

Communication from Public

Name: Reuben Duarte

Date Submitted: 02/25/2022 03:29 PM

Council File No: 21-1404

Comments for Public Posting: On behalf of the Applicant, please see the attached responses to the CEQA appeal scheduled for the March 1, 2022 PLUM Committee meeting as agenda item no. 2. CF 21-1404.

February 23, 2022

File Number: 49JZ-228504

VIA ELECTRONIC MAIL ONLY

Planning and Land Use Management Committee
of the City Council
City of Los Angeles
200 N. Spring Street
Los Angeles, California 90012
E-Mail: clerk.plumcommittee@lacity.org

Re: Response to Maddren Appeal (Case No. ENV-2018-7559-CE)

Dear Honorable Councilmembers:

This firm represents 6417 Selma Holdings, LLC (“Applicant”) regarding the Plan Approval (“PA”) request, Case No. ZA-2013-3504-ZV-PA1 (“Project”), to modify a previously approved zone variance for the existing hotel located at 6417-6419 Selma Avenue (“Site”) in the Hollywood area of the City of Los Angeles (“City”). This PA included a categorical exemption from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301, commonly referred to as a Class 1 exemption for existing facilities, Case No. ENV-2018-7559-CE.

This letter responds to the issues raised in the appeal of the environmental case (ENV-2018-7559-CE) submitted to the City on November 3, 2021 by Casey Maddren (“Appellant” and the “Appeal”). We respectfully request the Planning and Land Use Management Committee recommend denial of the Appeal and affirm the Zoning Administrator’s (“ZA”) and Area Planning Commission’s approval of the CE from June 2, 2020 and August 24, 2021, respectively.¹ The Appellant objects to the approval of the Class 1 Categorical Exemption (“Class 1 Exemption”) on several grounds: (1) The Project’s increased square footage exceeds 10,000 square feet; (2) The Project is part of a larger piecemealed project where the cumulative impact is significant; (3) the Project did not construct required bicycle parking; (4) the Project did not provide required electric vehicle (“EV”) charging stations; (5) the solid waste produced by the existing use exceeds that estimated in the original project’s mitigated negative declaration (“MND”); (6) the City cannot

¹ The Plan Approval to the Zoning Administrator requested a modification to the originally approved zone variance under case no. ZA-2013-3504-ZV, specifically: (1) Modify the grant and Condition No. 7 by approving a total floor area of 93,803 square feet from the 79,367 square feet originally granted in lieu of the otherwise permitted 73,045 square feet in “(Q)” Condition No. 1 of Ordinance No. 180,381; (2) Modify the grant by approving a total commercial floor area of 6,031 square feet from the 4,581 square feet originally granted in lieu of the originally approved 17,045 square feet in “(Q)” Condition No. 1 of Ordinance No. 180,381; (3) Modify Condition No. 7 to recognize a new total area of 16,173 square feet in lieu of 13,923 square feet originally cited; and (4) Modify Condition No. 7 to allow automobile parking spaces to be provided off site by lease agreement in lieu of covenant and agreement. The ZA dismissed requests (1) – (3) above as not appropriate for the requested entitlement and approved request (4) related to parking. The ZA’s determination was appealed and the Central APC later affirmed the ZA’s determination.

make the required findings; and (6) the City's determination on the PA is internally inconsistent. Our response to these issues are as follows.

1. The Project's Floor Area Modification Does Not Exceed 10,000 Square Feet

The Appeal alleges that the Project may not utilize a Class 1 Exemption under CEQA because the Project involves modifications resulting in an increase of 14,427 square feet of floor area. This argument is moot because the Zoning Administrator ("ZA") dismissed without prejudice the Applicant's requests with regard to the increased floor area, and only approved the request related to parking. Therefore, the Class 1 Exemption under CEQA was not utilized to permit the floor area increase as the Appeal alleges.

Even assuming arguendo that the ZA had approved the requests related to the floor area increase, the reliance on the Class 1 Exemption would still be proper. The Class 1 Categorical Exemption provides a non-exhaustive list of examples of qualifying scopes of work related to existing facilities. However, the key consideration is determining whether the project involves negligible or no expansion of use. As stated above, the Dream Hotel has been operating since 2017 and the approval of the Project would not include new construction or physical alterations of any portions of the existing building. The Project involves no expansion of use. Furthermore, the requested action fits squarely within the City's additional examples of projects recognized as exempt under the Class 1 Exemption. Specifically, Class 1 Category 22 permits exemptions for projects seeking a grant of a "[v]ariance or conditional use for a non-significant change of use in an existing facility." The exemption does not provide a square footage limitation. This Project sought a Plan Approval that involves no physical change to the environment or increase in square footage of the existing facility. As such, the Project presents a negligible, non-significant change of use of an existing facility, and the Project would properly qualify for the Class 1 Categorical Exemption and the City's Class 1 Category 22 Categorical Exemption.

