a hearing.

Thankyou

brad neufeld

--

LOS ANGELES CITY PLANNING

Alexander Truong
City Planning Associate
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA. 90012
Planning4LA.org
T: (213) 978-3308



Fernando Tovar <fernando.tovar@lacity.org> Tue, Aug 25, 2020 at 2:47 PM
To: Kehoona <kehoona@aol.com>
Cc: Alexander Truong <alexander.truong@lacity.org>, Aviv Kleinman <aviv.kleinman@lacity.org>, cjholstrom@sbcglobal.net, darrell.benvenuto@gmail.com, nikkivescovi@gmail.com

Thank you very much, please inform Mr. Neufeld I am in receipt of his comments. Please convey my sincerest apology for any technical issue that prevented his ability to testify at the hearing. Unfortunately, I am not able to engage in communications outside of the hearing process. As I noted, the record remains open until September 25th and any member of the public, including Mr. Neufled, may submit additional comments until the deadline.

Respectfully,

Fernando Tovar
[Quoted text hidden]
--

Fernando Tovar, Associate Zoning Administrator

Petition Opposing Requested Waivers for 825-837 S. Holt Avenue Development

Petition Summary	The developer of the proposed assisted living project at 825-837 S. Holt Avenue has requested the following waivers: a. The current **FAR (Floor Area Ratio)** is **3.1**. A ratio of **5.06** is being requested. This is over 1.5 times what is allowed for this lot/parcel of land. This creates major density issues in this area. The area is already overcrowded and experiences parking issues. These density issues can result in **more crimes, health issues, and a decreased quality of life.** b. The lot is currently zoned for a **maximum of 36 rooms.** The waiver requests **80 rooms.** This means the permitted occupancy would **increase by 122%** which would result in additional density issues in an already overcrowded area. c. The current zoning permits a **maximum height of 45 feet.** The waiver is requesting a height of **58 feet. This creates serious safety and compliance concerns**, especially given the additional setback requests (see d. and e. below). **Should a catastrophic event occur, such as an earthquake or fire, there would be major loss to life and property** as this would inhibit the ability for emergencies services, such as the fire department, to gain adequate access to provide urgently needed assistance. d. The current zoning permits a minimum **8ft side yard setback.** The waiver requests a **5ft yard setback.** **This is more than a 62% reduction, creating severe safety issues.** Should a catastrophic incident occur this will seriously jeopardize public safety as it will restrict the ability for safety services to provide critical and timely assistance. e. The current front setback is zoned for a **minimum of 20ft.** The waiver **requests 10 feet.** **Visibility would be decreased by 50%.** This would result in **serious safety concerns for pedestrians (especially children) and vehicles.** **f.** The developer wants a continuous wall structure fronting Holt Avenue to **exceed 40 feet.** This would impact the residential nature of the area and **reduce visibility and increase safety concerns.**

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
SIMON COHEN	Simon Cohen	226 S. Carson	8/15/2020
Sarah Cohen	Sarah Cohen	226 S. Carson	8/15/2020
David Lobell	David Lobell	848 S. Holt	8/15/202[illegible]
Michel Garnel	Michel Garnel	814 S. Holt	8/15/2020
Shimon Khorssidi	Shimon Khorssidi	8610 Chalners	8/15/2020
Simon Khorssidi	Simon Khorssidi	8610 Chalners	8/15/2020
Holt Lev Yasnogorodsky	Holt Lev	845 S. Holt	8/15/2020
Andrea Yasnogorodsky		845 S. Holt.	8/15/2020
Raya Kleiner	Raya Kleiner	845 S. Holt	8/15/2020
Mishel Kohen Gadol	[illegible]	809 S. Holt	8/15/2020
Rachel Kohen Gadol	[illegible]	809 S. Holt	8/15/2020
Shimshon Rechimi	[illegible]	923 S. Holt	8/15/2020
Kimberly Karty	[illegible]	923. Holt	8/15/2020
Yaakov Kesherim	[illegible]	811 Holt Ave.	8/15/2020
Mansour Chachamzadeh	[illegible]	855 S Hot	8/15/2020

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
GARY SCHREIBER	[illegible]	848 S HOLT AVE #206 LOS ANGELES, CA 90035	8/16/2020
Julie Schreiber	Julie Schreiber	848 S Holt Ave, #206 Los Angeles, CA 90035	8/16/2020
Nicolas Plouvier	[illegible]	848 S Holt Ave #206 Los Angeles, CA 90035	8/16/2020
Bojan Bojic	[illegible]	848 S. HOLT AVE #205	8/16/2020
Kenneth Markson	Kenneth Markson	848 S HOLT AVE #201	8/16/2020
Estelle Markson	[illegible]	848 S. Holt Ave #201	8/16/2020
Jill Zivley	Jill Zivley	848 S. Holt Ave # 301	8/16/2020
Emilige Rimarchet	[illegible]	8608 Gregory Way, #4	8/16/2020
Brad Hogan	[illegible]	8616 Gregory Way #1	8/16/2020
Amalia Thomas	[illegible]	859 S Le Doux	8/16/20
Demetrios Fotinatos	[illegible]	859 S Le Doux	8/16/20
Mankella Fotinatos	[illegible]	859 S Le Doux	8/16/20
Vasilis Palaiorontas	[illegible]	859 S. Le Doux	8/16/20

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
MOSES BUETO		858 S. BEDFORD ST LA #12 90035	8/16/2020
ARLENE BRAMBERG	Arlene Bramberg	840 So Bedford St LA 90035	8/16/2020
Ekaterina Golubovsky		848 #2 S. Sherbourne Dr 90035	8/16/2020
Benjamin Appel Gross		848 #2 S. Sherbourne Dr. 90035	8/16/2020
GABRIEL GERBI		846 S. SHERBOURNE DR 90035	8/17/2020
Caroline Chapman		844 S Sherbourne Dr 90035	8/17/2020

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	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
DESIREE KLEINHEIM		811 HOLT AVENUE	12 AUG. 20
DAVID KLEINHEIM		811 HOLT AVENUE	12 AUG. 20
REIHANI KUROSH		8600 gregy dray	12 Aug 20
REIHANI MOSHE HAYIM		8600 gregy dray	12, Aug 20
REIHANI YITZCHAK MEIR		8600 gregy way	12 Ay/20
Reihani Tehila		8600 Gy way	12 Ay/20
Rusita Yadidsion		8600 gregy way	12/Ay/20
Ester Saidian		817 S. Holt ave	12/ Aug/20
Sam Saidian		817 S. Holt ave	12/8/20
PHILIP DUMICAN		839 S HOLT AVE	12/8/20
Eva V. Schwyzer		814 S Holt Ave.	8/12/20
Natalie Marteney		820 S Holt	8/12/20
Caitlyn Carroll		820 S Holt ave	8/12/20
Stacy Mosier		820 S Holt ave	8/12/20
Elias marteney		820 S Holt ave	8/12/20

Mitchell

By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Jonathan Mitchell		8155 1/2 Holt	08/12/20
Stephanie Jewell		8465 Holt st	08/13/20
Alexandra Mendoza	"unable to get signature"	8610 Gregory Way	08/14/20
Sam Covarrubias	"gave permission to sign"	8612 Gregory Way	08/14/20

By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Docile Olano		849 S Holt Ave	8/13/2020
Cynthia Gonzalez-Saylor		849 S Holt Ave	8/13/2020
Bryan Saylor		849 S Holt Ave	8/13/2020
Mari Pollack		849 S. Holt Ave	8/13/2020
Harry Singh		849 S Holt Ave	8/13/2020

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Joseph M	[signature]	828 S holt ave	8-12-20
Marcelin Jurbina	[signature]	834 S. Holt Ave	8/12/20
Pedro Jurbina	[signature]	834 S. Holt Ave.	8/12/20
Elizabeth A Hines	Elizabeth A Hines	834 S. Holt Ave	8/12/20
BRENDON CADELL	[signature]	840 S. HOLT AVE	8/12/20
Lauren Todt	[signature]	840 S. HOLT AVE	8/12/20
Claire Moskowitz	[signature]	840 S. Holt Ave	8-12-20
David Moskowitz	[signature]	840 S. Holt Ave	8-12
Lisa Kosloff	Lisa Kosloff	840 S. Holt Ave. #C	8-12-20
Harry Baker	[signature]	840 S Holt Ave. #C	8-12-20
Rozita Mahgereftch	[signature]	863 S. Holt Ave	8-12/20
Ruth Sellah	[signature]	865 S. Holt Ave.	8.12/20
Avraham Sohayeh	A. Sohayeh	865 S. Holt Ave.	8.12.20
Sarah Adivi	[signature]	859 S Holt Ave.	8.12.20
Elan Adivi	[signature]	859 S Holt Ave.	8.12.20
Carla Adivi	Carla Adivi	1603 S. Shenandoah St.	8.12.20
BETH ROSENGARD	Beth Rosengard	857 S. HOLT AVE	8-12-20
JENNIFER PEDERSEN	[signature]	8567 CHAUMERS DR #A	8/13/20

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Carrie Greenberg	[illegible]	839 S. Holt Ave. #102	8/13/20
Sheida Semino	[illegible]	8558 Chalmers Dr	8/13/20
Farah Imbouli	[illegible]	8558 Chalmers Dr	8/13/20
Erik Hinrichsen	[illegible]	859 S. Sherbourne Dr.	8/13/2020
Lauren Schlanger	Lauren Schlanger	859. S. Sherbourne Dr.	8/13/2020
Rebecca Detken	Rebecca Detken	8762 Chalmers Dr.	8/14/2020
JC Robbins	[illegible]	865 S Sherbourne Dr	8-14-2020
Christian C Reitz	[illegible]	8[illegible]4 S Sherbourne BND	8/14/2020
Kaley Elliott	Kaley Elliott	8570 Gregory Way	8/14/2020

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Cheryl Holstrom	Cheryl Holstrom	842 S. Sherbourne Dr.	8/13/20
Kathy Vogel	Kathryn E Vogel	838 S. Sherbourne Dr	8/13/20
ROBERT POOL		824 S. SHERBOURNE	8/13/20
Liana Tjarksen	Liana Tjarksen	814 S. SHERBOURNE	8/13/20
Kev Kolser	Kev Kolser	8620 Gregory Way	8/13/20
Zach Pinsky		8620 Gregory Way	8/13/20
Ben Andrews		8620 Gregory Way	8/13/20
M. NASTARIN	M. Nastar	8015. Sherbourne	Apt 8.13.20
Nicole Sahimi		815 S Sherbourne	8/13/20
Ramsey Fox		" "	8/13/20
Kathryn Chittenden	Kathryn L Chit	825 S Sherbourne #201	8/13/20
Tracy Ainslie	Tracy Ainslie	839 S. Sherbourne	8/13/20
CINDY ROSS	Cindy Ross	855 So. Sherbourne #A, LA 90035	8/13/20
MARIA ELLIS		" " " "	8/13/20
Mani Merabi		854 S. Sherbourne	8/14/20

	By signing this petition, we are acknowledging and agreeing that the above are serious concerns of those living in this neighborhood.

Name	Signature	Address	Date
Renée Urman	[signature]	834 So. Sherbourne	8-13-20
Lorraine Berrin	[signature]	836 S Sherbourne Dr	8/13/20
Doug Bohner	[signature]	830 Sherbourne	8/13/20
ruben Leal	[signature]	830 South Sherbourn	8/13/20
JONATHAN KHALILI	[signature]	814 S SHERBOURNE DR	8/13/20
Vanessa Singleton	Vanessa J Singleton	801 S. Sherbourne #6	8/13/20
Nina Velasquez	[signature]	835 S. Sherbourne #4	8/13/20
FRANCISCO VIANA	[signature]	855 S. Sherbourne Dr #5	8/13/20
Shelly Lovin	[signature]	839 So. Holt #104	8/14/20
Danielle DAVIS	[signature]	858 S. Sherbourne #5	8.14.20
[signature]	[signature]	914 S. HOLT	8.14.20
[signature] Goldberger	[signature] Goldberger	900 S. Holt	8/14/2020
[signature]	Erik Goldberger	900 S. Holt	8/14/2020
Zechariah Goldberger	Zechiriah Goldberger	900 S. HOLT	8/14/2020

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Robert Gould		855 Sherbourne Dr #7	8-14-20
Jessica Powell		895 Sherbourne Dr #2	8/14/20
Rachel Chang		859 Sherbourne Dr apt 4	8/14/20
Robert Mello		842 S Sherbourne Dr	8/15/20
Chaya Garbose		8622 Gregory Way	8/15/20
LEVI GARBOSE		8622 GREGORY	8/15/20
Robin Garbose		8622 Gregory Way	8/16/20
MENACHEM GARBOSE		8622 GREGORY	8/16/20
BRAD NEUFELD		HOLT	8/15/20
Michael Gootin	Michael Gootin	848 S Holt Av	8/16/2020
Hanna Gootin	Hanna Gootin	846 S. Holt Ave	8/16/20
Murit Gootin	Murit Gootin	846 S. Holt Ave	8/16/20

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
DARRELL BENVENUTO	Darrell Benvenuto	849 S Holt Ave, Los Angeles	8/15/2020
ARLENE BENVENUTO	Arlene Benvenuto	849 S Holt Ave, Los Angeles #1	8/15/2020
BRAD NEUFELD	Brad Neufeld	849 #5 HOLT LA CA	90055
FLORA BEN POURAT	POURAT	825 S. SHERBOURN	8/15/20
ITAMAR BEN DAVID	BEN DAVID	825 S. ~~HOLT~~ SHERBOURN	8/15/20
LESTER ZARABIAN	ZARABIAN	819 S. HOLT	8/15/20
SHIMON ZARABIAN	ZARABIAN	819 S. HOLT.	8/15/20
Jeff presser	[illegible]	925 S. HOLT	8/15/20
ABBEY PRESSER	[illegible]	925 S. HOLT	8/15/20
FAHRAHNAZ OMRANI	F. O	8570 GREGORY WAY	8/15/20
BEHROOZ OMARANI	B. O	8570 GREGORY WAY	8/15/20
ELAINA OMARANI	E. O	8570 GREGORY WAY	8/15/20
Elizabeth Shannaga	[illegible]	1042 - #2 Holte	8/15/20
FARAZ OMARANI	F. O	8570 GREGORY WAY	8/15/20
Tefiat Chachamzade	Sd	855 S Holt	8/15/2020

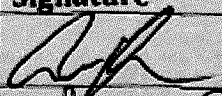
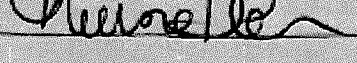
	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Evan LeVine		839 S. Holt Ave. #101	8-15-20
Christine Krause		839 S. Holt Ave #101	8/15/20
Jeffrey Miller		839 S. Holt Ave #105	8/15/20
Ambar Kaiser		839 S. Holt Ave #105	8/15/20
Brian Lew		839 S. Holt Ave. #106	8/15/20
Nikki Vescovi (NV)	Nikki Vescovi	839 S. Holt Ave #107	8/15/20

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
Traci Tanner		8565 Chalmers Dr. #1, LA, CA 90035	8/13/2020
Brian J McCombs		8567 Chalmers Dr #1 LA 90035	8/13/20

	By signing this petition, we, the residents, request the zoning department of Los Angeles to deny all waivers the developer is requesting that impact public safety, privacy, and environmental protection.

Name	Signature	Address	Date
ERIC INNOCENTI		8608 Gregory Way #1 LA, CA 90035	8/16/2020
Melinda Sobel		8608 Gregory Way #1 LA CA 90035	8/16/2020

APPENDIX 1:

Composition of Holt Properties

(Both sides of Holt - properties between Chalmers and Gregory Way)

2-Story Buildings

863 (Duplex)
8567 (corner of Chalmers/Holt)
859 (Duplex)
855
824 (Duplex)
849
844
843
840
837 (Duplex)
834
829 (Duplex)
828
825 (Duplex)
824 (Duplex)
820 (Duplex)
817
814
811

3-Story Buildings

848
839
8570 - corner of Gregory and Holt

4-Story Buildings

819

Single-Story Family Home

Corner of Gregory and Holt (no physical address posted)

Case # ZA-2020-2164-ELD-SPR

825-839 Holt Eldercare Community Response

Applying the "strict application" of land use regulations on the subject property would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations in our neighborhood.

Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large and are meant to enhance the general welfare rather than to improve the economic interests of any particular property owner.

They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic; the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of neighbor property; the effect of the permitted use on land in the surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners. This zoning laws are not being adhered to in this case, resulting in a deleterious impact to our community.

In reference to Findings for Approval. (Amended by Ord. No. 182,095, Eff. 5/7/12.) The Zoning Administrator shall not grant the approval unless he or she finds that the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

1. That the project's location, size, height, operations, and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety:

The proposed mid-rise project is in the middle of an established low-rise neighborhood predominantly comprised of two and three-story duplexes and apartment buildings (refer to Appendix 1and the attached property pictures) that are built on single lots. The project is incompatible with, and shall adversely affect, adjacent properties, the surrounding neighborhood, and the public, health, welfare,

and safety of the homeowners and renters that have resided in this community for decades.

The owner of 828/830 Sherbourne Drive and 834/836 Sherbourne Drive (two adjoining duplexes) lives directly behind the proposed site. She has lived in this community for over 50 years. This project would loom over her property and will completely block her light. The new project is best described by one neighbor, Rabbi Kesherim, who explained to the Senior City Planner that it would look like, "an elephant in a bird's nest" as it is plopped in the center of the block.

The character of this community is unique. The one existing modern four-story building on Holt is incongruent with the neighborhood of Spanish Revival Architecture. At least that building is toward the end of the block, not smack in the middle, and not encompassing three lots. As designed, this is a monolith from all angles. This should adhere to the existing City Planning Guidelines. Tiering and articulation would be important to making this more congruent with the envelope of the community. Light and air to breath would allow this to be more compatible with the community.

The project does not fit the land space as it would narrow the setbacks between the adjacent buildings (please refer to the pictures to see existing setbacks, which are often larger due to driveways between structures). Additionally, the fire hazards are a concern given the destruction of property occurring with existing raging wildfires.

The front setbacks would affect all pedestrians. This neighborhood is comprised of young children who play freely on the sidewalks, riding scooters and bicycles. There are also many elderly residents that would be impacted, as well as neighbors walking their dogs. It would be tragic for someone to be unfortunately injured in the community. Given the existing traffic and parking on the street (please refer to pictures) it is already a challenge with the visibility of pedestrians. Adjoining properties, such as 839 S. Holt, need to be able to back out of the driveway, so this causes additional concern.

The daily deliveries such as food, medical supplies, and other items that are necessary to support this project are also of concern. Medical emergencies are also inevitable and will impact the existing peaceful community. Conditioning the hours of deliveries outside of 11pm to 7am is critical in the residential neighborhood. It will also be critical that all deliveries occur within the premises. Street parking is already extremely limited. At 7am in the morning there will be no spaces on the street for a vehicle to

park and if vehicles are double-parked this will contribute to adverse traffic flow at a critical time.

There will also be a loss of the old, established trees on the existing properties from 825-837 S. Holt, which add character to this neighborhood.

2. That the project shall provide services to the elderly such as housing, medical services, or long-term care to meet citywide demand:

Though it provides services to those individuals living at the facility this comes at the cost of existing community where it will create even greater density issues and impact the lighting to all adjacent properties. The project shall provide services to the elderly, but only those who can afford maximum rental with bocci ball courts and an outdoor entertainment space that will provide concerts that the whole neighborhood will hear. There will be no affordable care, which is what is truly needed for the elderly. Those who have the money to pay for such a facility would be able to hire private in-home caregivers where they could have a longer and better life than in a facility.

3. The project shall not create an adverse impact on street access or circulation in the surrounding neighborhood:

This project will have an adverse impact on street access and circulation in the surrounding neighborhood with delivery trucks, ambulances and visitors coming and going and parking. Onsite parking for deliveries is not provided. The developer suggested having a loading zone in front of the building which is appropriate for a commercial, not a residential setting.

There will not be enough spaces for workers and visitors, especially during holiday seasons when the community also has visitors.

There is already a tremendous parking problem in this neighborhood as there is a nursing school a few blocks away at Gregory Way and La Cienega that has no parking lot. These students regularly show up at 6am and park their cars on our streets for free, waiting for someone to leave so they can find a space. They then sleep in their cars until the school opens to ensure that they have a spot every day.
Also, because we are so near to Wilshire Boulevard, many people park their cars on our streets for free and walk to their doctor's offices on Wilshire.

For the last three years, all the construction workers park their vehicles and taking up any remaining spaces. When we leave for work, or simply go to the market and return, our space is gone leaving us to park on other surrounding blocks.

Additionally, it is important to note that Holt Avenue is a narrow street and when two cars are driving in different directions there are incidents of being sideswiped as has happened to several individuals in the neighborhood.

4. That the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood:

As stated above, the project will not be compatible with the scale and character of the adjacent properties and surrounding neighborhood. There is nothing comparable in the neighborhood in relation to:

1) The scale - consuming 3 single lots with reduced setbacks - both front and side yards
2) Exceeding height with no offset in elevations to reduce the oversized, block-like structure
3) Character - it does not lend itself to the architectural character of the existing Mediterranean and Mid-Century design so that it blends into the neighborhood. Rather the project projects a commercial hotel-like look, sitting up against the parkway in front of the property.

5. That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan and with any applicable specific plan.

The project is not in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan and with any applicable specific plan of a quiet residential neighborhood. Just ask our Councilmember Paul Koretz. Given everything that has been stated above, and evidenced by the additional documents provided, the project does not conform with any of the criteria being presented allowing waivers to be granted on this project.

Again, zoning laws are intended to promote the health, safety, welfare, convenience, and prosperity of the community at large and are meant to enhance the general welfare

rather than to improve the economic interests of any particular property owners. They are designed to stabilize neighborhoods and preserve the character of the community. When enacting zoning ordinances, a municipality takes many factors into consideration. The most significant are the density of the population; the site and physical attributes of the land involved; traffic, the fitness of the land for permitted use; the character of the neighborhood in the community; the existing uses and zoning of the neighbor property; the effect of the permitted use on land in surrounding area; any potential decrease in property values; and the gain to the public at large weighed against economic hardships imposed on individual property owners.

Given everything that has been listed above, the project does not confirm with any of the criteria presented for waivers to be granted on this project.

To conclude, this developer comes with "unclean hands" asking for deviations from the zoning regulations that should be denied. He has perjured himself by signing documentation that he is the owner of the 3 duplexes that he plans on demolishing when, in fact, he is not. He is not to be trusted and if this is granted there will be more and more issues and problems down the line.

Thank you. Our trust is in your hands. Do not let us down.

Armin Rafiee
317 S. Holt Ave Unit PHE
Los Angeles, CA 90048

April 19, 2021

RE: ZA-2020-2164-ELD-SPR

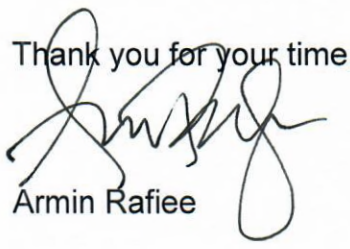
To APC,

My family moved to Los Angeles from Iran in 1988. I've lived in Council District 5 ever since then, and currently live in the area close to my family members and friends. I love the Pico-Robertson area, and was excited to hear that we might be getting a new assisted living facility that would better serve our seniors than the other facilities currently do. As a board member of my HOA and a property owner, I understand how important it is to build new housing to help address the current housing shortage, and you couldn't ask for a better building than an assisted living facility that would also address the community's need for better housing for our elders.

Therefore, I was shocked to hear that some members of the community oppose this project. I was even more saddened to learn of the deceitful ways they've tried to keep this project from coming to fruition. A petition signed by a deceased individual was created, making them and the community as a whole look bad. So, I wanted to readdress this issue and express my continued support.

These people with those shameful practices do not represent our community. So many of us wish to see the elderly cared for in the best possible way, and this new facility would be another great way to provide them with a wonderful quality of life, which is something everyone deserves. I've stood by this project from the start, and I've only become more convinced that it would be so beneficial to this community. Please, listen to those of us who truly care about the community and all its people, rather than being driven by solely selfish interests. Most of us wish to see this facility come to fruition, and we'll all be eagerly awaiting your answer.

Thank you for your time,



Armin Rafiee

Armin Rafiee
317 S. Holt Ave Unit PHE
Los Angeles, CA 90048

June 1, 2020

RE: SUPPORT FOR HOLT AVE SENIOR HOUSING PROJECT

To Krystal Navar / Land Use Chair:

My name is Armin Rafiee, and I want to share a little about myself to you. When my family moved to Los Angeles from Iran in 1988, we moved to a small apartment at 1431 S. Holt Ave when I was 2 years old. My parents still live there. I have essentially lived in Council District 5 my entire life, and I currently live just a few moments away in a condominium on Holt and Burton way with my wife who is pregnant with our first child. Furthermore, my brother lives just a few blocks away on 1486 Rexford. As you can see, we are a close-knit family, and living within the same vicinity is paramount to keeping our close ties.

Growing up in the Pico-Robertson area, I had the privilege of making life long friends who all live within close proximity. Living here is not only a part of my identity, but I plan on raising my kids in this area so they can be close to their grandparents, uncles, and experience the roots from which I grew up in.

To further my commitment to the neighborhood, I am closing on a new house next week, which is just south of my condo, and only 7 blocks west from the proposed project for the assisted living facility.

I am writing to you to express my excitement for this project. First of all, we need more housing in this area. More housing means less homelessness. As a board member of my HOA, we have expressed countless times to the city councils office over and over again about the homeless encampment right across my condo on Holt between 3rd and Burton Way. This homeless encampment is a threat to my family as they conduct in illicit behavior and make it a less desirable for me to walk with my family around our own neighborhood in fear of getting attacked or harassed. More housing would help mitigate this issue.

As a property owner, I understand that not all development is good for us, but this project for sure is. It is providing assisted living for an area that has so many seniors—my parents being amongst them. Our community desperately needs it. I worry about my parent's living situation as they are approaching their 80's. They still reside in the same apartment they moved in 32 years ago, and they have a hard time walking up and down the stairs to get to their unit. I could see them living here one day, just moments away from their children and grandchildren. This would drastically enhance their quality of life as their family is everything to them.

I know Pico-Robertson very well, especially this part. I grew up playing in La-Cienega park, and have very fond memories there. There are so many 4, 5, or even 6 story buildings, but the proposed project is only 5 stories. The parking seems reasonable, and the rooftop faces the inside, so the likelihood of noise complaints is unlikely. Also, seniors don't drive, so this will minimize the traffic in the area.

I hope this letter will influence your decision of approving this project, as it will effectively influence the quality of my life and my parents life.

Thank you in advance for your consideration,

Armin Rafiee

Connect Create Collaborate

Planning APC Central <apccentral@lacity.org>

FW: 825-837 Holt Eldercare - Case No: ZA-2020-2164-ELD-SPR-1A - 839 Holt Yard Signage

1 message

nikkiv@att.net <nikkiv@att.net> Mon, Apr 19, 2021 at 12:06 PM
To: Planning APC Central <apccentral@lacity.org>
Cc: Alexander Truong <alexander.truong@lacity.org>, Cheryl Holstrom <CJHOLSTROM@sbcglobal.net>

Please confirm receipt.

Thank you,

Nikki Vescovi

(310) 801-7995

From: nikkiv@att.net <nikkiv@att.net>
Sent: Monday, April 19, 2021 7:44 AM
To: 'Alexander Truong' <alexander.truong@lacity.org>
Cc: 'Cheryl Holstrom' <CJHOLSTROM@sbcglobal.net>
Subject: 825-837 Holt Eldercare - Case No: ZA-2020-2164-ELD-SPR-1A - 839 Holt Yard Signage

Mr. Truong,

Please add these pictures to the case file for 825-837 Holt Eldercare - Case No: ZA-2020-2164-ELD-SPR-1A and ENV-2020-2165-CE.

Attached is a copy of the yard signage for the property at 839 Holt agreeing with the Eldercare use and opposing the deviations/waivers/exceptions.

.

Regards,

Nikki Vescovi

Co-Chair, Sherbourne Eldercare Neighborhood Community Response Team

839 S. Holt Avenue #107

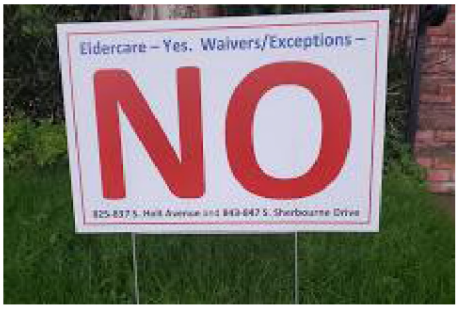
Los Angeles, CA 90035

Mobile: +1 310 801-7995

2 attachments



839 Holt Avenue - Yard Signage.jpg
5324K



Yard Signage.jpg
1195K


801
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


809
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


Eldercare – Yes. Waivers/Exceptions –
NO
364

839

839

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


839
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

840

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

DAM

EPING

7005

859

857

Eldercare – Yes, Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


865
865
863
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

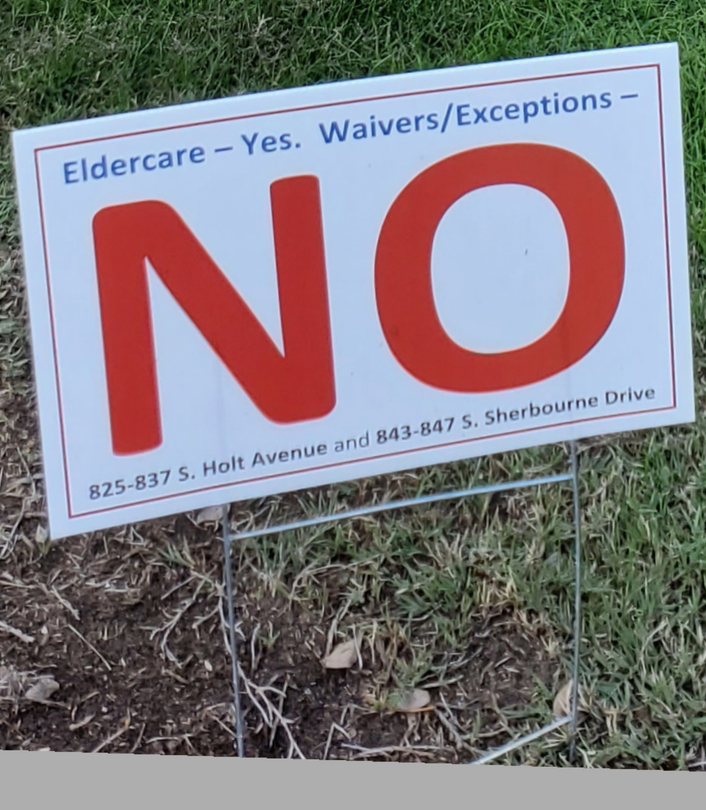

867
STREET LIGHTING
HIGH VOLTAGE
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


1900
902
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


865
865
863
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


867
STREET LIGHTING
HIGH VOLTAGE
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


1900
902
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


8620
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

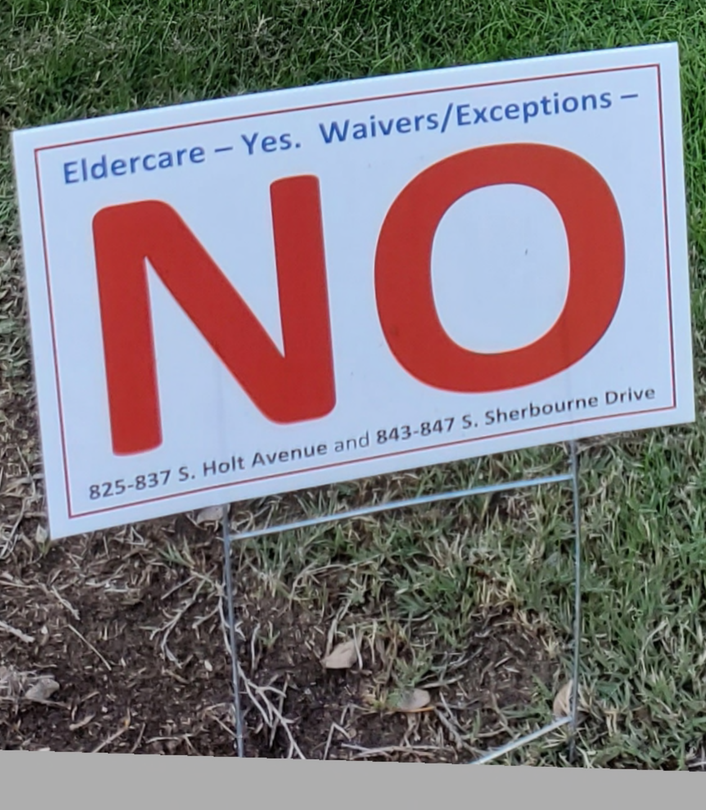
227

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


801
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

Eldercare – Yes. Waivers/Exceptions –

NO

825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive


8620
Eldercare – Yes. Waivers/Exceptions –
NO
825-837 S. Holt Avenue and 843-847 S. Sherbourne Drive

Connect Create Collaborate

Planning APC Central <apccentral@lacity.org>

Holt Assisted Living Support

1 message

Debra Kanoff <dskanoff@gmail.com> Fri, Apr 2, 2021 at 5:32 PM
To: apccentral@lacity.org
Cc: Paul.koretz@lacity.org, joan.pelico@lacity.org, alexander.truong@lacity.org, elizabeth.garcia@lacity.org

April 2, 2021

APC Council Office
200 N Spring Street,
Suite 440
Los Angeles, CA
90012

Greetings APC Council Members,

I'm writing to express my support for the proposed senior housing center, a facility that the Pico-Robertson area desperately needs. There are very few options for quality senior housing in the area, so we need to build more facilities to give our seniors their best shot at living out a fulfilling retirement.

I know there is some opposition, but I think the complaints are misguided and come from a place of misunderstanding.

Senior centers are quiet, respectful, and delightful neighbors. I know this because I live right across the street from the Belmont Village in Westwood. In fact, my 99-year-old mother-in-law has enjoyed living at Belmont Village Westwood for the past three years. When my husband and I walk across the street to visit with her, we are frequently struck by the low number of outside visitors at the Belmont.

Senior living housing such as Belmont Westwood is a quiet use that does not increase the amount of traffic in the area. Very few cars enter and exit the Belmont Westwood parking lot on a daily basis. In fact, contrary to the unfounded concerns raised in connection with the proposed senior housing development in the Pico-Robertson area, I rarely see or hear ambulances at the senior housing across the street from my home. This is in stark contrast to the relatively frequent noise and police vehicles that get called to apartment buildings and single-family residences.

Finally, I fully support the proposed Pico-Robertson project because it will be smaller and shorter than buildings permitted by the current neighborhood building codes. Therefore, due to its scale alone, it will have a much smaller impact on the immediately surrounding area. Seniors are typically quiet, peaceful neighbors to have, that bless their communities with wisdom and the kindest interactions. I can't imagine any other building that could be a better choice.

Thank you,

Debra Kanoff

Planning APC Central <apccentral@lacity.org>

Recordings for ZA-2020-2164-ELD-SPR Case File

2 messages

Daniel Kianmahd <dk@accesspanorama.com> Thu, Apr 15, 2021 at 5:54 PM
To: "apccentral@lacity.org" <apccentral@lacity.org>
Cc: Alexander Truong <alexander.truong@lacity.org>, "Andrew Brady (andrew.brady@dlapiper.com)" <andrew.brady@dlapiper.com>

Please include the following recordings from the August 24, 2020 telephonic zoning administrator hearing in the case file: https://www.dropbox.com/t/spu9g4FH4XY6gXIT

The recordings are labeled according to when they started but please note that these are just portions of the hearing, not the entire thing.

Please confirm receipt.

Thank you.

Danny Kianmahd

Principal

Panorama Senior Housing

9171 Wilshire Boulevard, Suite 500 *note new address

Beverly Hills, CA 90210

O (323) 546-4994 | M (310) 922-6955

dk@accesspanorama.com

www.accesspanorama.com

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Daniel Kianmahd <dk@accesspanorama.com> Mon, Apr 19, 2021 at 2:54 PM
To: "apccentral@lacity.org" <apccentral@lacity.org>
Cc: "Andrew Brady (andrew.brady@dlapiper.com)" <andrew.brady@dlapiper.com>

Hi,

As there is a deadline today, I am writing to verify that the recordings were retrieved from the Dropbox link below. Please kindly confirm as soon as possible. Thank you.

Danny Kianmahd

(310) 922-6955

dk@accesspanorama.com

[Quoted text hidden]

April 18, 2021

Area Planning Commission

200 N Spring Street, Suite 440

Los Angeles, CA 90012

Bobby Daftari

1500 Westholme Ave

Los Angeles, CA,90024

ZA-2020-2164-ELD-SPR(825 South Holt Avenue)

Area Planning Commission:

I was disappointed to hear that some members of the community oppose the proposed senior center. Based off the derogatory remarks made at the hearing about seniors living with dementia, I think this comes from a place of misinformed bias, which is unfair for the seniors this would benefit from this facility. Therefore, I'd like to again express my support for this project and remind you how important this building is.

As a doctor with aging parents, I see firsthand the struggles the elderly deal with as they age. There aren't a lot of great options for senior care in the area, leaving seniors to stay in their homes much longer than they should, resulting in a wide range of issues that could be prevented with the proper care. Unfortunately, when health problems associated with aging go unnoticed for too long, it can be too late to save patients by the time they get the professional medical they need.

This could be prevented by seniors getting the proper care and attention they need as problems start to arise, keeping them from becoming untreatable. The staff at senior centers are trained to notice these sort of things as those first signs appear, resulting in them noticing those dangerous changes far before the average person would.

Another issue I often see among the elderly population is complications brought about by loneliness. As people age, they often have trouble going out and doing the things they used to do. They can't visit people as easily, they no longer have careers that allow them to interact with co-workers, and they must endure the heartbreak of losing many of the people they grew up with. This can result in a sense of isolation that's dangerous to our seniors. Loneliness causes health issues such as increased risk mortality, depression, cognitive decline, dementia, high blood pressure, and a number of other conditions.

The issue of loneliness is effectively combatted by seniors moving into housing specifically designed for them. It allows them to be among others who are experiencing similar struggles and it allows them steady companions. They're provided activities to do which helps battle depression. In a world that's often too busy to interact with our seniors on the level they require, senior housing slows down a bit to fully address the elderly's unique needs.