2. The Project Was Not Improperly Piecemealed

The Appellant alleges that the Project does not qualify for a Class 1 categorical exemption from CEQA because it is the latest in a series of piecemealed approvals related to a larger hotel/entertainment complex which includes the Thompson Hotel, the Tommie Hotel, the Dream Hotel and the proposed hotel at 6421 Selma Avenue. There is no merit to this argument.

The Project is not a reasonably foreseeable consequence of the other named projects or any other projects in the vicinity. The Appellant references Relevant Group, however Relevant Group is not the applicant or owner of the Project. The applicant and owner of the Project is Hollywood Citizen News, LLC. As a general rule, relationships between property owners or applicants of different properties do not change the threshold of review required pursuant to CEQA. The projects identified by the Appellant involve separate properties that are being developed by separate legal entities and separate entitlement applications. Each of the named projects were reviewed by the appropriate City departments and approval bodies and received separate approvals. Similarly, each of the projects are bound by separate conditions of approval that are applicable on a project-specific basis, and each project underwent separate environmental review under CEQA. Therefore, the Project was not improperly piecemealed with respect to the named

projects in the vicinity and the Class 1 categorical exemption is appropriate for the reasons stated above.

3. The Project Provides the Required Bicycle Parking

The Appellant alleges that the Project may not utilize a Class 1 categorical exemption under CEQA because the Applicant did not provide the required bicycle parking. This argument is not true and irrelevant to the City's determination on the Class 1 categorical exemption. The Project is required to provide a total of 16 short term and 16 long term bicycle parking spaces. These spaces were captured as part of the work description in Building Permit No. 13010-10007-03647 issued on February 14, 2017. All bicycle parking is located within the loading area of the structure on the ground floor in compliance with the siting requirements of LAMC Section 12.21.A.16.(e).2.

4. The Project Provides the Required Electric Vehicle Infrastructure

The Appellant alleges that the Project does not qualify for a Class 1 categorical exemption from CEQA because it did not provide the required number of electrical vehicle ("EV") charging stations and is in violation of the Los Angeles Green Building Code ("GBC"). This argument is both without merit and irrelevant.

The Appellant references Section 99.05.106.5.3.6 of the GBC, which requires that all new non-residential buildings provide EV charging stations for 10 percent of the total required parking. However, this GBC section was added pursuant to Ordinance No. 186485, with an effective date of January 2020. The original project application (case no. CPC-2007-3931-ZC-HD-CUB-ZV-SPR) was filed in 2007 with a final determination in 2008. The requirements of GBC Section 99.05.106.5.3.6 do not apply to the Project because the Project is grandfathered against those requirements.

5. The City Properly Made the Requisite Findings

Mr. Maddren makes several objections to the City's findings regarding the Zone Variance approval. The objections are unfounded and unsubstantiated. Furthermore, before the original ZA's determination, the Applicant updated the Project Description and Findings for the Plan Approval to address similar concerns expressed in comment letters and to better reflect the scope of the Plan Approval and justification for the Zone Variance.

a. The Applicant Faces Severe Hardship if the Plan Approval Is Denied

A strict application of the regulations would require the demolition and reconstruction of uses on the first, second, and rooftop levels that have already been approved by the City through the Building Permit Approvals and fully operational since 2017. The demolition and re-construction, if even feasible, would cause substantial delay, be incredibly expensive, and severely impact the existing operations of the hotel that are already impacted by COVID-19, risking its closure. Additionally, the LAMC requires that a Plan Approval be filed to modify a previously approved zone variance request. There is no other mechanism within the LAMC that permits modifications to a previously approved zone variance. Because a Plan Approval is the only mechanism in which

changes may be made to a previously approved zone variance, denial of this Plan Approval request would cause the Applicant severe hardship in that the Applicant would be prohibited from re-submitting the request for a period of one year per City policy. This would risk the expiration of the existing temporary Certificate of Occupancy (“CofO”) as it would be impossible under the LAMC to capture the previously approved changes by any other means. Termination of the temporary CofO would result in the cessation of hotel operations, which represents a threat to the effective use and viability of the existing hotel. The City issued the temporary CofO for the hotel, and indicated that a final CofO would be provided pending final approval of this Plan Approval request by the Department of City Planning to capture the changes in the 2016 Street Vacation Approval and approved by LADBS in the Building Permit Approvals. The City also indicated that it would not provide extensions to the temporary CofO until this Plan Approval request is approved.

b. Special Circumstances Apply to the Dream Hotel

The 2014 Zone Variance Approval includes a condition that the Project provide a total of 71 parking spaces on-site, and 14 spaces off-site by lease agreement. This condition is overly specific and restricts the property owner’s ability to provide parking off-site, as permitted by the LAMC. The City no longer includes these prescriptive parking conditions in Letters of Determination. Rather, the City includes a blanket condition requiring parking to be provided consistent with the LAMC. Here, the Applicant, as part of this Plan Approval, is requesting to modify this condition to allow 14 parking spaces to be provided off-site by lease agreement as originally approved, with the remaining 64 required parking spaces provided in compliance with the LAMC. To satisfy the Project’s immediate parking requirements, the Applicant is requesting to temporarily provide all required parking off-site via lease agreement in lieu of covenant and agreement while construction of the facilities at 1541 Wilcox Avenue and 6516 Selma Avenue is being completed and before the final Certificates of Occupancies are issued.² Upon issuance of the Certificates of Occupancy for these facilities, the Applicant with the requested approvals would have the option to move 64 of these spaces to the two specified parking facilities or other qualified parking facility as determined by LADBS, consistent with the language and intent of the LAMC.

Based on these facts, the ZA correctly found that the applicant’s “situation is a fairly unique and temporary one.” The Project has been issued building permits, completed construction, and issued a Temporary Certificate of Occupancy, and now the Applicant finds itself in the situation where it cannot provide the parking spaces required by the Project on-site. The Applicant intends to provide the balance of its off-street parking requirements via covenant and agreement, but the parking garages that will provide those spaces have not yet become available. LADBS does not allow parking facilities under construction to fulfill the required parking spaces of an off-site project. Therefore, strict application of the provisions of the Zoning Ordinance would result in the shuttering of a completed and operational hotel and other on-site commercial uses.

² Construction of the 1541 Wilcox Avenue and 6516 Selma Avenue garages is complete and the facilities have received their temporary Certificate of Occupancy on August 3, 2021 and November, 4, 2021 respectively.

Furthermore, the ZA found that on review of the original determination letter, it “does not appear that there was any intent to require that parking spaces be necessarily provided on-site – only that the required number of off-street parking spaces be provided pursuant to the Zoning Code.” That is because the purpose and intent of the zoning regulations is to ensure that new development provides the necessary number of off-street parking spaces based on the intensity or density of the proposed use. It is not intended that a determination unnecessarily constrain a discretionary development more than is otherwise required of ministerial, by-right, development. Thus to restrict access to those regulations, without cause, would be contrary to the purpose and intent of the zoning regulations.

c. Other Properties in the Vicinity Are Permitted to Provide Parking Off-Site

The ZA correctly noted that many surrounding properties in the area have been granted the ability to provide parking off-site via lease agreement in lieu of covenant and agreement, and variances authorizing off-site parking via lease agreement is “not an uncommon authorization within the surrounding area.” Further, all property owners throughout the City are permitted to provide parking off-site by the administrative approval of a covenant, so long as the facility is within 750 feet of the primary use site (LAMC §§ 12.21.A.4(g) and 12.26.E.5). Therefore, denying the Applicant’s property the same benefit would be inequitable and cause practical difficulties and unnecessary hardships other properties in the surrounding area do not face.

d. The Granting of the Variance Will Not Be Materially Detrimental to Public Welfare

The ZA recognized that the approval of the variance does not relieve the Applicant of its responsibility to provide all code-required off-street parking spaces. As a part of this approval, Condition 7 has been modified to allow the Applicant a very limited period of time to provide all required parking via lease agreement, while ensuring that the required off-street parking is provided during this time; Condition 8 requires that all required parking is provided prior to issuance of the Final Certificate of Occupancy – therefore, the approval of the variance would not be detrimental to public welfare.

For these reasons, the findings made by the ZA in the LOD are proper and Mr. Maddren’s objections to them are not supported by the facts or law.

6. The Project's Current Solid Waste Does Not Impact the Original Environmental Determination

The Appellant alleges that the Project does not qualify for a Class 1 categorical exemption from CEQA because the current solid waste calculations of the existing operations, as calculated in the categorical exemption document, exceeds the calculations assumed in the original environmental determination (ENV-2007-3932-MND). The response by Parker Environmental, dated January 6, 2021, included as "Exhibit A", is incorporated herein by reference.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'Alfred Fraijo Jr.', written in a cursive style.

Alfred Fraijo Jr.
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4865-9648-2820.2

February 23, 2022

File Number: 49JZ-228504

VIA ELECTRONIC MAIL ONLY

Planning and Land Use Management Committee
of the City Council
City of Los Angeles
200 N. Spring Street
Los Angeles, California 90012
E-Mail: clerk.plumcommittee@lacity.org

Re: Response to Unite Here and Romulus Zamora Appeal (Case No. ENV-2018-7559-CE)

Dear Honorable Councilmembers:

This firm represents 6417 Selma Holdings, LLC (“Applicant”) regarding the Plan Approval (“PA”) request, Case No. ZA-2013-3504-ZV-PA1 (“Project”), to modify a previously approved zone variance for the existing hotel located at 6417-6419 Selma Avenue (“Site”) in the Hollywood area of the City of Los Angeles (“City”). This PA included a categorical exemption from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301, commonly referred to as a Class 1 exemption for existing facilities, Case No. ENV-2018-7559-CE.