This new center would be a great resource for our seniors, so I hope you fully consider their needs and approve this project.

Regards,



Bobby Daftari

April 16th, 2021

Alexander Truong

Area Planning Council Office

200 N Spring Street, Suite 440

LA, CA, 90012

Dan Daftari

10701 Wilshire Blvd, UNIT 701

LA, CA 90024

ZA-2020-2164-ELD-SPR (Support)

825 -837 South Holt Avenue

APC Council,

When my brother told me about this senior center, I couldn't see why anyone wouldn't approve it or agree that it would benefit the community. It makes sense to me that if someone wants to provide our area's seniors with a nice home to live in, they should be able to do so. But I guess there's been some pushback from a few people who live around here, so I'm writing again to remind you about the benefits of building this center.

I don't know a lot about senior care, but I do care about my aging parents and I hope they have good options for care as they get older. So far, it doesn't look great. So, I hope this center gets approved because at least then we know that there's a safe, well built place for them to go to once they need it.

I'm also around the age where I'm interested in buying a house in the future, so I know a little more about that. Buying a house in this economy is an intimidating prospect. It's made worse by living in an area that's experiencing a shortage of available housing. Building a new senior center would help address that shortage by offering a bunch of seniors a place to live, freeing up a wide range of new houses for others to live in. It would benefit both the older generation and the younger one. It just

seems like the best choice, without really any drawbacks. So, I hope to see it built and I hope you'll take us all into consideration as you make your decision.

Thank you,



Dan Daftari

DLA Piper LLP (US)
550 South Hope Street
Suite 2400
Los Angeles, California 90071-2618
www.dlapiper.com

Andrew Brady
Andrew.Brady@us.dlapiper.com
T 213.694.3108
F 310.595.3406

April 19, 2021
VIA EMAIL

Honorable Members of the Central Los Angeles Area Planning Commission
c/o Etta Armstrong, Commission Executive Assistant
City Hall
200 North Spring Street
Los Angeles CA 90012
Email: apccentral@lacity.org

Re: Case No. ZA -2020-2164-ELD-SPR
Applicant's Response to Appeals by: (1) Nikki Vescovi; and (2) Cheryl Holstrom

Honorable Members of the Planning Commission:

Nikki Vescovi, on behalf of Shelly Lavin, Kyle Miller, Jeremiah Loeb, Andrea Ward, Erica Goldberg, Angela Efros, P. Dumican and Cheryl Holstrom (collectively "Appellants") have filed two separate appeals to the letter of determination, dated February 9, 2021 ("LOD") issued by the Zoning Administrator ("ZA") approving with conditions an Eldercare Facility Unified Permit pursuant to Los Angeles Municipal Code section 14.3.1 and Site Plan Review under LAMC section 16.05 ("Project"). The Project is located at 825 - 832 Holt Avenue in the City of Los Angeles ("City").

Under the City's eldercare ordinance ("Eldercare Ordinance") Los Angeles Municipal Code ("LAMC") section 14.3.1-B, the ZA may issue an Eldercare Permit to an eldercare project on any property in an R3 zone that does not meet the strict standards of the zone.

The purpose of the Eldercare Ordinance is to amend the code to allow for a uniform process to facilitate the construction of "much-needed" eldercare facilities and to establish new housing types into the Zoning Code necessary to serve the needs of seniors, including Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and Alzheimer's/ Dementia Care Housing. (LAMC § 14.3.1-A; **Attachment A**,[1] Los Angeles Department of City Planning Technical Bulletin No. 21, 3/21/14; **Attachment B**, 10/4/2013 Planning and Land Use Commission Motion.)

Providing relief from the strict application zoning requirements was necessary because those restrictions made constructing eldercare facilities difficult given the particular space needs of such facilities that exceed those of typical multi-family development, including staff areas and offices, extra amenities, restaurant style dining areas, large lobbies, large hallways, and specific layouts to ensure supervision and access. (Id., *see also*, **Attachment C**, May 8, 2003 Planning Department Recommendation Report, Case No. CPC-2003-1038-CA, at pp. 7, 9, 12.) In light of these difficulties, the City noted that there is a

[1] Please see concurrently provided Joint Appeal Response Attachment Package.

shortage of eldercare facilities in the City, and the intent of the Eldercare Ordinance is to ensure the critical need for such facilities would be met by enabling more facilities to be constructed. (Id.)

As explained further below, the LOD approving the Eldercare Facility Unified Permit is well supported by substantial evidence in the record. The Appeals, on the other hand, rely on substantiated opinions and conclusions, which do not constitute substantial evidence and do not support overturning the ZA's approval of the Project. Accordingly, the LOD and its findings should be upheld and adopted by the Commission, and the Appeals should be denied.

I. Applicable Standard of Review:

A ZA's decision approving an Eldercare Facility Unified Permit is a "quasi-administrative action," which a court would review under the administrative mandamus procedures pursuant to Code of Civil Procedure section 1094.5. (*Neighbors in Support of Appropriate Land Use v. County of Tuolumne* (2007) 157 Cal.App.4th 997, 1005.) In such a circumstance, "the trial court reviews the whole administrative record to determine whether the agency's findings are supported by substantial evidence and whether the agency committed any errors of law." (*Id.*; *Walnut Acres Neighborhood Ass'n v. City of Los Angeles* (2015) 235 Cal.App.4th 1303,1313.)

In applying the substantial evidence test, "reasonable doubts must be resolved in favor of the decision of the agency." (*Breakzone Billiards v. City of Torrance* (2000) 81 Cal.App.4th 1205, 1244.) A court "may reverse an agency's decision only if, based on the evidence before the agency, a reasonable person could not reach the conclusion reached by the agency." (Id.)

In quasi-judicial administrative actions, "substantial evidence" is defined as evidence of "ponderable legal significance ... reasonable in nature, credible, and of solid value [and] ... relevant evidence that a reasonable mind might accept as adequate to support a conclusion." (*Desmond v. County of Contra Costa* (1993) 21 Cal.App.4th 330, 334-335.)

II. Financial Hardship is Appropriate to Support An Eldercare Permit Hardship Finding Under Mandatory California Court of Appeal Case Authority

Appellants assert that a finding of financial hardship "is irrelevant to any of the findings for approval of this property and its required deviations" and that the ZA abused its discretion by finding that the requested deviation from the LAMC are necessary to enable a financially viable eldercare facility. Appellants are incorrect.

Pursuant to LAMC section 14.3.1, the purpose of an Eldercare Facility Unified Permit is to "create a single process for approvals and facilitate the process of applications of Eldercare Facilities. These facilities provide much needed services and housing for the growing senior population of the City of Los Angeles." (LAMC § 14.3.1.A.)

Due to the critical need for licensed and supervised senior care, an Eldercare Facility is permitted even when it "does not meet the use, area, or height provisions of the respective zone" where the ZA finds, amongst other things, "that the strict application of the land use regulations on the subject property would result in practical difficulties or **unnecessary hardships** inconsistent with the general purpose and intent of the zoning regulations." (LAMC §§ 14.3.1.B and 14.3.1.E (emphasis added).) "Although the test includes both "practical difficulties" and "unnecessary hardships," the focus should be on "unnecessary hardships" and not "practical difficulties," which is a lesser standard. (*Walnut Acres Neighborhood Ass'n, supra,* 235 Cal.App.4th at 1305.)

Courts have consistently held that "unnecessary hardship" as used in the LAMC constitutes "financial hardship." (*Walnut Acres Neighborhood Ass'n v. City of Los Angeles* 235 Cal.App.4th at 1314.) In *Walnut Acres Neighborhood Ass'n*, the Court of Appeal held that financial hardship is "sufficient for purposes of obtaining a permit under section 14.3.1 to show unnecessary hardship . . . ." (*Id.*) There must be substantial evidence that strict application of the land use regulations "could not be profitable" or that "the profit would be so low as to amount to 'unnecessary hardship.'" (*Id.*; *Stolman v. City of Los Angeles* (2003) 114 Cal.App.4th 916, 925.)

Appellants do not provide any authority or citation for its claim that "financial viability is irrelevant to any of the findings for approval of this property." Instead, a showing of financial hardship is expressly required under the code and applicable case law.

As set forth in the LOD, the Applicant submitted a financial feasibility analysis, prepared by The Concord Group ("TCG"), dated August 14, 2020, demonstrating substantial evidence that the project is not feasible unless constructed as proposed. (LOD, pp. 23-27.) TCG analyzed two development scenarios: (a) an Eldercare development utilizing the current zoning; and (b) an Eldercare develop utilizing the proposed variances, including increases resulting in 57,680 sf of floor area and 80 guest rooms. Based on a detailed return-on-cost financial model supported by a market study, costs from general contractor bids and relevant site background materials, TCG concluded that strict application of the current zoning would render the Project infeasible and thus amounted to an unnecessary hardship. "Without the requested variances, an eldercare facility could not be built." (Financial Feasibility Analysis, dated August 14, 2020, p. 2.) On the other hand, the Project as proposed would be just slightly over the minimum threshold return for a financially feasible Project. (*Id.*)

This substantial evidence is enough to uphold the ZA's hardship finding standing alone under controlling case law. (See *Breakzone Billiards*, 81 Cal.App.4th 1244 ["[C]ourts review such adjudicatory planning actions under the substantial evidence standard, looking to the administrative record to determine whether the agency's decision is supported by substantial evidence and whether the findings of the agency support the decision made."]) Accordingly, the Appeal's claim that the ZA's hardship finding was invalid and/or irrelevant lacks merit and should be denied.

III. The ZA Appropriately Found The Project Is Compatible With The Neighborhood

The Appeals assert that the Project's location, size, height, operations, and other significant features are not compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety. Namely, Appellants complain that the height and massing of the Project is inconsistent "with the envelope of this community"; that the ten foot front yard setback would compromise pedestrian's ability to use the sidewalks; and food deliveries to elderly residents as well as medical emergencies would disrupt the existing peaceful community.

The shortage of state-licensed senior care facilities, particularly in Los Angeles, is severe and fails to meet the increased demand for supervised senior care as the community ages. Due to the critical need for licensed senior care, LAMC section 14.3.1 authorizes the ZA to allow an Eldercare Facility even "**when an Eldercare Facility does not meet the use, area, or height provisions**" of its zone, "or the requirements of any specific plan, supplemental use district . . . "Q" condition, . . . or Citywide regulation adopted or imposed by City action." As here, the Zoning Administrator must make certain findings including that "the project's location, size, height, operations and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the pubic health, welfare and safety." LAMC § 14.3.1.E(1).

First, the Project is located in the R3 zone, which allows Eldercare Facilities as a by-right use. Therefore, Appellants' complaint that use of the Property as an Eldercare Facility would disrupt the otherwise "peaceful community" is not only unsubstantiated but also irrelevant. Appellants have not provided any evidence that senior citizens are disruptive or would not be peaceful members of the community. In the letter submitted into the record by proposed future Project operator Artegan, they note that, in their many years of experience, they have not received complaints from neighbors about excessive activity at their facilities. Simply put, eldercare uses are generally quiet uses. (Artegan Letter, at p. 4.)

Furthermore, the Project operations would not adversely affect the surrounding neighborhood due to the implementation of safety and security measures, including an increased staff-to-resident ratio, controlled access to on-site parking areas and building entries, video surveillance, and security lighting. (LOD, p. 23.) With respect to Appellants' complaint regarding food deliveries, food will be prepared on-site and food deliveries will be made every other day. (LOD, p. 18.)

Second, there is substantial evidence in the record that the Project is compatible with and does not adversely affect or further degrade the adjacent properties and the surrounding neighborhood. The Project is a five-story, 58-foot in height, 57,680 square foot Eldercare Facility, containing 80 guest rooms (62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms). The Project Site consists of three lots and 18,018 square feet of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the South. The Project is located within the Wilshire Community Plan area, which designates it for Medium Residential land uses.

As set forth in the LOD, the surrounding properties are also improved with multi-level, multi-family apartment buildings. The adjoining property directly to the north is developed with a four-story over one subterranean parking level apartment building, which is only one floor less than the Project. The northwest adjoining property, fronting on Sherbourne Drive, is also developed with a four-story over one subterranean parking level apartment building. The remaining adjoining properties are developed with two- or three-story multi-family buildings. Notably, there at least a dozen buildings within a two-block radius of the Project Site that are similar in height, ranging from 40 to 56 feet. (*See* Attachment A.) Within the entire neighborhood (consisting of 12 blocks), there are at least 49 three- to five-story buildings. (See Attachment B.)

Of the 12 properties fronting the western side of Holt Avenue, seven properties are developed with two-story residential buildings, one property is developed with a two-story over parking garage residential building, and one is developed with a four-story over subterranean parking level residential building. Of the eleven properties fronting on the eastern side of Holt Avenue, eight properties are developed with two-story residential buildings and three properties are developed with three-story residential buildings. (LOD, p. 30.)

Additionally, the neighborhood here – which is bound by La Cienega Boulevard, Wilshire Boulevard, Olympic Boulevard, and Robertson Boulevard – has a total of **49** buildings between 3 – 5 ½ stories in height. This includes: (1) one 5 ½-story building; (2) four 5-story buildings; (3) nine 4 ½-story buildings; (4) twenty-two 4-story buildings; (5) nine 3 ½-story buildings, and (6) four 3-story buildings. (See See **Attachment G**.) Notably, there are at least a dozen buildings within a two-block radius of the Project Site that are similar in height, ranging from 40 to 56 feet, including a building measuring 56-feet at its prominent elevator overrun directly next door to the Project. (See **Attachment G**.) Thus, the claim that the Project is out of scale with the surrounding neighborhood is false. The attached image shows the Project is well in line with the overall scale of the surrounding neighborhood. (See **Attachment I**.)

Regarding the fact that the Project covers three lots while many of the buildings on the same block cover two lots, a building on the same block 100 feet away from the Project site located at 848 S. Holt is also a three-lot, three-story building. There are a number of other three lot buildings in the neighborhood. Accordingly, the claim that a three-lot building would not be compatible with and substantially degrade the neighborhood is also contrary to the facts.

As noted in the LOD, the Project has incorporated a number of features to minimize the Project's height and massing, including two below-ground levels—one to accommodate required parking, and another to accommodate many of the common areas and services that are essential for seniors. The rear of the building is broken into two masses, separated by outdoor patio areas on the ground and fifth floors to minimize the height and mass of the building, as it appears from the west. (LOD, p. 30.)

Further, the massing of the east-facing frontage of the building is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though

these changes in plane do not meet the 5-foot depth change for a minimum span of 8 standard feet by the existing [Q] condition, they offer aesthetic relief in contrast to a single-plane monolithic building façade. (LOD, p. 30.)

Third, Appellants have not submitted any evidence that the 10-foot front yard setback would compromise pedestrians' ability to use the sidewalks. Specifically, Appellants claim that children, the elderly and neighbors walking their dogs would be adversely impacted by a 10-foot front yard as opposed to a 20-foot front yard as required by the [Q] condition of the zone. However, the Zoning Administrator notes that most of the properties along Holt Avenue "also appear to have been developed with less than 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks." (LOD, p. 32; see also, **Attachment N**.) Thus, the Project's setbacks are generally consistent and compatible with the surrounding area, and the setbacks do not minimize the sidewalk or impair pedestrians' ability to use the sidewalk. Rather, the Zoning Administrator expressly found that the Project's expanded driveway would increase the field view of on-coming north-bound traffic. (LOD, p. 33.)

Fourth, based on a shade and shadow study in the record, the ZA found that the Project's shade and shadow impacts would not degrade adjacent properties. (LOD, at p. 32.) The Appeal's unsupported claims that a building to the south of the Project would be significantly shaded is contrary to the shade and shadow study and the facts – which show that in Los Angeles the sun crosses the southern portion sky throughout the entire year, and thus the shading impacts of the Project would not substantially affect the property to the south. (*Id.*) Therefore, Appellants' conclusory contention that a neighbor's garden to the south would be blocked from light is not only unsupported by directly contradicted by substantial evidence in the record.

IV. The Project Will Not Have An Averse Impact On Streets

The Appeal comment asserts that the Project will have an adverse impact on street access and circulation with delivery trucks, ambulances and visitors given the existing "tremendous parking problem" in the area. Appellants also allege that Holt Avenue is a narrow street where cars have been sideswiped.

The Zoning Administrator's determination that the Project shall not create an adverse impact on street access or circulation in the surrounding neighborhood is supported by substantial evidence in the record. The Project would provide 36 on-site parking spaces as required under the LAMC, within a subterranean parking structure. The Project is not seeking any deviation from its required parking. Notably, most of the elderly population residing on-site, especially those with Alzheimer's or dementia, are unable to drive vehicles due to their age and physical limitations. (LOD, p. 31.) A study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior

Housing Facility or an Assisted Living Care Facility is 0.05 vehicles per unit, which is extremely low compared to other housing types. (*Id.*) Further, the driveway access and circulation would be subject to review and approval by the Department of Transportation at the time of permitting. (LOD, p. 35.)

The ZA expressly found that the Project's internal circulation and parking plan is designed with a driveway for ingress and egress to minimize congestion and back-up onto the street. (LOD, p. 35.) A Transportation Study Assessment, conducted by the Department of Transportation, dated August 5, 2020, determined that the Project would result in a net increase of 87 daily trips, and thus would not result in a significant transportation impact on Vehicle Miles Traveled ("VMT"). Based on the VMT thresholds established in LADOT's Transportation Assessment Guidelines, the Project does not exceed the 250 daily trip threshold for a significant impact. (LOD, p. 36.)

Finally, conditions have been made a part of the ZA's approval to ensure that operation of the Project will not conflict with the community, including but not limited to staggered employee work shifts; required use of the on-site parking garage; and an incentive program to encourage employee use of alternative modes of transportation. (LOD, pp. 3-4.)

V. The Project Is Consistent With The Design Aesthetic Of The Community

The Appeal comment asserts that the Project is not compatible with the existing character of the neighborhood, consisting of Mediterranean and mid-century design.

The ZA's determination is supported by substantial evidence that the Project is compatible with the existing character of the neighborhood. The ZA determined that the Project reflects the gradual development trends occurring within the broader neighborhood, as evidenced by the survey of building types within several blocks of the Project Site.

Further, the Applicant met with the Department of City Planning's Urban Design Studio multiple times and incorporated a number of their comments into the design of the exterior of the Project, including redesigning the elevator tower, revising the roofline, adding articulation to the main pedestrian entrance and redesigning the vehicular entrance of the Project. As shown on the renderings, the design is elegant and understated with neutral color tones that blend with the character of neighborhood. Contrary to Appellants' comment that the Project is not compatible with the existing character of the neighborhood, the neighborhood consists of a wide range of architectural styles as well as a range of building materials, including multi-family buildings built in the 1970s through 1990s. (*See* Plan Set.) Accordingly, the understated and high-quality design of the Project would serve to enhance the character of the neighborhood. In addition, the ZA's determination that the Project is compatible with the neighborhood is further bolstered by the South Robertson Neighborhood Council's unanimous support of the Project pursuant to its letter, dated July 14, 2020.

VI. The Project Is Consistent With The General Plan

The Appeal comment concludes that the Project is not in substantial conformance with the purposes, intent, and provisions of the General Plan, applicable community plan, and with any applicable specific plan of a quiet residential neighborhood.