This letter responds to the issues raised in the appeal of the environmental case (ENV-2018-7559-CE) submitted to the City on November 3, 2021 by Unite Here Local 11 and Romulus Zamora (“Appellants” and the “Appeal”). We respectfully request the Planning and Land Use Management Committee recommend denial of the Appeal and affirm the Zoning Administrator’s (“ZA”) and Area Planning Commission’s approval of the CE from June 2, 2020 and August 24, 2021, respectively.¹ The Appellant objects to the approval of the Class 1 Categorical Exemption (“Class 1 Exemption”) on several grounds outlined in the previously submitted letter on August 24, 2021: (1) The Project did not provide the required on-site automobile parking spaces; (2) The Project is part of a larger piecemealed project; (3) the City cannot make the required findings.

¹ The Plan Approval to the Zoning Administrator requested a modification to the originally approved zone variance under case no. ZA-2013-3504-ZV, specifically: (1) Modify the grant and Condition No. 7 by approving a total floor area of 93,803 square feet from the 79,367 square feet originally granted in lieu of the otherwise permitted 73,045 square feet in “(Q)” Condition No. 1 of Ordinance No. 180,381; (2) Modify the grant by approving a total commercial floor area of 6,031 square feet from the 4,581 square feet originally granted in lieu of the originally approved 17,045 square feet in “(Q)” Condition No. 1 of Ordinance No. 180,381; (3) Modify Condition No. 7 to recognize a new total area of 16,173 square feet in lieu of 13,923 square feet originally cited; and (4) Modify Condition No. 7 to allow automobile parking spaces to be provided off site by lease agreement in lieu of covenant and agreement. The ZA dismissed requests (1) – (3) above as not appropriate for the requested entitlement and approved request (4) related to parking. The ZA’s determination was appealed and the Central APC later affirmed the ZA’s determination.

1. The Project Provides the Required Automobile Parking

The Appeal alleges that the Project may not qualify for a Class 1 Exemption under CEQA because the Project has not provided the required on-site parking. This argument is without merit and fails to recognize the rights granted to all property owners in the city under the Los Angeles Municipal Code (“LAMC”).

The ability for a property owner to provide required on-site parking off-site is a substantial property right granted to all property owners in the City. LAMC Section 12.21.A.4(g) clearly permits on-site parking requirements to be satisfied on another site (aka: off-site) not more than 750-feet from the Site. The City permits this off-site parking to be provided as-of-right with ministerial approval of a parking covenant to the satisfaction of the Department of Building and Safety (“LADBS”) pursuant to LAMC Section 12.26.E.5. It is normal City Planning policy to defer to LADBS for calculating and enforcing on-site parking requirements, recognizing that projects do, in fact, change between the schematic drawings reviewed by Planning, and the construction drawings approved by LADBS

The subject PA is related to the zone variance case (case no. ZA-2013-3504) originally approved in 2014 (“2014 Zone Variance”). The 2014 Zone Variance approved a total of 91 parking spaces, where 77 spaces were to be provided on-site, and 14 were to be provided off-site spaces by lease agreement in lieu of covenant. As is typical with dynamic development projects in the City, the Project underwent a number of changes due to changes in the construction and hospitality industry to adapt to current market conditions after approvals. These changes included: 1) vacation of the adjacent public alley², 2) conversion of the parking structure to ancillary hotel and retail³, and 3) modification to the rooftop layout⁴. These changes resulted in a increase in the number of required parking spaces to 95 spaces. As a result, the Applicant requested to move parking off-site pursuant to LAMC Section 12.21.A.4(g). An opportunity arose to provide the necessary parking off-site at two nearby facilities that were under construction at 1541 N. Wilcox and 6516 W. Selma Ave.⁵ However, due to LADBS policy, the Applicant was unable to record a covenant on these two properties pursuant to LAMC Section 12.26.E.5 because a certificate of occupancy was required. Thus, the subject PA requested the ability to temporarily provide all parking off-site by lease agreement, and then revert back to permit only 14 spaces off-site by lease agreement, and the remaining parking to be provided in compliance with the LAMC, including the as-of-right ability to provide parking off-site pursuant to LAMC Section 12.21.A.4(g).

The Applicant has always provided the necessary parking for the uses at the Site. The requested PA does not grant any reduction in the number of required parking spaces, but simply updates the conditions of approval of Case No. 2013-3504-ZV to reflect current/existing conditions, and acknowledge an existing property right to provide these spaces off-site pursuant to LAMC

² Case No. VAC-E1401249

³ Permit No. 03010-10007-03647

⁴ Permit No. 13010-10006-03647

⁵ Construction of the 1541 Wilcox Avenue and 6516 Selma Avenue garages is complete and the facilities have received their temporary Certificate of Occupancy on August 3, 2021 and November, 4, 2021 respectively.

Sections 12.21.A.4(g) and 12.26.E.5. Thus, the Project would properly qualify for the Class 1 Exemption.

2. The Project Was Not Improperly Piecemealed

The Appellant alleges that the Project does not qualify for a Class 1 categorical exemption from CEQA because it is the latest in a series of piecemealed approvals related to a larger hotel/entertainment complex which includes the Thompson Hotel, the Tommie Hotel, the Dream Hotel and the proposed hotel at 6421 Selma Avenue. There is no merit to this argument.

The Project is not a reasonably foreseeable consequence of the other named projects or any other projects in the vicinity. The Appellant references Relevant Group, however Relevant Group is not the applicant or owner of the Project. The applicant and owner of the Project is Hollywood Citizen News, LLC. As a general rule, relationships between property owners or applicants of different properties do not change the threshold of review required pursuant to CEQA. The projects identified by the Appellant involve separate properties that are being developed by separate legal entities and separate entitlement applications. Each of the named projects were reviewed by the appropriate City departments and approval bodies and received separate approvals. Similarly, each of the projects are bound by separate conditions of approval that are applicable on a project-specific basis, and each project underwent separate environmental review under CEQA. Therefore, the Project was not improperly piecemealed with respect to the named projects in the vicinity and the Class 1 categorical exemption is appropriate for the reasons stated above.

3. The City Properly Made the Requisite Findings

Mr. Maddren makes several objections to the City's findings regarding the Zone Variance approval. The objections are unfounded and unsubstantiated. Furthermore, before the original ZA's determination, the Applicant updated the Project Description and Findings for the Plan Approval to address similar concerns expressed in comment letters and to better reflect the scope of the Plan Approval and justification for the Zone Variance.

a. The Applicant Faces Severe Hardship if the Plan Approval Is Denied

A strict application of the regulations would require the demolition and reconstruction of uses on the first, second, and rooftop levels that have already been approved by the City through the Building Permit Approvals and fully operational since 2017. The demolition and re-construction, if even feasible, would cause substantial delay, be incredibly expensive, and severely impact the existing operations of the hotel that are already impacted by COVID-19, risking its closure. Additionally, the LAMC requires that a Plan Approval be filed to modify a previously approved zone variance request. There is no other mechanism within the LAMC that permits modifications to a previously approved zone variance. Because a Plan Approval is the only mechanism in which changes may be made to a previously approved zone variance, denial of this Plan Approval request would cause the Applicant severe hardship in that the Applicant would be prohibited from re-submitting the request for a period of one year per City policy. This would risk the expiration of the existing temporary Certificate of Occupancy ("CofO") as it would be impossible under the

LAMC to capture the previously approved changes by any other means. Termination of the temporary CofO would result in the cessation of hotel operations, which represents a threat to the effective use and viability of the existing hotel. The City issued the temporary CofO for the hotel, and indicated that a final CofO would be provided pending final approval of this Plan Approval request by the Department of City Planning to capture the changes in the 2016 Street Vacation Approval and approved by LADBS in the Building Permit Approvals. The City also indicated that it would not provide extensions to the temporary CofO until this Plan Approval request is approved.

b. Special Circumstances Apply to the Dream Hotel

The 2014 Zone Variance Approval includes a condition that the Project provide a total of 71 parking spaces on-site, and 14 spaces off-site by lease agreement. This condition is overly specific and restricts the property owner's ability to provide parking off-site, as permitted by the LAMC. The City no longer includes these prescriptive parking conditions in Letters of Determination. Rather, the City includes a blanket condition requiring parking to be provided consistent with the LAMC. Here, the Applicant, as part of this Plan Approval, is requesting to modify this condition to allow 14 parking spaces to be provided off-site by lease agreement as originally approved, with the remaining 64 required parking spaces provided in compliance with the LAMC. To satisfy the Project's immediate parking requirements, the Applicant is requesting to temporarily provide all required parking off-site via lease agreement in lieu of covenant and agreement while construction of the facilities at 1541 Wilcox Avenue and 6516 Selma Avenue is being completed and before the final Certificates of Occupancies are issued.⁶ Upon issuance of the Certificates of Occupancy for these facilities, the Applicant with the requested approvals would have the option to move 64 of these spaces to the two specified parking facilities or other qualified parking facility as determined by LADBS, consistent with the language and intent of the LAMC.

Based on these facts, the ZA correctly found that the applicant's "situation is a fairly unique and temporary one." The Project has been issued building permits, completed construction, and issued a Temporary Certificate of Occupancy, and now the Applicant finds itself in the situation where it cannot provide the parking spaces required by the Project on-site. The Applicant intends to provide the balance of its off-street parking requirements via covenant and agreement, but the parking garages that will provide those spaces have not yet become available. LADBS does not allow parking facilities under construction to fulfill the required parking spaces of an off-site project. Therefore, strict application of the provisions of the Zoning Ordinance would result in the shuttering of a completed and operational hotel and other on-site commercial uses.