A project is consistent with the general plan "if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*California Native Plant Society v. City of Rancho Cordova* (2009) 172 Cal.App.4th 603, 638.) "A given project need not be in perfect conformity with each and every general plan policy." (*Id.*) "[P]arties challenging a city's determination of general plan consistency, have the burden to show why, based *on all of the evidence* in the record, the determination of general plan consistency was unreasonable." (*Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th1552, 1566 [holding that appellants failed to meet their burden to show that the determination of general plan consistence was unreasonable because they did not discuss all of the evidence in the record pertinent to the issue].)

Here, Appellants have failed to discuss any of the evidence in the record relied upon by the ZA in determining that the Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and applicable specific plan. Nor have Appellants identified any specific goal, objective or policy in any plan that is inconsistent with the Project.

The ZA's determination that the Project is in substantial conformance with the purposes, intent and provisions of the General Plan is supported by substantial evidence. Specifically, the ZA determined that the Project meets the following goals, policies and objectives of the Housing Element of the General Plan:

- Goal 1.1: Produce an adequate supply of rental and ownership housing to meet current and projected needs.
- Policy 9: Facilitate Housing for Senior and Disabled Persons. … Explore options to introduce greater accessibility and affordability into the Eldercare process, given the significant zoning benefits provide …
- Objective: Construct 1750 Eldercare Units.

The ZA determined that the Project meets the following goals, policies and objectives of the Land Use Element of the General Plan:

- Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire community.
- Objective 1-2: Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

- Objective 1-2.1: Encourage higher density residential uses near major public transportation centers.
- Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.
- Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

As noted in the LOD, the Project is in close proximity to bus stops near the Project Site, including three Metro Local Lines and a Metro Rapid Line. The Project is located within Tier 3 of a Transit-Oriented Community-eligible transit stop and will provide 80 guest rooms for seniors who either need assisted living or memory care services. The Project would promote greater choice in the type of housing for a vulnerable and fast-growing demographic and would provide varying levels of care to satisfy a range of needs. Thus, the ZA determined that the Project is in substantial conformance with the purpose, intent and provisions of the General Plan and applicable Community Plan. (LOD, p. 38-40.)

Based on the foregoing, the Appeals do not offer substantial evidence that would warrant a contrary result to the approval issued by the ZA. The ZA's findings are well supported by substantial evidence. The Appeals should be denied, and the ZA's approval and findings upheld.

Best regards,

Andrew Brady

AB:

cc: Jonathan A. Hershey, AICP (jonathan.hershey@lacity.org)
Alexander Truong (alexander.truong@lacity.org)

DLA Piper LLP (US)
550 South Hope Street
Suite 2400
Los Angeles, California 90071-2618
www.dlapiper.com

Andrew Brady
Andrew.Brady@us.dlapiper.com
T 213.694.3108
F 310.595.3406

April 19, 2021
VIA EMAIL

Honorable Members of the Central Los Angeles Area Planning Commission
c/o Etta Armstrong, Commission Executive Assistant
City Hall
200 North Spring Street
Los Angeles CA 90012
Email: apccentral@lacity.org

Re: Case No. ZA -2020-2164-ELD-SPR
Applicant's Response to Appeal by Daniel Sidis

Honorable Members of the Planning Commission:

Daniel Sidis (Appellant) has appealed (Appeal) the February 9, 2021 Zoning Administrator (ZA) Letter of Determination (LOD) approving with conditions an Eldercare Unified Facility Permit, Site Plan Review, and a Class 32 California Environmental Quality Act (CEQA) approval for an 80-guest room residential eldercare facility development (Project) located at 825-837 Holt Avenue (Property) in the City of Los Angeles (City). The Project proposes 62 guest rooms for Assisted Living and 18 rooms for "Alzheimers/ Dementia Care" uses.

As explained further below, the LOD is well supported by substantial evidence in the record. The Appeal, on the other hand, relies exclusively on unsubstantiated opinions and misstatements of both fact and law, which do not constitute substantial evidence and do not support overturning the LOD. The ZA's LOD and its findings should be upheld and adopted in full by the Central Los Angeles Area Planning Commission (Commission), and the Appeal should be denied.

I. Standard of Review

An Eldercare Unified Facility Permit (Eldercare Permit) determination is a "quasi-judicial administrative action," which a court would review under the administrative mandamus procedures pursuant to Code of Civil Procedure section 1094.5. (*Neighbors in Support of Appropriate Land Use v. County of Tuolumne* (2007) 157 Cal.App.4th 997, 1005.) In such a circumstance, "the trial court reviews the whole administrative record to determine whether the agency's findings are supported by substantial evidence and whether the agency committed any errors of law." (Id.)

In applying the substantial evidence test, "reasonable doubts must be resolved in favor of the decision of the agency." (*Breakzone Billiards v. City of Torrance* (2000) 81 Cal.App.4th 1205, 1244.) A court "may reverse an agency's decision only if, based on the evidence before the agency, a reasonable person could not reach the conclusion reached by the agency." (Id.)

In quasi-judicial administrative actions, "substantial evidence" is defined as evidence of "ponderable legal significance ... reasonable in nature, credible, and of solid value [, and] ... relevant evidence that a reasonable mind might accept as adequate to support a conclusion." (*Desmond v. County of Contra Costa* (1993) 21 Cal.App.4th 330, 334-335.) Speculation and conjecture are not substantial evidence. (*Kuhn v. Department of General Services* (1994) 22 Cal.App.4th 1627, 1633.)

I. The Appeal Fails To Demonstrate Any Flaws In the ZA's Determination

a. The City's Eldercare Facility Unified Permit Ordinance

Under the City's eldercare ordinance ("Eldercare Ordinance") Los Angeles Municipal Code ("LAMC") Section 14.3.1-B, the ZA may issue an Eldercare Permit to an eldercare project on any property in an R3 zone that does not meet the strict standards of the zone.

The purpose of the Eldercare Ordinance is to amend the code to allow for a uniform process to facilitate the construction of "much-needed" eldercare facilities and to establish new housing types into the Zoning Code necessary to serve the needs of seniors, including Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and Alzheimer's/ Dementia Care Housing. (LAMC § 14.3.1-A; **Attachment A**,[1] Los Angeles Department of City Planning Technical Bulletin No. 21, 3/21/14; **Attachment B**, 10/4/2013 Planning and Land Use Commission Motion.)

Providing relief from the strict application zoning requirements was necessary because those restrictions made constructing eldercare facilities difficult given the particular space needs of such facilities that exceed those of typical multi-family development, including staff areas and offices, extra amenities, restaurant style dining areas, large lobbies, large hallways, and specific layouts to ensure supervision and access. (Id., *see also*, **Attachment C**, See May 8, 2003 Planning Department Recommendation Report, Case No. CPC-2003-1038-CA, at pp. 7, 9, 12.) In light of these difficulties, the City noted that there was a shortage of eldercare facilities in the City, and the intent of the Eldercare Ordinance was to ensure the critical need for such facilities would be met by enabling more facilities to be constructed. (Id.)

b. A Financial Hardship Can Support a Hardship Finding Under the Eldercare Ordinance

The Appeal focuses its primary attention on one specific finding under the Eldercare Ordinance, the "hardship" finding. Under this required finding, the ZA must find that "the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations." (LAMC § 14.3.1-E.)

The Appellant argues that a "financial hardship" is not sufficient to support the hardship finding under the Eldercare Ordinance. However, Appellant curiously makes the argument that a financial hardship is not sufficient at the same time as it quotes the very language in the *Walnut Acres* Court of Appeal case that

[1] Please see concurrently provided Joint Appeal Response Attachment Package.

affirmatively states that a financial hardship is sufficient to support a hardship finding under the Eldercare Ordinance. (Appeal Justification, at p. 2.)

Directly contrary to the Appellant's claim, in *Walnut Acres Neighborhood Ass'n*, the Court of Appeal held that financial hardship is "sufficient for purposes of obtaining a permit under section 14.3.1 to show unnecessary hardship . . . ." (*Walnut Acres Neighborhood Ass'n v. City of Los Angeles* (2015) 235 Cal.App.4th 1303, 1314.) The Court found that there must be substantial evidence that strict application of the land use regulations "could not be profitable" or that "the profit would be so low as to amount to 'unnecessary hardship.'" (Id.)[2] The case relies on the ruling in *Stolman v. City of Los Angeles*, which similarly holds that a financial hardship can support a hardship finding, stating that "[v]arious courts have considered hardship in terms of economics." (*Stolman v. City of Los Angeles* (2003) 114 Cal.App.4th 916, 925 [quoting *Zakessian v. City of Sausalito* (1972) 28 Cal.App.3d 794, 802].)

Thus, under mandatory California case authority, a financial hardship can support a hardship finding under the Eldercare Ordinance, so long as it is supported by substantial evidence. Appellant's arguments to the contrary are incorrect.

c. Substantial Evidence Supports the ZA's Hardship Finding

Here, substantial evidence in the record demonstrates a financial hardship and supports the ZA's findings. As set forth in the LOD, the Applicant submitted a financial feasibility analysis, prepared by The Concord Group ("TCG"), dated August 14, 2020, demonstrating substantial evidence that the project is not feasible unless constructed as proposed. (LOD, pp. 23-27.) TCG analyzed two development scenarios: (a) an Eldercare development utilizing the current zoning; and (b) an Eldercare develop utilizing the proposed variances, including increases resulting in 57,680 sf of floor area and 80 guest rooms. Based on a detailed return-on-cost financial model supported by a market study, costs from general contractor bids and relevant site background materials, TCG concluded that strict application of the current zoning would render the Project infeasible and thus amounted to an unnecessary hardship. "Without the requested variances, an eldercare facility could not be built." (Financial Feasibility Analysis, dated August 14, 2020, p. 2.) On the other hand, the Project as proposed would be just slightly over the minimum threshold return for a financially feasible Project. (*Id.*)

This substantial evidence is enough to uphold the ZA's hardship finding standing alone under controlling case law. (See *Breakzone Billiards*, 81 Cal.App.4th 1244 ["[C]ourts review such adjudicatory planning actions under the substantial evidence standard, looking to the administrative record to determine whether the agency's decision is supported by substantial evidence and whether the findings of the

[2] In *Walnut Acres*, the Court ultimately examined the record and found there was no substantial evidence in it to support the financial hardship claimed in that particular case. However, it did state a financial hardship would be sufficient if it were supported by substantial evidence. If that were not the case, the Court would not have closely examined the evidence in the record to determine whether there was substantial evidence of a financial hardship. (*Walnut Acres*, 235 Cal.App.4th at 1314-16.)

agency support the decision made."]) Accordingly, the Appeal's claim that the ZA's hardship finding was invalid lacks merit and should be denied. The Appellant's references to other grounds for finding a variance, such as having an irregularly shaped lot, or a natural feature that makes part of a lot undevelopable, are not relevant here, where the ZA's decision was not to grant a variance but an Eldercare Permit, and its hardship findings are based on a financial hardship supported by substantial evidence in the form of an expert report, not on any physical condition of the land.

To that point, an Eldercare Permit is not a variance, it is a permit that has separate requirements and findings. (Compare LAMC § 14.3.1 [Eldercare Permits] with § 12.27 [Variances].) Unlike a variance, the findings to adopt an Eldercare Permit *do not* include requirements to adopt variance findings that there are "special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity," or that "the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question." (LAMC § 12.27-D.2 and 3.) Those variance findings don't apply to Eldercare Permits, and the Appellant's citation to case law and rules regarding variances and the condition of land being the source of a variance are not ultimately relevant to the Project and the LOD.

The Appellant's additional argument that a hardship finding cannot be made here because the Applicant allegedly "created" the hardship under the *Town of Atherton* case is not relevant. In that case, a variance was *denied* by a city on the grounds that there was no hardship shown based on the physical topography of the claimant's site – the claimants had an illegal tennis court on their site and argued the topography of their properly wouldn't allow a tennis court elsewhere, a claim the city reviewed and ultimately denied for various reasons. (*Town of Atherton v. Templeton* (1961) 198 Cal.App.2d 146, 154.)

Here, the ZA *approved* an Eldercare Permit under the Eldercare Ordinance. Because the challenged hardship finding under that decision is supported by substantial evidence, it is valid, and no more need be shown to uphold the finding. (See *Breakzone Billiards*, 81 Cal.App.4th 1244."])

Additionally, if Appellant's logic prevailed, no eldercare projects could be permitted in the City under the Eldercare Ordinance, contrary to the ordinance's express purpose. One of the key factors that led to the adoption of the Eldercare Ordinance was that such facilities cannot in many cases comply with strict zoning because of their unique needs for additional floor area and amenities, which can render building to strict zoning standards economically infeasible. (See May 8, 2003 Planning Department Recommendation Report, Case No. CPC-2003-1038-CA, at pp.7, 9, 12.) Thus, if an eldercare facility developer could not demonstrate an economic hardship because the zoning of a development property would not enable an economically viable facility to be built, the key provisions of the Eldercare Ordinance allowing eldercare projects to deviate from strict zoning standards on the basis of a financial hardship would be rendered useless. This result is not what the law demands. The correct standard was stated by

the Court in *Walnut Acres*, which stated that an Eldercare Permit is properly supported by substantial evidence that strict application of the land use regulations "could not be profitable" or that "the profit would be so low as to amount to 'unnecessary hardship.'" (*Walnut Acres Neighborhood Ass'n,* Cal.App.4th at 1314.) The claims to the contrary in the Appeal lack merit and should be denied.

d. The Financial Feasibility Analysis Is Valid Substantial Evidence Supporting the Hardship Finding

The Appellant's next series of arguments attempt to undermine the Financial Feasibility Analysis. These arguments are based on speculation and are contrary to facts in the record. The Appellant first argues that the ZA was improperly "taking the Applicant's word for it" that the amount of open space, staffing, and amenities in proposed in the facility are actually "necessary" to support the hardship finding. (Appeal Justification, at p. 2.) The Appellant remarkably finds it problematic that, as found by the ZA, the Project provides "significant 'quality of life' amenities rather than minimally-equipped facilities." (Appeal Justification, at p. 2 [quoting LOD, at p. 25.]) The Appellant also claims the extra-wide hallways and corridors provided by the Project should also not have been allowed. (Appeal Justification, at p. 3.)

The Appellant's ultimate suggestion is that, in order to properly make the hardship finding, only the least costly "bare bones" eldercare facility can be allowed under the Eldercare Ordinance. We believe such an outcome would be inhumane and contrary to the City's policy of producing high-quality eldercare facilities that provide seniors with substantial amenities and services. Unfortunately, this particular Appellant, through its counsel, saw fit to make similarly ugly remarks about seniors at the ZA hearing for the Project on August 24, 2020.[3]

Setting aside the distasteful nature of the Appellant's arguments, the Appellant's assertions about the size, scale, and amenities in the Project are false. Substantial evidence in the record demonstrates that the amenities, staffing and hallways and corridors proposed by the Project are in line with City policy and industry standards and are reasonable and not excessive for a high-quality eldercare facility located in similar neighborhoods. The Project proposes 46% of its floor area as amenity space. (LOD, at p. 13.) In accordance with The State of Seniors Housing 2019, a principal research report on senior housing with data from almost 1,800 senior apartments, independent living communities, assisted living residences and continuing care retirement communities located throughout the U.S., the median amount of open space and amenity areas within senior housing is 45%. (See **Attachment D,** American Seniors Housing

[3] We feel compelled to mention that the Appellant's representative Mr. Greer has demonstrated significant unwarranted animus toward senior citizens at the ZA hearing, stating that senior housing is "a magnet for disease and festering problem for our community." (**Attachment E**, 8/24/20 ZA Hearing Transcript, at p. 9.) Mr. Greer's comments are also reflected in the LOD, at p. 17. These were not the only discriminatory comments made by neighbors of the Project who signed onto appeals filed against it. (See **Attachment F**.)

Association, *The State of Seniors Housing, 2019*, at page 47.) Thus, the amount of amenity and open space provided is typical of senior housing nationally and not excessive.

Additionally, proposed Facility operator Artegan has submitted a letter into the record dated April 16, 2021 ("Artegan Letter"). As set forth in the Artegan letter,

> The project here provides an entirely appropriate amount of both indoor and outdoor open space and amenities consistent with the highest levels of care for seniors keyed to the needs of the intended population. In particular, with assisted living and memory care patients, often limited mobility and a requirement for near-constant or constant supervision often mean these individuals are limited in their ability to recreate outside the facility. Thus, the project's proposed amenity areas include social eating spaces, exercise areas, media rooms, gathering places, a movie room and other amenities as proposed provide necessary quality of life options for the future residents that they may be denied absent having such amenities onsite. (Artegan Letter, at p. 2.)

The Artegan Letter goes on to note that larger hallways and corridors are required in eldercare facilities to provide space for seniors needing wheelchairs, walking devices and mobility assistance. (Artegan Letter, at p. 3.) Thus, as stated by the Project's experienced eldercare facility operator, the proposed amenities in the Project are appropriate and meet specific needs of the intended senior populations the Project will serve.

Substantial evidence thus supports the conclusion that the Project's facilities are not excessive or superfluous but provide appropriate facilities and amenities to ensure a high quality of life for the Project's future senior residents. The Appellant's assertion that the issuance of an Eldercare Permit requires the provision of substandard eldercare facilities is simply false.

The Appellant next makes the confusing argument that the cost of land should not have been included in the economic analysis of the cost of developing the Project in the Financial Feasibility Analysis. (Appeal Justification, at p. 4.) However, real estate in West Los Angeles is not free – and land cost is a critical component of the assessment of costs for any real estate development project. The assertion that land cost should for some reason be excluded from the Financial Feasibility Analysis is baseless and contrary to plain common sense.

The Appellant also speculates that the land price paid for the Project is "above market," and argues that the ZA's hardship finding is therefore invalid. (Appeal Justification, at p. 3-4.) As an initial matter, such speculation does not constitute substantial evidence. (*Kuhn*, 22 Cal.App.4th at 1633.) Moreover, the Appellant's speculation is factually inaccurate. As stated in the supplemental economic feasibility analysis prepared by TCG, dated April 19, 2021 ("Supplemental Feasibility Analysis"), in assessing the validity of

Project costs, TCG made the determination that the land cost of the Property set forth in the Applicant's land purchase agreement was reasonable and in line with comparable land purchases in the surrounding area. (Supplemental Feasibility Analysis, at p. 2.) Accordingly, substantial evidence demonstrates, contrary to the Appellant's speculation, that the land cost paid here was not excessive but were economically reasonable.

The Appellant next argues that the Financial Feasibility Analysis is invalid because it relies on a rate of return investors "typically" rely on rather than what is "necessary" to obtain financing. (Appeal Justification, at p. 4.) Here, the Appellant simply misunderstands the substance of the financial feasibility analysis. As explained further in the Supplemental Feasibility Analysis, the rate of return on costs determined to be necessary in order to finance the Project was based on a number of factors, including the need for lending institutions to meet federal regulatory liquidity requirements, the amount of capital investment into the project, investors' return requirements in light of the risk of loss, and other factors. (Supplemental Feasibility Analysis, at pp. 3-4.) Taking these factors into account, the Financial Feasibility Analysis's assumed rate of return of 6.5% is functionally the "minimum" return the Project could provide and still obtain financing. (Supplemental Feasibility Analysis, at p. 4.) Thus, the Appellant is simply incorrect that some lesser return of cost would enable the Project to be financed.

Moreover, the Appellant has not demonstrated that the hardship finding demands that an applicant to go out to numerous lenders and find the absolute lowest rate of return any of them would allow, and then utilize that number. Nor has the Appellant demonstrated that there is no minimum return for investors who seek to invest equity capital in development projects. The Appellant seems to believe that the developer sets the return expectations as oppose to the lenders and investors, which is not the case. To the contrary, well-supported expert opinion such as the Financial Feasibility Analysis constitutes substantial evidence. (See *Coastal Southwest Dev. Corp. v. California Coastal Zone Conservation Com.* (1976) 55 Cal.App.3d 525, 532 [Expert opinion "is substantial evidence upon which judicial or administrative decision may be based."]) Beyond that, a standard that would require an applicant to go out and find the lowest possible rate of return offered by any lender would be highly problematic. Project construction financing comes with a wide variety of terms and requirements, including interest rates, penalties, capital investment requirements, repayment periods, extensions, recourse, and collateral, among others. Locking an eldercare developer into the particular lowest rate of return available in the marketplace could lock a developer into unfavorable loan terms and strongly inhibit their ability to negotiate those terms with their lender. The same could be said about taking the investor with the most favorable equity investment economics. His terms might be "you're a day late, you're out as the developer," whereas an institutional investor offering market-level economics will have reasonable terms tied to the equity investment. The Project cannot be required to take the cheapest debt and equity capital to make a hardship finding. Such a requirement is simply not reasonable, beneficial, or required by law.

The Appellant next speculates that the assumed levels of staffing proposed for the Project are not shown to be necessary, arguing that the developer could reduce staffing needs by simply having the Project's

staff go back and forth between the Project and the other facility for which the Applicant is seeking an Eldercare Permit in Eagle Rock. (Appeal Justification, at p. 4.) First, this is again baseless speculation assuming that these facilities would have the same operators and staffing needs, which is not the case. Second, as set forth in the Artegan Letter, it is not feasible to have employees ferry between multiple eldercare facilities. (Artegan Letter, at pp. 3-4.) First, it is not something done in the eldercare industry. (Id.) Second, it would create practical difficulties for operations in a manner that would deprive facilities of needed staffing a manner that could be dangerous to seniors and otherwise negatively impact their quality of life. (Id.) For one example, a culinary director must be on site to ensure residents often strict diets are adhered to – not having that in place could actually be dangerous for residents. (Id.) Again, this Appellant assumes incorrectly that, in order to issue an Eldercare Permit, the City must ensure that an eldercare project provides minimal levels of services to seniors. That is simply not the case. As set forth in the Artegan letter, the level of staffing proposed for the Project is consistent with other existing eldercare facilities they operate across the Western United States and is thus reasonable. (Id.) The argument that workers at these different facilities with different operators should drive back and forth constantly between Eagle Rock and West Los Angeles is not reasonable.

The Appellant's general assertion that the conclusions of the Financial Feasibility Analysis lack any basis. As stated in the Supplemental Feasibility Analysis, the expert consultant's assumptions for the Project regarding hard costs, soft costs, yield on cost, operating expenses, and income were all based on the expert's knowledge of the economics of eldercare facilities, other comparable eldercare projects, and industry-specific data. (Supplemental Feasibility Analysis, at pp. 1-5.) Thus, TCG's expert opinions and analysis are well supported and constitute valid substantial evidence. Appellant's claims to the contrary are baseless speculation.

The Appellant also argues that the ZA was prohibited from considering the City's high demand for eldercare facilities as part of the hardship finding. (Appeal Justification, at p. 4.) However, the Appellant does not address the full scope of the required hardship finding, which is that "the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships *inconsistent with the general purpose and intent of the zoning regulations*." (LAMC § 14.3.1-E.) One of the express purposes of the Eldercare Ordinance, which is a City zoning ordinance, is to provide "much needed services and housing for the growing senior population of the City of Los Angeles." (LAMC § 14.3.1-A.) Thus, one key intent of the zoning code is to provide much-needed eldercare housing, making it appropriate for the ZA to find that this need is a relevant factor in considering whether to make the hardship finding under the Eldercare Ordinance. Of note, the shortage of newer eldercare in the City of Los Angeles continues to lag behind demand and comparable markets. (See **Attachment M** [Comparative NICMAP senior housing inventory data from US cities].)

The ZA's hardship finding is supported by substantial evidence and should be upheld. The arguments to the contrary in the Appeal lack merit and should be denied.

e. The ZA's Compatibility Findings Are Supported By Substantial Evidence

The Appeal also argues the "compatibility" findings for an Eldercare Permit under LAMC Section 14.3.1-E.2 and 5 are invalid. These arguments lack any merit, ignore the substantial evidence in the record supporting the findings, and should be rejected by the Commission.

i. Eldercare Uses Are Less Impactful Than Standard Multi-Family Uses

The Appellant's first argument is that an eldercare use is fundamentally different than other multi-family uses, in that it allegedly does not have the same hours, it allegedly has more deliveries, and it allegedly has "dozens" of employees. Contrary to these baseless arguments, the ZA's determination that the Project would not create an adverse impact on street access or circulation in the surrounding neighborhood is supported by substantial evidence in the record. The Project would provide 36 on-site parking spaces as required under the LAMC, within a subterranean parking structure. The Project is not seeking any deviation from its required parking. Notably, most of the elderly population residing on-site, especially those with Alzheimer's or dementia, are unable to drive vehicles due to their age and physical limitations. (LOD, p. 31.) A study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior Housing Facility or an Assisted Living Care Facility is 0.05 vehicles per unit, which is extremely low compared to other housing types. (Id.) Further, the driveway access and circulation would be subject to review and approval by the Department of Transportation at the time of permitting. (LOD, p. 35.)

The ZA expressly found that the Project's internal circulation and parking plan is designed with a driveway for ingress and egress to minimize congestion and back-up onto the street. (LOD, p. 35.) A Transportation Study Assessment, conducted by the Department of Transportation, dated August 5, 2020, determined that the Project would result in a net increase of 87 daily trips, and thus would not result in a significant transportation impact on Vehicle Miles Traveled ("VMT"). Based on the VMT thresholds established in LADOT's Transportation Assessment Guidelines, the Project does not exceed the 250 daily trip threshold for a significant impact. (LOD, p. 36.) Moreover, the ITE ratios for eldercare facilities also include workers – so the impacts associated with employees are included in the analysis. Thus, the number of trips generated by the Project is actually much lower than standard multi-family uses, and for the Project it is so low it does not even require a VMT analysis under LADOT's adopted methodology for assessing traffic impacts. Thus, the Appeal's claims that the Project would have a greater impact than a standard multi-family building is contrary to fact.

In addition, the Appeal's claims that eldercare uses produce additional deliveries and ambulances is pure speculation not supported by facts. In the letter submitted into the record by proposed future Project operator Artegan, they note that, in their many years of experience, they have not received complaints from neighbors about excessive activity at their facilities. Simply put, eldercare uses are generally quiet uses. (Artegan Letter, at p. 4; *see also*, **Attachment L** [Watermark letter].) The Appellant's baseless

assertions to the contrary are not rooted in reality but in discriminatory assumptions about seniors with special needs.

Finally, conditions have been made a part of the ZA's approval to ensure that operation of the Project will not conflict with the community, including but not limited to staggered employee work shifts; required use of the on-site parking garage; and an incentive program to encourage employee use of alternative modes of transportation. (LOD, pp. 3-4.) The ZA appropriately ensured that the Project would not negatively impact the neighborhood and its findings to that effect are well supported by substantial evidence.

ii. The Project is Not "Significantly Larger" Than Buildings in The Surrounding Neighborhood

The Appellant asserts there are no five story buildings anywhere in the vicinity of the Property, and that the Project would be "significantly larger" than any of the buildings around it. (Appeal Justification, at p. 5.) The Appellant makes the related claim third that the Project covers three lots and has a lesser setback than required by the zoning code. (Id.)

Substantial evidence in the record supports the ZA's conclusion that the Project is compatible with and is not significantly larger than other buildings in the surrounding neighborhood. The Project is a five-story, 58-foot in height, 57,680 square foot Eldercare Facility, containing 80 guest rooms (62 Assisted Living guest rooms and 18 Alzheimer's/Dementia guest rooms). The Project Site consists of three lots and 18,018 square feet of land with an even width and depth of 150 feet and 120 feet, respectively, and an approximately 150-foot frontage on the west side of Holt Avenue, located between Gregory Way to the north and Chalmers Drive to the South. The Project is located within the Wilshire Community Plan area, which designates the Property for Medium Residential land uses.

As set forth in the LOD, the surrounding properties are also improved with multi-level, multi-family apartment buildings. The adjoining property directly to the north is developed with a four-story over one semi-subterranean parking level apartment building, which is only one floor less than the Project and, at its elevator overrun at its frontage, measures 53 feet in height, just five feet less than the 58-foot Project. (See **Attachment G**.) The northwest adjoining property, fronting on Sherbourne Drive, is also developed with a four-story over one subterranean parking level apartment building. (LOD, at p. 30.)

Additionally, the neighborhood here – which is bound by La Cienega Boulevard, Wilshire Boulevard, Olympic Boulevard, and Robertson Boulevard – has a total of **49** buildings between 3 – 5 ½ stories in height. This includes: (1) one 5 ½-story building; (2) four 5-story buildings; (3) nine 4 ½-story buildings; (4) twenty-two 4-story buildings; (5) nine 3 ½-story buildings, and (6) four 3-story buildings. (See Attachment H.) Notably, there are at least a dozen buildings within a two-block radius of the Project Site that are similar in height, ranging from 40 to 56 feet, including a building measuring 56-feet at its prominent elevator overrun directly next door to the Project. (See **Attachments G**, at p. 2 [819 S. Holt].) Thus, the claim that the Project is out of scale with the surrounding neighborhood is false. The facts demonstrate

that the Project is well in line with the overall scale of the surrounding neighborhood. (See also, **Attachment J** [Aerial photo exhibit of neighborhood context].)

As noted in the LOD, the Project has also incorporated a number of features to minimize the Project's height and massing, including two below-ground levels—one to accommodate required parking, and another to accommodate many of the common areas and services that are essential for seniors. The rear of the building is broken into two masses, separated by outdoor patio areas on the ground and fifth floors to minimize the height and mass of the building, as it appears from the west. (LOD, p. 30.)

Further, the massing of the east-facing frontage of the building is broken up through the use of changes in plane, with a change in design and material between the ground-level and the upper four levels. Though these changes in plane do not meet the 5-foot depth change for a minimum span of 8 standard feet by the existing [Q] condition, they offer aesthetic relief in contrast to a single-plane monolithic building façade. (LOD, p. 30.)

Regarding the fact that the Project covers three lots while many of the buildings on the same block cover two lots, a building less than 100 feet southeast of the Project site on the same block located at 848 S. Holt is also a three-lot, three-story building. There are a number of other three lot buildings in the neighborhood. Accordingly, the claim that a three-lot building would not be compatible with and substantially degrade the neighborhood is also contrary to the facts.

Regarding setbacks, the ZA noted that most of the properties along Holt Avenue "also appear to have been developed with less than 20 feet otherwise required; this is observed using the City Planning Department's Zoning Information and Map Access System, and measuring the distance between the buildings as they appear in the 2017 Digital Color Ortho photo and their relationship to the property boundary in that geographic information system. Many properties along the west side of Holt Avenue appear to observe approximately 13-foot front yard setbacks." (LOD, p. 32; see also, **Attachment N**.) Thus, the Project's proposed 10-foot front yard setback is generally consistent and compatible with the surrounding area, and the setbacks do not minimize the sidewalk or impair pedestrians' ability to use the sidewalk. Rather, the ZA expressly found that the Project's expanded driveway would increase the field view of on-coming north-bound traffic. (LOD, p. 33.) These findings are well supported by substantial evidence in the record and none of the baseless assertions in the Appeal justify reversing the ZA's well-reasoned conclusions.

iii. The Particular Unsupported Claims Regarding Impacts to Adjacent Properties

Finally, the Appellant asserts that compatibility findings could not be made because the Project would shade the plants located in the immediately adjacent property to the south and cause a loss of rental income for the Appellant, the owner of the adjacent four-story building to the north. Both claims are based on speculation and are contrary to the well-reasoned findings of the ZA. First, as noted by the Appellant, based on a shade and shadow study in the record, the ZA found that the Project's shade and shadow

impacts would not degrade adjacent properties. (LOD, at p. 32.) The Appeal's unsupported claims that a building to the south of the Project would be significantly shaded is contrary to the shade and shadow study and the facts – which show that in Los Angeles the sun crosses the southern portion sky throughout the entire year, and thus the shading impacts of the Project would not substantially affect the property to the south. (Id.) Regarding rental incomes for the Property on the north, that allegation is not relevant to the finding at hand and is speculative and provided without evidence. There is simply no reason to believe a brand new, high quality eldercare building would require the Appellant to lower the rent to his tenants or charge lower rents in the future. In fact – comments in the record demonstrate it is not the case that a new eldercare building causes any diminution in value for neighboring properties. (**Attachment K**.) The claim, as in the entire Appeal, is far more rooted in animus for senior citizens with special needs than reality.

For all the foregoing reasons, the Appeal lacks merit and should be denied.

Best regards,

Andrew Brady

AB:

cc: Jonathan A. Hershey, AICP (jonathan.hershey@lacity.org)
Alexander Truong (alexander.truong@lacity.org)

April 18th, 2021

Area Planning Commission

200 N. Spring Street, Room 763

Los Angeles, CA, 90012

Simin and Sion Daftari

10590 Wilshire Blvd, 807

We Want Assisted Living (ZA-2020-2164-ELD-SPR) at 825 -837 South Holt

Dear Area Planning Commission,

My wife and I have been on board with this project since we first heard about it. We've been getting older of course, reaching that age where we have to start planning for that next stage of life.And we refuse to rely on our children once the time comes that we can no longer take care of ourselves. They've got their own lives. One of our sons is a doctor, which keeps him quite busy. And we want them all to be free to live how they wish without having to worry about us.

However, we'd also like to also age in a place we enjoy. This facility could give us a place to live that we know we'd love, but we've heard there are people who are against it. These people would be neighbors to the facility which makes it seem like they're considering this from a purely self-interested point of view.

The thing is, no matter their feelings are on the construction that would follow or whatever else their complaints are, us seniors deserve quality places to live. These are supposed to be our golden years. They are the last years of our lives. They should be spent in a safe, welcoming place with things to do. We should be able to reside in places that would appeal to families who'd like to visit.

What do these people think should happen to us? We deserve housing just like everyone else. We're the worlds' parents, grandparents, aunts, and uncles. We cared for the younger generation, sacrificed for them. Now it's time for the community to give back to us.

Sincerely,



Simin and Sion Daftari

EXECUTIVE SUMMARY

To: The Panorama Group Inc.
From: The Concord Group
Date: April 19, 2021
Re: **Supplemental Information in Support of Financial Feasibility Analysis for Eldercare Facility located at 825-837 South Holt Avenue**

Background and Objectives

The Panorama Group Inc. ("Panorama") is evaluating the development potential of an 80-guest room eldercare facility comprised of 62 assisted living ("AL") and 18 memory care ("MC") rooms (the "Project"), located at 825-837 Holt Avenue ("Property") in west Los Angeles ("City").

The Concord Group ("TCG") was engaged to provide a third-party assessment of the financial feasibility of two development scenarios for the Property, one analyzing the proposed Project (Scenario B), and another analyzing a "base zoning" scenario consisting of the development rights allowable at the Property under applicable City zoning standards ("Scenario A"), which analyzed a 36-guest room project. The analysis and conclusions conducted by TCG were submitted in a Financial Feasibility Analysis dated August 14, 2020 ("Feasibility Analysis").

In preparing the Feasibility Analysis, TCG was provided with certain confidential, proprietary, financially sensitive information for the Project, including, without limitation, the Project's pro-forma, the purchase contract for the Property, and construction contractor bids. In order to protect Panorama's market position as Panorama moves forward with acquiring the Property and financing the Project, certain financially sensitive documents and information, such as land purchase price, are omitted from our analyses.

Applying real estate industry-standard accounting, financial analysis, and profitability benchmarks, the Feasibility Analysis concluded that Scenario A is not financially feasible, as it does not provide sufficient return on costs to enable obtaining construction financing to be obtained. Scenario B is financially feasible, yielding a return on costs of 6.57%, just above the minimum industry standard threshold of a 6.5% return that would be required, at minimum, to obtain construction financing.

The purpose of this supplementary document is to provide further information on the underlying documents and information reviewed by TCG in preparing the Feasibility Analysis.

Conclusions

The assumptions for hard costs for the Project are reasonable and based on actual general contractor bids provided by Panorama. The assumptions regarding proposed soft costs are reasonable, based on, and in line with, recently constructed projects and proposals by consultants and engineers. The land purchase price is in line with market values for comparable properties in

the vicinity of the Property and is thus reasonable. The assessment of project income is reasonable and in line with comparable eldercare offerings in the vicinity of the Property.

Land Value

TCG reviewed Panorama's land purchase contract to determine whether the proposed land cost is in line with market values for comparable land. The criteria TCG used to identify comparable land assemblages were properties that a) are zoned R3-1; b) at least 2 adjacent lots c) purchased with intent to develop; and d) near high median household income and home value areas.

Address	Zoning	Sale Price	Land SF	Sale Price Per SF	Date Sold
8377-8387 Blackburn Ave	R3-1	$10,760,000	21,210	$507	7/1/2019
8451-8457 Blackburn Ave	R3-1	$6,550,000	13,961	$469	12/23/2019

Taking into consideration the fact that, as indicated in their purchase agreement, Panorama negotiated a long escrow period with none of the refundable deposit funds becoming non-refundable until entitlements are secured, Panorama's per square foot purchase price reflected in its purchase contract is in line with the land cost by square foot of the comparable properties analyzed above. Notably, as of the time of the preparation of the Feasibility Analysis and this Supplemental Analysis, Panorama's purchase of the Property has not yet closed.

Following the preparation of the Feasibility Analysis in August 2020, the economic reasonableness of the purchase price for the Property was further confirmed by the sale of a comparable property sold for development located at 1009-1015 North Croft Avenue, a land assemblage comprised of 13,011 square feet that sold for $7,400,000 - a sale price of $569 per square foot of land. Based on these factors, TCG concluded that the actual land cost for the Property was economically reasonable, not excessive. Again, this conclusion was already well-supported by comparable land purchases occurring before the Feasibility Analysis was prepared, and further confirmed by more recent land sales.

Hard Costs

To assess the feasibility of hard costs for the construction of the Project, TCG reviewed three separate general contractor estimates provided by Panorama that came from three separate general contractors. This included separate bids from W.E. O'Neill, CW Driver, and Consolidated Construction. Each general contractor has a solid professional reputation and are well-known in the construction industry. Each also has a) experience with Type IB construction, the same type of construction for the Project; b) experience building and remodeling healthcare facilities and c) provided a typical, itemized construction cost summary based on Panorama's schematic design drawings and their recent projects and discussions with subcontractors. Further, in reviewing the construction cost summaries, we observed that they were within a 5% range of each other, providing further validation of the reasonableness of the cost proposals. Lastly our analysis also considered the fact that Panorama assumed that parking would be at-grade in Scenario A with three floors of living area above, reducing the cost of each parking stall of the Scenario A version of the Project as compared to Scenario B. Because the gross area of the building and parking stalls

required in Scenario A can fit within the 45-foot by-right building envelope, no subterranean common area or parking is necessary in that scenario. As such, the construction costs were adjusted based on general contractor feedback for a smaller building and at-grade parking instead of subterranean parking.