Furthermore, the ZA found that on review of the original determination letter, it "does not appear that there was any intent to require that parking spaces be necessarily provided on-site – only that the required number of off-street parking spaces be provided pursuant to the Zoning Code." That is because the purpose and intent of the zoning regulations is to ensure that new development provides the necessary number of off-street parking spaces based on the intensity

⁶ Construction of the 1541 Wilcox Avenue and 6516 Selma Avenue garages is complete and the facilities have received their temporary Certificate of Occupancy on August 3, 2021 and November, 4, 2021 respectively.

or density of the proposed use. It is not intended that a determination unnecessarily constrain a discretionary development more than is otherwise required of ministerial, by-right, development. Thus to restrict access to those regulations, without cause, would be contrary to the purpose and intent of the zoning regulations.

c. Other Properties in the Vicinity Are Permitted to Provide Parking Off-Site

The ZA correctly noted that many surrounding properties in the area have been granted the ability to provide parking off-site via lease agreement in lieu of covenant and agreement, and variances authorizing off-site parking via lease agreement is “not an uncommon authorization within the surrounding area.” Further, all property owners throughout the City are permitted to provide parking off-site by the administrative approval of a covenant, so long as the facility is within 750 feet of the primary use site (LAMC §§ 12.21.A.4(g) and 12.26.E.5). Therefore, denying the Applicant’s property the same benefit would be inequitable and cause practical difficulties and unnecessary hardships other properties in the surrounding area do not face.

d. The Granting of the Variance Will Not Be Materially Detrimental to Public Welfare

The ZA recognized that the approval of the variance does not relieve the Applicant of its responsibility to provide all code-required off-street parking spaces. As a part of this approval, Condition 7 has been modified to allow the Applicant a very limited period of time to provide all required parking via lease agreement, while ensuring that the required off-street parking is provided during this time; Condition 8 requires that all required parking is provided prior to issuance of the Final Certificate of Occupancy – therefore, the approval of the variance would not be detrimental to public welfare.

For these reasons, the findings made by the ZA in the LOD are proper and Mr. Maddren’s objections to them are not supported by the facts or law.

Very truly yours,



Alfred Fraijo Jr.
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

Communication from Public

Name: Reuben Duarte
Date Submitted: 02/25/2022 05:08 PM
Council File No: 21-1404
Comments for Public Posting: On behalf of the Applicant, please see the attached response to the CEQA appeal from Parker Environmental Consultants. Regarding agenda item no. 2 scheduled for the March 1, 2022 PLUM hearing.



January 6, 2021

TO: Reuben Duarte, Senior Planner II
Sheppard Mullin
333 S. Hope Street, 43rd Floor
Los Angeles, CA 90071

RE: Responses to Appeal Received for the Dream Hollywood Hotel Project, Located at 6415-6419 West Selma Avenue [ENV-2018-7559-CE]

OVERVIEW

On behalf of 6417 Selma Holdings, LLC (Applicant), Parker Environmental Consultants has reviewed the appeal letter submitted for the Director's Determination and the Class 32 Categorical Exemption ENV-201-7559-CE (Class 32 CE) and Supplemental Environmental Analysis prepared for the Dream Hollywood Hotel Project (Current Project). We have reviewed this appeal letter and prepared the following responses. Please note that these responses specifically address the solid waste issues pertaining to the Supplemental Environmental Analysis.

Should you have any questions regarding information contained herein, please contact me at (661) 257-2282 or by email at shane@parkerenvironmental.com.

Sincerely,

PARKER ENVIRONMENTAL CONSULTANTS

A handwritten signature in black ink, appearing to read "Shane E. Parker". The signature is fluid and cursive, with the first name being the most prominent.

Shane E. Parker, Principal

Comment

Undercounting Solid Waste

The original 2008 MND claims that the project will have no impacts related to solid waste, but provides no information regarding solid waste produced by the project or rates of diversion to recycling. Furthermore, the Supplemental Environmental Impact Analysis produced in May 2020 for the plan approval/zone variance shows that the hotel is currently producing twice the amount of solid waste originally estimated, and that this modification will push that number even higher. Table 23 on page 108 gives the following data for operational solid waste generation:

	<i>lbs per day</i>
<i>Original Project</i>	<i>341</i>
<i>Existing (Modified Project)</i>	<i>780</i>
<i>Current Project</i>	<i>865</i>
<i>Net Increase</i>	<i>85</i>

While measuring the Dream Hotel's operational solid waste generation in pounds per day makes the totals seem fairly small, we gain a more realistic assessment by calculating the totals for a full year. This shows that the Original Project analyzed in the MND was supposed to have produced approximately 60 tons of solid waste per year. However, the Existing (Modified Project) actually produces over 140 tons of solid waste per year, or more than twice the original estimate. With the Current Project the total rises to over 150 tons per year, or more than 2.5 times the original estimate. It's important to remember that, because the applicant has already made the requested revisions to the project, without waiting for approval from the City, the Dream Hotel is currently generating the revised total amount of solid waste, 865 pounds per day, or over 150 tons per year, more than 2.5 times the total analyzed in the MND.