Soft Costs

To assess the economic viability of Panorama's soft cost estimates for the Project, TCG analyzed a) consultant and engineer proposals provided by Panorama; and b) assumptions provided by Panorama's construction manager. In conducting our analysis, we relied on our knowledge and experience with comparable eldercare projects, and we also compared the information provided by Panorama with soft cost information from recent comparable projects for which TCG has information and has conducted analysis on behalf of other clients. We also note that Panorama's construction manager is an experienced construction manager with significant experience managing the construction of the eldercare facilities. TCG also reviewed Panorama's proforma to make sure variables costs like construction loan interest, lease-up operating expense losses and timing, and other dynamic costs are appropriately accounted for under soft costs. Based on this review, TCG determined that Panorama's proposed soft costs for the Project are reasonable and in line with industry standards.

Yield on Cost

In order to provide construction loans, banks analyze and "stress test" development projects multiple ways since construction loan payments are directly tied to matters that cannot be anticipated and market conditions that constantly change. For example, a bank will stress test a development proposal's projections in the event interest rates increase during construction, projected rents are not achieved during lease-up or framing costs increase due to increased lumber costs.

All of the above dictates the size, interest rate, and terms of the loan; the lower the loan amount offered by the bank, the more equity investment required by investors, which in turn increases the project's cost of capital, pushing the requirement return threshold higher. In other words, return thresholds are not dictated by the developer, they are in large part due to macroeconomic conditions that are out of the developer's control.

It is important to note that lending institutions must meet certain liquidity standards and stress tests dictated by the federal government. A critical component of maintaining proper liquidity is extending appropriately sized loans on projects, which, as stated above, requires creating a buffer to account for unanticipated variables at play during the course of a development project's lifecycle and is reflected in the minimum return.

Furthermore, for investors to invest their equity capital into a project, simply put, the project's projected return must meet a certain hurdle to be worth the potential downside risk in the event the project fails or the economy takes a wrong turn. Investment capital is market-driven as well

because investors choose to invest in investments that are projected to yield returns that are worth the potential risks.

In the senior housing industry, with respect to eldercare projects of the Project's size, scale, quality, and location, 6.50% is a minimum threshold for return on cost. Without being able to demonstrate this minimum return, investors and lenders will not provide equity or debt capital for an eldercare project of this size, scale, quality, and location to be built.

In other words, in this context, "typical return" as stated in the Feasibility Analysis means "minimum return required to obtain financing." Based on our Feasibility Analysis, the Project's (Scenario B) projected return on cost was slightly above the minimum 6.5% threshold, coming in at 6.57%, and the "base zoning" scenario (Scenario A) was under the threshold, and thus could not qualify for financing from major lending institutions lending at industry standard rates nor would it receive equity investment from investors under standard, market-dictated joint-venture economics.

Operating Expenses

The projected operating budget for the Project was submitted by Artegan, an experienced senior housing operator. Artegan is a well-known eldercare facility operator known for operating well-run assisted living projects of similar scale and quality as the Project. The operating expenses were compared to industry standard data, including the data in American Senior Housing Association's the State of Seniors Housing, 2019 edition,[1] and were independently verified. They were in-line with level of care, amenities, and location of the facility. Furthermore, we had completed a financial analysis of Kirkwood Orange ("Kirkwood"), an eldercare facility located in Orange, a comparable Southern California location. Kirkwood is a 48-guest room eldercare facility comprised of 23 assisted living and 25 memory care guest rooms. Due to its size, Kirkwood is comparable to Scenario A; after comparing our operating expenses for Kirkwood to the operating expenses in the Scenario A pro forma, our Feasibility Analysis results were validated. In addition, we reviewed the salary assumptions for the salaried employees of the Project, which are the most significant line items and found them to be reasonable assumptions based on our independent verification, including speaking with senior housing recruitment agencies in the senior housing industry and searching through online employment ads on websites such as Indeed.

[1] See American Seniors Housing Association, *The State of Seniors Housing, 2019*. The principal research report on seniors housing operational performance with data from almost 1,800 senior apartments, independent living communities, assisted living residences and continuing care retirement communities located throughout the U.S. The report contains pertinent financial and performance measures for the 12 months ending nearest to December 31, 2018, including: resident turnover and length of stay, annual financial results per occupied unit, staffing ratios and labor costs, other key cost items, key financial performance indicators and more. Throughout its 25-plus year history, the report has served as an important resource for owners, operators, lenders, investors and other professionals interested in the market-rate seniors housing business.

The State of Seniors Housing 2019 is a collaborative research project between the American Seniors Housing Association (ASHA), Argentum, LeadingAge, National Center for Assisted Living (NCAL), and National Investment Center for Seniors Housing & Care (NIC).

Income

TCG completed a market study for the Project in April 2020, which included a rent survey of comparable eldercare communities that was completed in February 2020. The market study included rent and care fee recommendations to Panorama. The two most relevant comparable eldercare properties were Sunrise and Watermark, both located within 2 miles. The relevant units at Sunrise were in the $9,330 to $12,120 range; Watermark was at $8,195 to $10,195. Care fees, the additional fee for activities of daily living which is based on each resident's acuity level and need for assistance, was in the $700 to $2,900 range.

Being that the Property has a Los Angeles address as opposed to Beverly Hills, we recommended rents for the 80-Guest Room Project in the $7,500 to $9,400 range.

Proposed operator Artegan provided its operating model for our analysis of both Scenarios A and B. In Scenario B, the proposed Project, Artegan utilized TCG's rental rate assumptions and assumed an average care fee per resident of $750 for Assisted Living and $1,250 for Memory Care. Artegan assumed the rooms would rent for a 15% premium in Scenario A. TCG concurs with this premium because in urban locations, we have observed smaller properties command rent premiums to adult children and their loved ones' in light of a general perception that less beds and units means more individualized attention from caregivers.

Ancillary income such as guest meals and rental income from hair stylist's rental of the hair salon totaled to less than $1,500 per month and is similar to what TCG has seen on financial projections of similar eldercare facilities.

The community fee is a standard fee in rental eldercare facilities. It is a one-time fee paid by the resident upon move-in. Artegan assumed a community fee of $6,500, which TCG believes is reasonable in light of the ~$7,000 to $25,000 that comparable properties charge. Artegan assumed a turnover rate of 50% per year to determine total community fees annually, in line with data from the American Seniors Housing Association's the State of Seniors Housing 2019 edition publication.

Lastly, as the most relevant comparable properties all had occupancy rates in the 90-100% range, we agreed with Artegan's assumption of 95% occupancy after the Project's lease-up period is over and it is considered stabilized.

APPENDIX

THE CONCORD GROUP
Real Estate Advisors

Real Estate Development and Financial Advisory Services

Opportunity Analysis - Due Diligence - Valuation - Programming - Marketing






Company Profile

April 2021

At a Glance

- Real estate advisory firm focusing on market, financial and valuation analyses across sectors.
  - Offices in Newport Beach, San Francisco, New York City and Atlanta
  - Deep experience in “first tier” and “second tier” U.S. Metro Markets
  - Geographic reach spans North America plus Europe, Central America and Asia
  - Senior team comprised of recognized industry thought leaders
  - 50+ full time staff (Professional + Operations) and access to contract teams nationwide

- Diverse client/relationship base across real estate sectors
  - Private Equity
  - Financial Institutions
  - Developers (Multi-family REITs/Land)
  - Homebuilders (Public/Private)
  - Public Sector

Introduction

- The Concord Group ("TCG") is a leading national real estate consulting firm, providing a range of market analysis, land use programming, and asset and portfolio valuation services.
- Investors, developers,, and public agencies rely on The Concord Group for guidance through all phases of real estate planning, financing, development, and operations.
- TCG analyses cover all real estate product types: office, retail, industrial, hospitality and residential segments.
- TCG recommendations maximize the financial potential of real estate assets and limit financial risk associated with future investment.







We lead our industry by going beyond traditional studies and analysis to provide recommendations that maximize the value of real estate opportunities.

THE CONCORD GROUP

Background

- The Concord Group was co-founded 23 years ago in 1995 by Richard Gollis and Marta Borsanyi. TCG has established itself as a premier international real estate advisory firm offering market, financial and valuation analyses across the real estate industry.
- Headquartered in Newport Beach, the firm opened a full-service office in San Francisco in 1998, followed by Boston in 2007. In 2012, the northeast office was transitioned to New York City. Recently, TCG opened a new office in Atlanta to complete our "four-corner" U.S. coverage.
- The firm built a reputation on advising the community development sector, working with national developers, public/private builders and land owners. Through the 1990's, approximately 50% of the core business was concentrated in master-planned communities and 25% in other residential.
- As the industry evolved and financial institutions played stronger roles in development oversight, TCG's involvement carried over to relationships with financial decision-makers. The client base therefore expanded to include major private equity firms, investment banks, pension funds and other capital providers.
- Through the various real estate cycles, TCG has leveraged expertise and extensive relationships to provide guidance through all phases of strategic market analysis, acquisition, planning, financing, development, operations and disposition.

Clients, Services and Property Sectors

Clients

- Finance
  - Private Equity Firms
  - Pension Funds
  - Investment Banks
  - Financial Advisors
  - Commercial Banks
- Development/Builders
  - Multifamily (REITs/Dev)
  - Homebuilders (Pub/Pr)
  - Land developers
  - Commercial Owners/Operators
- Public/Non-profit
  - Counties/Cities
  - Authorities
  - Universities

Services

- Market opportunity analysis
- Project feasibility
- Land use programming, phasing & pricing
- Product program testing & refinement
- Portfolio and single asset valuation
- Repositioning strategies
- Distressed loan/asset underwriting
- Transaction support
- Consumer research & focus groups
- Marketing implementation

Property Sectors

- Residential
  - For Sale
  - Rental (General & Student)
  - Senior Housing, Care & Active Adult
- Mixed/Multi-Use
  - Master-planned Communities
  - Urban Infill
- Commercial
  - Office/Industrial
  - Retail/Entertainment
- Hospitality & Recreation
  - Hotel
  - Resort (beach/mountain)

Scenarios & Applications

Representative Scenarios

- Project financing (debt & equity)
- Asset/portfolio acquisition & disposition
- Portfolio allocation
- Project/portfolio recapitalization
- Bank failure / loan portfolio auctions
- Bond underwriting
- Workouts & debt modification
- Capital improvement financing
- Strategic planning, capital raising & partnership buyouts



Applicable Services

- Market opportunity analysis
- Submarket & site identification
- Transaction due diligence
- Project feasibility analysis for financing (e.g., EB-5)
- Development programming, phasing, & pricing
- Asset repositioning
- Asset & portfolio valuation

TCG Competitive Advantages

- Proven ability to work under tight due diligence timelines
- Credibility with major institutional investors and developers worldwide
- Forward looking approach to valuation, integrating supply/demand dynamics and asset-level analysis, to deliver relevant and reliable conclusions
- Single source delivery of broad geographic coverage, large portfolio analyses; central coordination, roll-up, and delivery of local asset-level valuation

TCG Approach

Representative TCG approach for **asset analysis** related to investment or development strategy:

Assessment

1 Kickoff

- **Meet with client**
- **Discuss** property, development plans, timing, financial objectives, client comments & concerns, etc.
- **Research** history, conditions, & unique characteristics of property, market area, and development plan

2 Scope & Objectives

Design **customized scope** of work to achieve near-, mid- and long-term client objectives

Ensure that scope and timing fit client budget, deadlines, and other key parameters

Execution

3 Analysis

Review **existing materials**, including plans, studies, & other background information

Visit subject property & analyze **competitive advantages & disadvantages**, with specific focus on market potential

Identify relevant **market areas** for potential land use(s)

Evaluate historical & projected **economic and demographic trends**

Analyze historical & projected market data including **absorption, deliveries, vacancy, rent**, etc.

Conduct statistical **demand & supply forecasts** to determine market opportunity for new development

Survey **competitive & comparable properties** - relative to key metrics such as rents, occupancy, renter profiles, absorption, shadow market, etc.

Conduct **valuation** using financial modeling, cash flows, land residuals, comparable building/land sales, etc.

Other (case studies, consumer research, financial optimization, stakeholder & local interviews, etc.)

Delivery

4 Conclusions & Recommendations

Recommend land use strategy to **maximize client's investment opportunity** while **minimizing risks** associated with investment

Create program with: product mix & phasing; rents & absorption; target markets & profiles, etc.

5 Presentation

In **working session**, present findings, conclusions, & recommendations to client – supported by comprehensive package of exhibits

Delivery of **final report**, incorporating commentary & revisions resulting from working session

As appropriate, recommend **next steps**

THE CONCORD GROUP

Typical Analysis Deliverables

Background & Context

Regional Overview
Regional Location Map
Demographic Shifts
Market Drivers
Economic Drivers and
Economic Development Trends
Tourism Trends
Vacation Clusters

Demand & Buyer/Tenant Profile

Demand Drivers
Demand Market Map
Lifestyle Segmentation Analysis
Income / Wealth Qualifications
Commute Patterns
Selected Target Profiles
Demand by Target Profile and Product Type
Key Demand Conclusions

Supply Side Analysis

Supply Analysis
Market Map
Submarket Performance
Historical Volume
Historical Sales Trends
Historical Price Trends
Market Absorption by Product Type and Price
Summary of Key Comparables
Selected Inventory
Selected Inventory Map
Positioning and Inventory
Projected Supply Summary
Projected Supply Versus Potential Demand

Analog Positioning
Lessons learned from "case study" experiences of successful projects with similar characteristics

Conclusions and Recommendations

Site Specific Analysis
Local Setting
Site Plan
Market Evaluation
Key Comparable Evaluation
Demand and Product Type Matrix
Value Creation Timeline
Development Positioning
Product Menu
Product Characteristics and Features
Built Product and Land Residual Valuation
Value Summary Matrix
Financial analysis
Product Program Phasing and Allocation

Note: Categories and exhibits listed above represent typical programming analyses. Content will be customized to address specific questions, issues and concerns posed by the development team/market or environment

Leadership Bios

Richard M. Gollis

Richard M. Gollis is a Co-Founder and Principal of The Concord Group based in the Newport Beach office. As a founding partner, Richard has crafted and cultivated the firm's unique approach to advisory services, integrating deep market knowledge with creative analytics to provide best-in-class solutions to a diverse range of clients.

Richard's expertise in strategic market analysis, development programming, transaction due diligence and valuation extends across all real estate asset classes. With a career in real estate spanning New England, Atlanta and Southern California, Richard offers an exceptional breadth of experience that makes him a trusted advisor to private- and public-sector clients alike. He works frequently with cities on solving complex redevelopment challenges in partnership with world-class developers and financial institutions.

Respected as a thought leader in real estate, Richard is often quoted in major publications and frequently sought after as a speaker at key industry events.

Richard was elected a Trustee to the Urban Land Institute in 2012 and has been a Governor of the ULI Foundation since 2006. He is also a Past Chair of the Community Development Council, Juror for the Awards for Excellence and Chair/Past Chair of the Orange County District Council. In addition, he is currently Co-Chair of the Advisory Board of The Department of Policy, Planning and Design at the University of California, Irvine.

A native of Boston, Richard is a graduate of Brown University with a degree in international relations.

Leadership Bios

Michael Reynolds

Michael Reynolds is a Principal based in the Newport Beach office. Specializing in the valuation and programming of master-planned residential communities, commercial land, and urban mixed-use real estate projects, Michael has provided strategic market and financial advice to major owners and operators of real estate for more than a decade. His market expertise also includes multi-family apartments and seniors' congregate living.

Michael's successful completion of over 750 local and national projects makes him a highly esteemed resource for developer clients seeking to establish market value during pre-acquisition due diligence and maximize financial returns in the development planning process.

Michael has lectured before numerous professional industry groups, including the Urban Land Institute (ULI) Real Estate School, Pacific Coast Builders Conference, Southern California Appraisal Institute and University of California, Irvine.

Originally from Connecticut, Michael moved to Southern California in the late 1990s to attend Claremont McKenna College, where he met his wife and graduated Cum Laude with a degree in economics and government.

Leadership Bios

Tim Cornwell

Tim Cornwell is a Principal in the San Francisco office. Tim's career at The Concord Group spans over a decade, during which he has completed more than 850 engagements in 30 U.S. States and 12 countries, cultivating a broad geographic and technical expertise in the analysis of different product types and asset classes.

Widely recognized as an expert in market-based urban infill development strategy, Tim combines strong quantitative analytics with a grasp of qualitative market factors to solve macro- and micro-economic challenges facing urban redevelopment throughout the United States. As leader of The Concord Group's affordable housing practice, Tim has also supported successful funding applications, acquisitions and planning efforts across more than 100 client engagements.

A frequent speaker on multi-family development, urban infill trends and issues facing his Gen Y peers at the Urban Land Institute and other conferences.

Tim, a native of the San Francisco Bay Area, is a graduate of Pomona College with a degree in international relations and economics.

Relevant Experience from the Last Year

1. Benchmark Senior Living
    a. Northeast Expansion Strategy - DC, Philly, New York, NJ (Jan '21)
    b. Supply / Demand Analysis and Positioning Strategy – Alexandria, VA (Nov '20)
    c. Supply / Demand Analysis and Positioning Strategy – Rye, NH (Oct '20)
    d. Supply / Demand Analysis and Positioning Strategy – Marlton, NJ (Jul '20)

2. Continental East
    a. Market Repricing During Covid – Continental Villages – Murrieta, CA (Mar '21)
    b. Market Repricing During Covid – Continental Villages – Moreno Valley, CA (Mar '21)

3. Seasons Living
    a. Amenity Programming Input – Northridge, CA (Feb '21)

4. Cadence Living
    a. Programming Analysis – Brea, CA (Jan '21)

5. Avenida Partners
    a. Market Update for a Proposed Independent Living Apartment Community – Loveland, CO (Dec '20)
    b. Market Update for a Proposed Independent Living Apartment Community – Folsom, CA (Nov '20)
    c. Programming and Rents for a Proposed Independent Living Apartment Community – Carrolton, TX (Jun '20)
    d. Market Update for a Proposed Independent Living Apartment Community – Mesa, AZ (May '20)

6. MBK Senior Living
    a. Assessment of IL to AL Conversion for The Firs – Olympia, WA (Sept '20)

Property Summary Report

1009-1015 N Croft Ave

Los Angeles, CA 90069 - Beverly Grove Submarket



BUILDING

Type	2 Star Low-Rise Apartments
Year Built	1958
Units	14
GBA	12,880 SF
Stories	2
Metering	Individually Metered
Rent Type	Market
Market Segment	All

LAND

Land Acres	0.30 AC
Zoning	LAR3

EXPENSES

Taxes	$548.86/Unit (2019)

PARCEL

5529-007-024, 5529-007-025

BEDROOM SUMMARY

Models		Counts		Units Available		Avg Asking Rent		Avg Effective Rent		Concessions
Totals	**Avg SF**	**Units**	**Mix %**	**Units**	**Percent**	**Per Unit**	**Per SF**	**Per Unit**	**Per SF**	**%**
All 1 Beds	-	10	71.4%	1	10.0%	$2,500	-	$2,483	-	0.6%
All 2 Beds	-	4	28.6%	1	25.0%	$3,499	-	$3,477	-	0.7%
Totals	**-**	**14**	**100.0%**	**2**	**14.3%**	**$2,785**	**-**	**$2,767**	**-**	**0.6%**

UNIT MIX

Models			Counts		Units Available		Avg Asking Rent		Avg Effective Rent		Concessions
Beds	**Baths**	**Avg SF**	**Units**	**Mix %**	**Units**	**Percent**	**Per Unit**	**Per SF**	**Per Unit**	**Per SF**	**%**
1	1	-	10	71.4%	1	10.0%	$2,500	-	$2,483	-	0.6%
2	2	-	4	28.6%	1	25.0%	$3,499	-	$3,477	-	0.7%

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Property Summary Report

1009-1015 N Croft Ave

Los Angeles, CA 90069 - Beverly Grove Submarket

PET POLICY

Others Allowed - $100/Mo,

SALE

Sold Price	$7,400,000 ($528,571/Unit)
Date	Oct 2020
Sale Type	Investment
Financing	Down Payment of $2,960,000 (40%) 1st Mortgage: Private Lender

TRANSPORTATION

Parking	5 available (Covered);7 available (Surface);Ratio of 2.00/Unit
Commuter Rail	17 min drive to Glendale Commuter Rail (Ventura County, Antelope Valley Lines)
Airport	22 min drive to Los Angeles International Airport
Walk Score®	Walker's Paradise (91)
Transit Score®	Good Transit (63)

PROPERTY CONTACTS

True Owner	The Madison Group 9631 W Olympic Blvd Beverly Hills, CA 90212 (310) 888-8816 (p)
Previous True Owner	Elena G Jiler 6033 Ellenview Ave Woodland Hills, CA 91367 (818) 346-4092 (p)
Previous True Owner	Rutter Family Trust 2907 Norkenzie Rd Eugene, OR 97408
Recorded Owner	Beverly Hills Flats Llc 9631 W Olympic Blvd Beverly Hills, CA 90212
Previous True Owner	Ruth Gordon Camacho Living Trust 7311 Southern Ave Mesa, AZ 85209
Property Manager	Madison - 1009 N Croft Ave 1009-1015 N Croft Ave Los Angeles, CA 90069

Property Summary Report

8377-8387 Blackburn Ave - Orlando Pueblo

Los Angeles, CA 90048 - Beverly Grove Submarket



BUILDING

Type	2 Star Low-Rise Apartments
Units	13
GBA	12,922 SF
Stories	2
Rent Type	Market
Market Segment	All

LAND

Land Acres	0.49 AC
Zoning	R3

EXPENSES

Taxes	$1,678.08/Unit (2019)

PARCEL

5511-031-016, 5511-031-018, 5511-031-042

AMENITIES

- Controlled Access
- Fitness Center
- Pool
- Courtyard
- Laundry Facilities
- Spa

BEDROOM SUMMARY

Models		Counts		Units Available		Avg Asking Rent		Avg Effective Rent		Concessions
Totals	**Avg SF**	**Units**	**Mix %**	**Units**	**Percent**	**Per Unit**	**Per SF**	**Per Unit**	**Per SF**	**%**
Totals	**-**	**13**	**100.0%**	**1**	**7.7%**	**-**	**-**	**-**	**-**	**-**

UNIT MIX

Models			Counts		Units Available		Avg Asking Rent		Avg Effective Rent		Concessions
Beds	**Baths**	**Avg SF**	**Units**	**Mix %**	**Units**	**Percent**	**Per Unit**	**Per SF**	**Per Unit**	**Per SF**	**%**
Studio	-	-	-	-	-	-	-	-	-	-	-

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Property Summary Report

8377-8387 Blackburn Ave - Orlando Pueblo

Los Angeles, CA 90048 - Beverly Grove Submarket

SALE

Sold Price	$10,760,000 ($827,692/Unit)
Date	Aug 2019
Sale Type	Investment
Financing	Down Payment of $2,412,268 (22.42%) 1st Mortgage: Goldman Sachs Bank USA

TRANSPORTATION

Parking	13 available (Covered);Ratio of 1.00/Unit
Commuter Rail	17 min drive to Union Station Commuter Rail (Ventura County, Ante-
Airport	21 min drive to Los Angeles International Airport
Walk Score®	Walker's Paradise (92)
Transit Score®	Good Transit (67)

PROPERTY CONTACTS

True Owner	Omer Ivanir Marina Del Rey, CA 90295 (424) 332-5030 (p)
Recorded Owner	Blackburn Owner LLC 8377 Blackburn Ave Los Angeles, CA 90048

True Owner	Alla Sorochinsky 12121 Wilshire Blvd Los Angeles, CA 90025 (310) 207-1699 (p)
Previous True Owner	Reavis Family Trust 650 N Farrell Dr Palm Springs, CA 92262 (213) 705-4528 (p)

Property Summary Report

8457 Blackburn Ave - Beverly Hills Adjacent RTI Development Site

Los Angeles, CA 90048 - West Hollywood Submarket



LAND

Type	2 Star Residential Land
Land AC - Gross	0.32 AC
Land SF - Gross	13,961 SF
Topography	Level

PARCEL

5511-032-013, 5511-032-063

ZONING & USAGE

Zoning	R3
Proposed Use	Apartment Units, Apartment Units - Condo, MultiFamily
Approval	Approved Plan

CURRENT CONDITION

Improvements	Architectual Plans, RTI-entitlement, vacant land
Grading	Rough graded
Infrastructure	No Cable, No Curb/Gutter/Sidewalk, Electricity, Gas, No Irrigation, Sewer,

TRAFFIC & FRONTAGE

Traffic Volume	62,592 on S la Cienega Blvd & Blackburn Ave S (2018) 48,159 on N la Cienega Blvd & S la Cienega Blvd S (2018)
Frontage	Blackburn Ave

Made with TrafficMetrix® Products

TRANSPORTATION

Commuter Rail	17 min drive to Union Station Commuter Rail (Ventura County, Ante-
Airport	21 min drive to Los Angeles International Airport
Walk Score®	Walker's Paradise (93)
Transit Score®	Good Transit (67)

SALE

Sold Price	$6,550,000 ($40,888,220/AC - $938.66/SF)
Date	Dec 2019
Sale Type	Investment

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Property Summary Report

8457 Blackburn Ave - Beverly Hills Adjacent RTI Development Site

Los Angeles, CA 90048 - West Hollywood Submarket

PROPERTY CONTACTS

True Owner	Wiseman Development, Inc. 11601 Santa Monica Blvd Los Angeles, CA 90025 (310) 914-5555 (p)
Previous True Owner	Langham Developments, Inc. 7545 Irvine Center Dr Irvine, CA 92618 1 (780) 428-8862 (p)
Recorded Owner	Blackburn La Cienega Lp 11601 Santa Monica Blvd Los Angeles, CA 90025

Artēgan

April 16, 2021

Dear Area Planning Commission:

Artēgan, a senior living housing provider, is thrilled to have been engaged by the developer of the proposed eldercare facility located at 825 – 837 Holt Avenue in the City of Los Angeles to manage its facility. Artēgan has been providing quality senior living facilities across the western United States for over 20 years. We currently operate 9 senior living communities in in Washington, Oregon, Colorado and Arizona. Each of our facilities offer different levels of care and living options including retirement cottages, independent and assisted living apartments, and memory care. Over the years Artēgan has also operated 4 other senior care properties in Northern California, with the most recent property being located in Folsom, CA.

To provide a little more information about our background and mission, the Latin word "Artēgan" represents a harmony of place, beauty and values. Our mission statement is simple: "Celebrating the Art of Life." Our name and mission inform all of our actions, which are oriented around providing vibrant, life-affirming spaces for seniors to enjoy their twilight years with dignity and grace. You can find more information about our company and our stellar senior facilities on our website, at www.artegan.com.

As an experienced eldercare facility operator, we have a deep understanding of the operational, programmatic, and staffing needs for such facilities. We write today to address several particular issues regarding the operation of the proposed project raised in certain administrative appeals challenging the project's eldercare facility permit approval, as we understand them.

The project proposes both assisted living and memory care units, which have unique operational, staffing, and project design needs. Critically, we note that providing a memory care floor for residents afflicted with Alzheimer's/dementia allows residents to age in place and transition into higher levels of care as the need arises over time. This is an essential component of community-based and person-centered eldercare.

We understand that without the variances that the developer has requested, the facility would be limited to 36 guest rooms and could only provide assisted living care.

The inability to care for residents who, over-time, are diagnosed with Alzheimer's dementia is an extreme hardship for the residents and their families. When we have the ability to provide a safe and secure environment for people living with dementia and dementia related disorders, as they progress through the end of their life, we will be able to provide peace and comfort while maintaining their dignity and ensuring person-centered care and services. Unfortunately, I have seen far too many times, when a resident who was diagnosed with dementia and had to be moved to another facility, they

15640 NE Fourth Plain Blvd. Ste 106 #437, Vancouver WA 98682 | p. 360.449.4524 | f. 360.449.4525 | artegan.com

experienced rapid decline in health, had exacerbated dementia related behaviors, and accelerated death. Because of the move, change in environment and unfamiliar staff, it can be very detrimental to seniors. Families are fully aware of this potential impact to their elderly loved one's health and actively seek eldercare facilities with memory care units within them.

Thus, we don't believe an assisted living-only facility would be viable. Again, a 36-guest room assisted living facility at the proposed project site is not only impractical, but it does not serve the local community, the seniors and their families and, it is not feasible.

Regarding amenities, for eldercare facilities to function properly and provide the highest level of service and quality of life for seniors, substantial amenity space is required – much greater than is typically provided with standard multi-family housing. The project here provides an entirely appropriate amount of both indoor and outdoor open spaces and amenities consistent with the highest level of services for seniors, keyed to the needs of the intended population. In particular, with assisted living and memory care residents, due to limited mobility and a need for near-constant or constant supervision these individuals are limited in their ability to recreate outside the facility. Thus, the project's proposed amenity areas include social eating spaces, exercise areas, media rooms, gathering places, a movie room, and other amenities as proposed, to provide necessary quality of life options for the future residents that they may be denied, absent having such amenities onsite. We frankly do not understand the positions of any neighbors that would NOT advocate to have such amenities that are beneficial to seniors' quality of life. We believe they are essential.

Corridors must be a certain width to allow for the transportation of residents who require assistive devices such as walkers, wheelchairs and motorized carts. We are providing images below which demonstrate that these devices and the need for caregiver assistance create the need for extra-wide passageways that exceed what is often provided by standard multi-family buildings. This is particularly true where individuals with walking devices and those needing caregiver assistance must pass one another in a hallway.

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Regarding the issue of staffing at the facility and sharing staff among two properties, having employees commute between multiple facilities is simply not possible given the inherently different management structures and operational needs of separate facilities. Moreover, dividing onsite staff between multiple facilities is something that is not done in our industry, particularly for facilities of this size, scale and quality. Each role is in-place and is closely tied to the safety and health of each resident. For example, the culinary team pays close attention to each resident's diet. If a loved one has to maintain a low sodium diet, providing that service is a team effort requiring constant, fluid, and immediate communication between caregivers, the culinary team, and the executive director; they cannot miss a detail or there can be dire consequences. This is why sharing staff members is a terrible idea. Families entrust us with the well-being of their loved ones. We cannot safely oversee the health of our residents

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with staff that is not present onsite, who have their time and attention divided between multiple facilities. Doing this would be the exact opposite of what the families of the residents come to us for.

It is worth noting that the level of staffing proposed here, which includes executive director, marketing director, culinary director, activities director, resident services director, and memory care director is reasonable and not excessive. In fact, our 70-unit community that offers assisted living care only has all of the above positions, except memory care director since memory care level of care is not provided.

In fact, the staffing plan for the Holt eldercare facility is common to our industry and would be the same if the facility was 50 or 100 units of assisted living and memory care. It is imperative that adequate and appropriately trained staff are onsite to provide the care and services that our seniors require, and deserve. Our staffing model is very common throughout Los Angeles County and California, and the industry across the nation.

Regarding our assumptions in the projected profit and loss, we based our assumptions regarding cost on our extensive experience with operating such facilities. We also performed research to come up with accurate projections for an assessment of costs in the Los Angeles market, including utilizing historical portfolio data, speaking with employment search firms, researching rates for hourly roles in Los Angeles, reviewing information from the Concord Group, and having our insurance broker bid the different insurance policies needed. This is the level of precision that is a normal course of action for any development project at this stage, and is accurate enough that financial institutions, appraisers, lenders, and investors rely on it. The cost information we provided is thus valid and well-founded.

We have operated dozens of senior housing projects in our company's history. Some have been in more suburban locations, some in more urban. Some located on main thoroughfares and some on quiet residential streets right next to single family homes. In our wide experience, we have never received neighbor complaints about too many ambulance visits, noise, traffic, parking issues. Senior housing is a passive use serving a quiet population. It is a great addition in any neighborhood. In fact, many neighbors find it pleasant to have the older generation interwoven in the community.

We hope we have addressed you questions and look forward to further review.

Best Regards,

Warren E. Page

Artegan COO and CO-Owner

15640 NE Fourth Plain Blvd. Ste 106 #437, Vancouver WA 98682 | p. 360.449.4524 | f. 360.449.4525 | artegan.com

4/2/21

APC

200 N Spring Street, Suite 440

Los Angeles, CA 90012

RE: HOLT SENIOR HOME

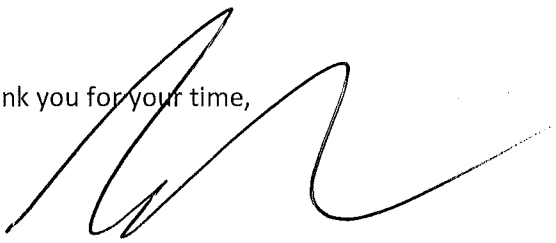
Hello APC,

I'm writing in support of the senior home that I think will be a great addition to our area. Governor Gavin Newsom's housing goals specifically call out building housing for all demographics. It's my personal opinion that a senior home, and this project in particular, is completely in line with our state and city housing goals.

Seniors in these homes don't drive, causing far less traffic than apartments would bring. If seniors have a good place to go, then they'll free up space for the houses that are already built too, helping the younger generation along with it. I am in my 30s and have seen home values rise astronomically here. The only way to stop this is by building more housing.

Pico-Robertson is the perfect area for a senior home. There's plenty of things near by like the farmer's market, churches, and good doctors too. It's the ideal setup for the community and our seniors. And there are a ton of seniors in the area, with very few senior homes to choose from. Building this home just makes common sense, so I hope to see it come to be. Something like this would make me proud of how we're treating our seniors with the respect and care they deserve.

Thank you for your time,



Adam Freedman

April 8, 2021

Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

Re: ZA-2020-2164-ELD-SPR – *Our Support*
825 -837 South Holt Avenue

Adam & Tamar Schlesinger
9830, Vidor Dr, 401
Los Angeles CA, 90035

Dear Alexander,

This is a follow up to my initial letter of support (shown below) from August 2020 for this project. I am a big believer in this facility filling a massive gap in the care for our aging population, and ask that you uphold the initial approval of the building. Not only will my parents and grandparents be able to have more local options for care, but countless others in a similar situation. This project will be an amazing addition to the neighborhood and I hope it will be built soon.

I'm writing to you because I've seen my parents struggle regarding caring for my aging grandparents. But this shouldn't be as stressful as it is. We need more senior housing facilities, better quality facilities. Families are going through enough when their loved ones reach the age where they need that extra help.

As I watch my parents try to care for my grandparents, I think about their future. About what options they'll have once they reach the age where I'll need to do the same for them. I'm hoping that they'll be able to have a peaceful transition into the proposed facility. They agree with me, excited about the many things to do in the area, which will be exciting as my child grows up and gets to spend more time with her grandparents. It's peaceful, quiet, and better for the community than an apartment would be, bringing in less traffic and being lower in height than an apartment building would be.

I grew up in this neighborhood and fully support this project. I hope you will support it as well.

Sincerely,

Adam & Tamar Schlesinger

April 8, 2021

Mr. Alexander Truong
City Planning Associate
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA, 90012

ZA-2020-2164-ELD-SPR – SEEKING ARPPOVAL OF HOLT ELDERCARE

Mr. Alexander Truong,

This is a follow up to my letter from last year in support of this project. I was disappointed to hear that this project was appealed by neighbors. I remain fully in support of the project and hope the approval decision is upheld. Below is a copy of my original letter of support from back in August 2020. Thank you.

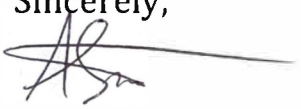
We heard about the proposed senior living facility and we think it's a GREAT idea. We were so excited when we were told about it. You see, as we get older, the problem of housing has been weighing on our minds lately.

Personal caregivers are expensive. So, we're left to choose between keeping my parents at home, and the numerous dangers that come with that, or putting them in a subpar facility. People who used to lead the family and take such good care of us must face the idea of living out their lives in a place they don't like. It's a heartbreaking decision for families to have to make.

Luckily, we have hope in that new senior living facility. It's much better suited to seniors than the other options, in a quiet place with

plenty of medical care nearby. The building will be much nicer than the others we've seen. And we say this as a couple who will one day need such a facility. We're still able to manage on our own, but when the time comes when we can't anymore, we refuse to be a burden on our son and grandchild. We want the choice to age in place, in a facility we love and that our son and grandchildren would enjoy visiting. It's time to take better care of our seniors and provide them with the kinds of options we hope for once we reach their age.

Sincerely,



Avi & Sandra Schlesinger

9546 Bolton Road

Los Angeles, CA90034

Mr. David S. Freeman

853 Le Doux Rd, 301

Los Angeles, CA 90035

6/1/2020

Re: Eldercare Facility on Holt Avenue

Dear Krystal Navar,

I would like to voice my support for the proposed eldercare facility on Holt Avenue between Wilshire and Olympic. I live on the other side of the block and this location is ideal for seniors with easy access to public transportation, medical facilities and parks that are all very important to seniors. The proposed building is a 5-story building in a neighborhood with 4-6 story buildings everywhere; it makes sense and it has minimal impacts because seniors in assisted living don't drive.

My great aunt lives in an assisted living facility in Santa Monica and absolutely loves it. My family moved her there because she could no longer safely live by herself and having looked for senior housing myself I can tell you there are not enough quality facilities at reasonable prices in West LA. She is much safer, happier, more social in this facility and has a built-in social network. It's expensive to live here and to keep family close by and this structure will help increase the number of available housing units and thus keep housing costs down for everyone. More quality senior housing will allow seniors to move out of their larger homes and help keep skyrocketing single family and condo prices from rising uncontrollably.

I am a third generation Angeleno on both sides of my family. All of my extended family and friends live here except for my brother and his two kids who live in Dallas; my brother was making over $250,000 when he decided to move to Dallas with his two kids due to LA's high cost of housing. We need more housing for every group of people—young, old, and everything in between. Imagine after three generations your family had to spread out due to this severe housing shortage. I bought my condo with my savings in 2019 and I could have bought a mansion in Texas for the same price. More housing means housing costs goes down. Any type of sensibly designed housing is good to have and there is a definite need for senior housing in this area.