The Supplemental Analysis claims that the project would have no significant impact with regard to solid waste because ample landfill capacity exists, but this misses the point entirely. The real issue is GHG emissions from landfills, which are a significant contributor to climate change. The real question is how much of the project's solid waste will be diverted to recycling, and the answer is not very much. The Supplemental Analysis states, "As of 2012, the City of Los Angeles achieved a landfill diversion rate of 76.4% [...]" We have to ask why the authors are relying on data from 2012. This is because prior to 2018 the City was shipping the majority of its recyclable materials to China. Around 2018, China first decided to reduce its intake of recyclable materials and then to cut imports of recyclables to negligible amounts. The City is no longer exporting significant amounts of recyclable materials to China, and is no longer achieving anywhere near a

diversion rate of 76.4%. In recent years the City has only been diverting about 20% of solid waste collected to recycling. With the increase in solid waste going to landfills, GHG emissions from landfills are also increasing. The calculations for GHG emissions presented in the Supplemental Analysis, Attachment 5, Greenhouse Gas Emissions Worksheets, do not accurately represent the project's impacts.

Response to Comment

The Appellant states the increase in solid waste from the Current Project would be 2.5 times the amount analyzed for the Original Project and questions the amount of recycling the Current Project would implement during operation. First, it is important to note that the 865 daily pounds of solid waste generated by the Current Project in Table 23, Estimated Operational Solid Waste Generation, is a conservative estimate since this calculation does not include any recycling efforts. As mentioned in the Supplemental Environmental Analysis, the Current Project would be contracted with Athens Services for all of its waste removal services. Before taking the Current Project's waste to a landfill for final disposal, the City requires Athens to process the Current Project's waste through a materials recovery facility (MRF) sorting center, for which it is assumed the Current Project would be taken to the Athens Sun Valley Materials Recovery Facility. This program allows the City to meet the 50 percent landfill diversion mandate required by The California Integrated Waste Management Act of 1989 (AB 939). The Current Project would be required to comply with all of the City's solid waste reduction requirements including implementing on-site recycling areas. Therefore, the Current Project would not hinder the State's solid waste diversion goals.

The Appellant goes on to state the increase of solid waste would result in a secondary environmental impact to GHG emissions from landfills. With respect to the Current Project's impacts to GHG emissions, because there is no applicable adopted or accepted numerical threshold of significance for GHG emissions, the methodology for evaluating the Current Project's impacts related to GHG emissions focuses on its consistency with statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions. However, for informational purposes, the analysis also calculates the amount of GHG emissions that would be attributable to the Current Project using recommended air quality models, as shown in Table 7 of the Supplemental Environmental Analysis. The primary purpose of quantifying the Current Project's GHG emissions is to satisfy State CEQA Guidelines Section 15064.4(a), which calls for a good-faith effort to describe and calculate emissions.

As mentioned above, the Current Project would comply with all of the City's solid waste reduction requirements. Such requirements include the California Solid Waste Reuse and Recycling Access Act of 1991 (AB 1327) to provide adequate on-site storage areas for collection and storage of recyclable waste materials. Further, the initial processing of solid waste materials at the Athens MRF allows the City to meet the 50 percent landfill diversion mandate required by AB 939. Thus,

Mr. Reuben Duarte
City of Los Angeles Department of City Planning
Re: Dream Hollywood Response to Appeal
January 6, 2022
Page 4 of 4

the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs. As such, the Current Project's waste stream to the local landfill would reduce methane emissions and thus lower the Current Project's contribution to global GHG emissions. The Current Project itself would not result in a significant GHG impact. A project's GHG emissions typically are very small in comparison to state or global GHG emissions. In isolation, a project has no significant direct impact on climate change. However, the increased accumulation of GHGs from more than one project and many sources in the atmosphere may result in global climate change. Therefore, Project-specific impacts with regard to climate change would be less than significant.



23822 Valencia Boulevard, Suite 301
Valencia, CA 91355
(661) 257-2282 (tel)
www.parkerenvironmental.com

Communication from Public

Name: Casey Maddren
Date Submitted: 02/24/2022 04:04 PM
Council File No: 21-1404
Comments for Public Posting: Citizens for a Better LA submits the attached comments and exhibits in support of its appeal of the parking modification for 6417 Selma/Dream Hotel.

February 22, 2022

Planning & Land Use Management Committee
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: 6417 Selma/Dream Hotel
ENV-2018-7559-CE-1A
Council File No. 21-1404
Additional Comments in Support of Appeal

Members of the PLUM Committee,

Citizens for a Better LA submits these comments and exhibits in support of its appeal of the categorical exemption approved for this project. The plan approval/zone variance is an illegal, after-the-fact approval of a significant modification to the approved project. The April 4, 2014 determination letter issued for this project specifically included the requirement for 77 on-site parking spaces and 14 off-site parking spaces. The 77 on-site spaces were never built.

The granting of the categorical exemption is illegal. The requested increase in square footage from 79,367 sq. ft. to 93,803 sq. ft. has already taken place, as the applicant chose not to build the 77 on-site parking spaces as part of the approved project. The Project is not exempt from CEQA pursuant to CEQA Guidelines, Section 15301, Class 1, because it results in the addition of over 10,000 sq. ft. to the project.