Regards,

David Freeman

_____

Mr. David S. Freeman
853 Le Doux Rd, 301
Los Angeles, CA 90035

4/1/2021

Re: Holt Avenue Eldercare Facility

Dear folks at APC,

As someone who lives close to where the new eldercare facility would be built, I'd like to add my voice to the discussion. I know some of my neighbors have said that they don't want this building to be built, but most of us see the value in it. All my extended family and friends live here, and they all agree. We need more options for eldercare in this community, and this is the perfect project to fulfil that need.

My family and I have seen firsthand what kind of impact good facilities can have on people. My great aunt lives in an assisted living facility in Santa Monica. My aunt loves being there, and we love that she's safe and well cared for. She's has a built-in social network at this facility as well as plenty of activities and support. This goes to show that with the proper planning and care, such facilities can be great assets when meeting our elders' needs, and this new facility promises just that.

Most of us want this facility to be built. Most of us understand that our elders have a right to wonderful retirements in great facilities and this project promises to deliver that to them. I'd be very proud to know a building like this exists in our community, and I know plenty of other people who feel the same way.

Regards,

DF

David Freeman

April 5, 2021

Area Planning Commission

200 N. Spring Street, Room 440

Los Angeles, CA, 90012

Leanne Tomar

10525 Selkirk Ln

Los Angeles CA, 90077

ZA-2020-2164-ELD-SPR (Senior Retirement Center at 825 -837 South Holt Avenue)

Dear Area Planning Commission,

As the owner of an executive search firm in the area, I speak to a wide variety of people daily, and I think I have a good sense of what the residents of this community value. I attended the hearing for the proposed senior center and am writing to say that some of the things stated in that hearing are not aligned with what most of us believe. I hope you won't put too much weight on the opinions of those opposed to the building, and instead listen to those of us who are approaching this with compassion and simply want to see our loved ones cared for and safe.

At this hearing, one of the appellants made derogatory remarks about seniors living with dementia and stated that this brand-new facility would be a breading ground for disease. What reason would they have to assume this if there wasn't any sort of bias forming their opinion? This goes to show the kind of contempt those opposed to these plans have for elderly people and quite frankly, it's appalling. This kind of discrimination has no place in our community, as our seniors have just as many rights to high quality housing as everyone else does. They deserve it after all they've done for us. Aging doesn't somehow make someone less worthy of a valuable life.

One of the speakers even mentioned their worries of residents with dementia jumping off the building's bridge which shows a complete lack of empathy needed when dealing with some of our most vulnerable members of society. They clearly have negative views of the elderly, but most of us do not see things this way.

Everyone I know, as well as many of the clients I've spoken to, want to see this facility be built. It would fulfil a dire need within the community and is simply the right choice to make to help take care of our seniors. Please don't let a few, judgmental, dissenting voices speak over the majority of us who wish for the best for our elderly.

Sincerely,



Leanne Tomar

April 14, 2021

Area Planning Commission

City of Los Angeles

200 N. Spring Street

Los Angeles, CA 90012

Tala Mohebi & Adrian Taghdiri

117 S Doheny Drive

Unit 309

Los Angeles CA, 90048

APPROVE AGAIN ZA-2020-2164-ELD-SPR | 825 -837 South Holt Avenue

Dear Area Planning Commission:

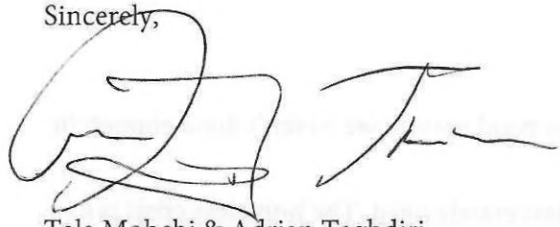
There is plenty of construction going on in LA and for good reason; we haven't done enough in recent years so it's time to catch up and build the homes we desperately need. The homeless crisis is a direct result of not building enough of housing. And this project would be a perfect addition to the community. This facility would place appropriately scaled mid-rise senior housing in a neighborhood that already has numerous mid-rise buildings.

The height argument that the neighbors are making does not have any merit. The buildings right next door to the site and right behind on Sherbourne are both 4-stories with active rooftops and an architectural feature at the front that makes it just as tall as a 5 story building. It makes no sense to call the project too tall when it is right next door to a building that is basically the same height. This city

desperately needs new housing of all varieties including senior housing. This is a thoughtfully designed project with great amenities for the seniors it will serve that meets this desperate need shared by our community and our whole city. We whole-heartedly support this project!

Furthermore, Governor Gavin Newsom's housing goals specifically call out building housing for all demographics, include seniors. It has been proven that if seniors have new housing where they can age in comfortably, they will leave behind houses that can be a starter homes for younger families. We have to open up existing housing stock if we are going to have any hope of solving our housing crisis. Please consider the needs of the great community as a whole while reviewing this project.

Sincerely,



Tala Mohebi & Adrian Taghdiri

August 9, 2020

Alexander Truong

City Planning Associate

Department of City Planning

City of Los Angeles

200 N. Spring Street, Room 763

Los Angeles, CA 90012

Tala Mohebi & Adrian Taghdiri

117 S Doheny Drive

Unit 309

Los Angeles CA, 90048

LETTER OF SUPPORT FOR ZA-2020-2164-ELD-SPR | 825 -837 South Holt Avenue

Alexander Truong,

We would like to share our opinion about the new, proposed senior living facility. We are a young couple who doesn't have to think about that kind of thing for ourselves yet, but we do have parents who are reaching that age. They both live in southern California, and eventually we'd like them to move nearby so they can watch their grandchildren grow up and be part of the family. However, there are currently no good assisted living options, so we wouldn't feel comfortable with them moving to the area quite yet.

We live in a condo, so we appreciate some of the concerns that people living nearby might have. Traffic is something we're tired of too; we don't want to add anymore. But seniors in these types of facilities don't drive, so this building would generate far less traffic than an apartment building would. We also understand the height concerns, as our street has a bunch of developments too. However, since this is a 5-story building in an area that could allow 6-stories, we think it's a much better option than other buildings that would likely be taller.

All things considered; we think this project is a great idea. It fits the neighborhood and would give seniors a great place to go. We know our parents will want to age on a quiet street, not a busy one like ours or La Cienega. And they'll enjoy the things to do nearby, and of course, being close to a family who will strive to make their retirement the best it can possibly be.

Sincerely,

Tala Mohebi & Adrian Taghdiri

April 12, 2021

Council Office

Department of City Planning

Los Angeles

6380 Wilshire Boulevard, Suite 800

Los Angeles, CA

90048

I SUPPORT PERMITS FOR ASSISTED LIVING AT 825 -837 HOLT AVE (ZA-2020-2164-ELD-SPR)

Dear Council Office,

I'm writing to you because I'm a senior who has been considering moving into an assisted living center as I get older, lonelier, and have more trouble taking care of myself. Though I have three children and several grandchildren that live nearby, they can't be with me all the time, and I know it would give them peace of mind to know I'm well cared for too. Unfortunately, there aren't a lot of options in the area, and those that exist aren't of high quality, making that transition into a senior home particularly difficult. The proposed project would be a great way to change this for the better.

I do know there has been some pushback on this project, but I believe that's because these people don't know what it's like to become a senior. They're already connected to the community in a way seniors aren't. They're able to get out and have when they want, and they don't have to worry about the various health risks that can come of living on your own as you age. They don't understand the needs of seniors and how to best address those needs. But they do deserve our thought and consideration.

When making a decision about a project like this though, you must think about the community as a whole, rather than a few people who would be annoyed by construction or have biases against seniors. These types of homes provide people like me with other folks in similar stages of life, helping to combat loneliness. They also provide us with things to do and the supportive care we need as we become more dependent on others. As I adapt to this new stage of life, I want to be in a facility that is well planned out for people like me, in a peaceful area that I know and love. This facility offers all that and more.

We need this kind of housing in our community. And I personally think us seniors deserve more quality options to chose from as we make plans for that next stage of life. I pray you'll keep us in mind as you make this decision.

Sincerely,

Frida Shayan

1810 Malcom Ave. #307

Los Angeles, CA 90025

4/13/2021

APC

15760 Ventura Boulevard

Suite 600

Encino, CA 91436

Joseph & Mandana Elazari

10751 Wilshire Blvd, #1106

Los Angeles, CA 90024

Re: ZA-2020-2164-ELD-SPR – Options For Seniors

825 -837 South Holt Avenue

APC,

We're excited to hear about the progress being made towards the construction of the senior center. However, we know there are some hold ups, so we'd like to again express our support for this facility. Last time we wrote, we told you about Mandana's mother and her struggle with finding a place to age safely. We are still hoping that this could be the place for her. That's why it's so disheartening to hear the lengths some people will go to trying to stop construction from taking place.

Our seniors have just as much right to have high quality housing as everyone else and these appeals should be denied. The community wants and needs more senior housing, so I hope you won't let those few voices drown out what would be best for the majority of us.

Thank you for your time,

Joseph & Mandana Elazari

- M. Elazari
- Joseph ELAZARI

April 14, 2021

APC
200 N. Spring Street, Suite 440
Los Angeles, CA, 90012

Manouchehr Zahirpour
10622 Ashton Ave. Los Angeles CA 90024

Re: My Opinion of Continued Support
Retirement Facility at 825 -837 South Holt Avenue (ZA-2020-2164-ELD-SPR)

To whom it may concern,

As a senior who lives on the Westside, I'm getting to the age where I'll need to be considering where I want to live out my retirement years, and currently there aren't a lot of great options available. That's why I was so excited to hear about this proposed facility that's close to all of my favorite places to visit and well thought out for seniors like myself, with plenty of space left for common areas and amenities. Buildings like this create a great sense of community and I know some of my friends are also watching the progress of this project closely, hoping that we'll all have a better option where we can be close to each other and our family. It seems like it'll truly

be an enjoyable place to live. I hope you see the benefits as we all do and keep us in mind as you continue to discuss this project.

Sincerely,

Manouchehr Zahirpour



Re: ZA-2020-2164-ELD-SPR – Important to Support

825 -837 South Holt Avenue Assisted Living

April 19, 2021

15760 Ventura Boulevard, Suite 600

Encino, California,

91436

Area Planning Commission

Yehouda Zargar

2520 Castle Heights Ave.

Los Angeles, CA 90034

Area Planning Commission,

As someone in my 60s, I have great children who are forming families of their own, and my son lives close by. They're successful adults, but as I age, I worry about burdening them. They've got so much going on in their lives, that I want to make the best decision for all of us. I think that I will be moving into an assisted living home.

Because of this, I've voiced my support for this project from the start, and I will continue to talk about what a blessing it would be. As I get older, loneliness is starting to set in, and I imagine it'll only get worse in time. This new home would provide that sense of community for me, allowing me to build a new life while my children are busy living their own lives. It's the perfect place for me and so many others.

Please listen to us honest people who just want a pleasant place to live in and approve this new home. I look forward to making it my home in the future.

All the best,

Yehouda Zargar



SUPPORT (ZA-2020-2164-ELD-SPR)

825 -837 South Holt Avenue

April 19, 2021

APC

200 N. Spring Street

Los Angeles, CA, 90012

Ray & Rona Benyamini

10579 Holman Ave Los Angeles, CA

90024

Greetings,

My wife and I have stayed updated on the proposed assisted living facility because my mother is aging, and though she's expressed interest in the idea of eventually moving into a assisted living facility, we have yet to find any good options for her. We certainly can't move her into a home that's not suitable, but she also won't be able to live on her own forever.

My siblings and I live close by and we do what we can to help. We visit as often as we can, but we know it's not enough and as time goes on, that has become only more apparent.

That's why we're truly hoping this new facility will be built. We've discussed this as a possible option with my mother and she's excited for it. It's close to some of her favorite places like The Grove and Fairfax Farmers Market, while still being in a quiet and peaceful area. The plans show plenty of room for amenities for seniors to enjoy, which will help her build the kind of relationships that will keep her from being lonely as she ages.

Overall, this is a well thought out facility in an ideal location. It's the best choice for our community and our aging loved ones. It's the kind of facility I would feel comfortable helping my mother move into, and I could see her being very happy there. Please help make this an option for those of us who have precious few facilities to choose from.

Thank you for your time,

Ray & Rona Benyamini

April 19, 2021

APC

6380 Wilshire Boulevard

Suite 800

Los Angeles, CA

90048

SUPPORT FOR CARE FACILITY AT 825-837 S HOLT AVE FROM RESIDENT WHO LIVES ONE BLOCK AWAY (ZA-2020-2164-ELD-SPR)

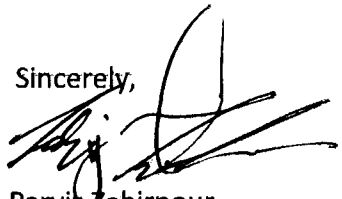
Dear APC,

As I get further into my seventies, I've been more interested in care facilities, knowing that in the future I may have to reside in one. We definitely need more quality options in this area for care facilities, so it's frustrating to hear that not everyone supports this project, and it doesn't seem like they have very good reason to oppose it.

They're just looking out for their own interests, rather than thinking about seniors like myself. How can anyone in good conscience argue that a retirement home is too tall when apartment buildings surrounding it are all similar in height? In fact, just a block and a half away from the project and 300 feet away from my building, there is a 5-story building at 909 Le Doux that I drive past all the time. A few blocks west, 836 Bedford is over 5 stories! Enough is enough; we are tired of homeless crisis exacerbated by housing crisis exacerbated by NIMBYism. We need senior housing and want to see this project get approved.

Most of the people around here are the nicest people I've ever met, and most of us support this project. I hope you'll ignore those who are only looking out for themselves and do what's right for the community as a whole.

Sincerely,



Parviz Zahirpour

853 Le Doux Ave. #101 Los Angeles, CA 90035

September 25, 2020

To the City of Los Angeles, and To Whom It May Concern,

My name is Daniel Sidis. I own the building immediately north of the proposal. I am writing this letter to express my serious concerns with the proposal, and specifically with the requested waivers.

I am 73 years old and retired. This building is my entire retirement income with which to support myself and my family for the rest of my life. As I write this today, I have already lost 20% of my rental income from the building. My units are "southside" and "northside", and all of my southside units will become vacant. I have had one tenant move out based on learning that the project was coming, and another who has already told me he will be leaving soon. I will never again be able to rent these units for anywhere close to their current rate, and they will likely remain vacant during the construction. I have a friend who does projections and he says I am likely to lose 30% rental income for the foreseeable future if this proposal is allowed to continue. The idea of having another building built so close to the property line means my southside apartments will have no view other than the building that is being proposed, and the same is true about the height proposal obstructing their view. I am also informed that the actual property value of my building will be diminished by a similar 20-30% if this proposal is allowed.

I must point out that while any large building built adjacent to mine would have an effect on my building, the requested waivers- height, side yard setbacks, and front yard setbacks- are what will cause my building to really take a big hit. If my building is overshadowed by a taller and much larger building, my tenants lose their views. They lose the feeling of open space that my building provides. Cars pulling out of my building's driveway require the setback to adequately view the sidewalk and street, and the proposed envelope for the development blocks a significant part of that view. (I invite someone from the city to come to my building, pull your car into my driveway, and then drive back out. There is no question that the new proposed building will have a significantly detrimental effect on the ability to see adequately, and therefore on safety). All of this translates into my building being less desirable, which translates into lost rental income and diminished property value.

<u>Practical Difficulties and Unnecessary Hardships</u>

I further do not understand how it would even be possible for the zoning administrator to find that the strict application would result in practical difficulties or unnecessary hardships. The developer claims that the proposal "requires economies of scale necessary to maintain the viability of these facilities." (findings, p3). He makes this claim, and expects us to take his word for it. Has he submitted a comparative study of what the facility would look like if it was limited to the envelope permitted by the code? Who wouldn't get paid? What kind of services wouldn't be adequately staffed? He does not say. He submits a 2x7 chart (findings p. 4) that compares getting NO waivers to getting ALL of the waivers. What happens if the city says ok you must build the

Character of the neighborhood

This proposal is totally out of character with the neighborhood. The developer deceptively states that there are "forty multifamily and senior housing buildings that are four to five stories with the perimeter of Robertson, La Cienega, Olympic and Gregory Way." First, there is no proof submitted with this claim. The findings state that "the applicant counted" this many buildings. Again, he is asking the city to just take his word for it. Second, this count includes buildings on Olympic and Robertson, both of which are main thoroughfares with few residences. Third, you cannot conflate four and five stories. Of the forty that the applicant counted, approximately 35 of them are 4 stories, and only 5 are five stories. Only one of the five story buildings are within 250 feet of the proposal. The applicant's disingenuous conflation of the buildings in the neighborhood belies the fact that his proposal will stick out like a sore thumb.

The proposal would also become the only 3-lot building anywhere in the aforementioned perimeter. This factor makes the proposed building that much more unlike the character and the quality of the neighborhood. The relevant zoning rules do not differentiate explicitly between proposals on one lot vs proposals on multiple lots. That distinction is left to findings like how the project affects the character of the neighborhood, which are more subjective. Specifically with the external waivers, it is certainly relevant to ask exactly how much "air space" is being waived. This isn't a request for a 10 ft. front yard along a single lot. It's 3 times that request (actually more than 4 times that request, because a typical lot would have a 34 ft. wide building, while this proposal is for a 140 ft. wide building). The same is true of the height waiver. This is more than a request for one lot's height limit to be waived. This is a request to block 3 entire lots, including the typical side yard setbacks between each lot, AND with a full 13 feet height increase.

This 13 foot requested waiver deserves a separate mention here. The proposal states "The project is designed specifically to be compatible with the scale of the apartment building that was recently constructed to the north, which has an active roof deck on top rising to a height of 45 feet." (findings p.8). This is referring to my building. Putting aside the laughable comparison between 45 feet and 58 feet, as well as the laughable comparison between my one lot luxury apartment building and their 3 lot proposed facility, there is not an active roof deck on my building. I specifically prohibit my tenants from using that space, as the city code does not permit it. This is another example of the developer's shrewd attempts to make their own assertions seem factual, without support and actually false in this case. This proposal is NOT "designed specifically to be compatible" with my building, it is designed to overshadow and rise well above my building.

I can't profess to know for certain how much the operations of the building will affect the character of the neighborhood. The developer talks about utilizing the underground parking lot, and about timing deliveries to avoid traffic. Much ado has been made about parking spaces and loading zones. Of course, with all of the aforementioned speculative claims that the developer has made, it is natural for me to be suspicious of these assurances. I certainly do not think the developer has provided sufficient proof to

concerns with the proposal in its current format. While I believe that any building like the proposal built immediately adjacent to mine will affect my income and property value somewhat, the requested external waivers will devastate my retirement income to a much larger degree. I am further very concerned about the safety of those walking and biking on the sidewalks, the children that run and ride their scooters up and down the block every day, and individuals in cars pulling in and out of driveways. I think that the population density of the neighborhood, the physical attributes of the land involved, the traffic, and the character of the neighborhood are all factors that went into the city's zoning restrictions as they are codified. This proposal is asking you to ignore all of that research and those insights so that this developer can pocket large sums of money to the detriment of the rest of the neighborhood. I implore you to do the right thing, and deny the requested waivers.

Best,



Daniel Sidis

310-877-5187