Also, contrary to the ZA's claim that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines applies, there is substantial evidence in the record showing that this project is just the latest in a series of piecemealed approvals related to Relevant Group's larger hotel/nightlife complex. An exception under Section 15300.2 of the CEQA Guidelines does apply with regard to cumulative impacts.

The Area Planning Commission denied the previous appeal despite substantial evidence in the record showing that the findings made for the zone variance are not supported by fact, and also substantial evidence showing that the zone variance is the latest in a series of piecemeal approvals which violate CEQA.

Our detailed comments are below, along with a number of supporting exhibits.

Sincerely,
Casey Maddren
Citizens for a Better LA

Abuse of Discretion by Decisionmakers

The City of Los Angeles Department of City Planning has not proceeded in a manner required by law. The determination is not supported by substantial evidence. (PRC 21168.5) Decisionmakers have repeatedly abused their discretion by ignoring substantial evidence in the record.

Requested Action Is an After-the-Fact Approval of an Illegal Modification

The original September 17, 2008 determination letter for this project stated that the hotel would provide a minimum of 107 parking spaces. This was later reduced to 77 on-site parking spaces and 14 off-site parking spaces. Inexplicably, LADBS granted permits to convert required parking to additional square footage, in clear conflict with the approved project.

Applicant Has Ignored Requirements for Bicycle Parking and TDM Measures

The September 17, 2008 determination letter for the 6417 Selma/Dream Hotel project states:

(12) Bicycle parking shall be provided in conformance with Section 12.21A16 of this Code.

Also, the later April 4, 2014 determination letter for the same project specifies:

a Variance from "Q" Condition No. 7 of Ordinance No. 180,381 to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces;

The original September 17, 2008 determination letter stated that the hotel would provide a minimum of 107 parking spaces. This was later reduced to 77 on-site parking spaces and 14 off-site parking spaces, conditioned on the addition of bicycle parking as required by the LAMC.

The February 26, 2021 determination letter states:

Of the 95 total parking spaces, 16 spaces are satisfied by the construction of 64 bicycle parking spaces pursuant to LAMC Section 12.21.A.4.

We ask that the PLUM Committee specify where these 64 bicycle parking spaces are. It appears that there is no bicycle parking whatsoever on the site of the Dream Hotel.

Please see **Exhibit A** for photos of the perimeter of the site.

Additionally, as part of the Transportation Demand Management Plan, the original September 17, 2008 determination letter requires:

(6) A designated parking area for employee carpools and vanpools as close as practical to the main pedestrian entrance(s) of the building(s). This area shall include at least ten percent of the parking spaces required for the site.

As the Dream Hotel currently has no parking at all, it obviously does not comply with the requirement for vanpool and carpool spaces.

LADBS Failed to Act on Complaint Re Lack of Required Parking

On January 30, 2019, Casey Maddren filed a complaint with LADBS regarding the lack of required parking at the Dream Hotel. The complaint was referred to the LADBS Citations Section for further investigation, but no citation was issued. The file was closed with no action taken.

Please see **Exhibits B-1** and **B-2**.

LADBS Has Violated the Law by Issuing a Series of Temporary COAs

LADBS has violated the law by issuing a series of Temporary Certificates of Occupancy for the Dream Hotel. LAMC 91.109.5 states that a Temporary COA may be issued only if “the Superintendent of Building finds that the failure to complete the public improvements was due to circumstances over which the person applying for the Certificate of Occupancy had no control.” Clearly, this is not the case with the Dream Hotel, since it was Relevant’s choice not to build required parking, and the developer obviously had no intention of complying with the terms of the approved project.

91.109.5. Temporary Certificates. (Amended by Ord. No. 185,587, Eff. 7/16/18.) Notwithstanding the provisions of LAMC Subsection 91.109.4, if the Superintendent of Building finds that no substantial hazard will result from the occupancy of any building, or portion thereof, before the same is completed, and satisfactory evidence is submitted that the work could not have been completed prior to the time such occupancy is desired because of its magnitude or because of unusual construction difficulties, and the City Engineer has reported that all required public improvements have been completed, the Superintendent of Building may issue a temporary Certificate of Occupancy for any building or portion thereof. The Superintendent of Building may issue a temporary Certificate of Occupancy notwithstanding the fact that all required public improvements have not been completed, if the Superintendent of Building finds that the failure to complete the public improvements was due to circumstances over which the person applying for the Certificate of Occupancy had no control.

Please see **Exhibit C**.

City Has Repeatedly Granted Illegal Piecemeal Approvals for Relevant Group Projects

Over the past several years, Relevant Group and its associated entities have filed a series of applications for the projects that constitute its hotel/nightlife complex centered on the intersection of Selma and Wilcox in Hollywood.

Please see **Exhibit D**, for a map of Relevant projects in Hollywood.

In spite of repeated denials by both Relevant Group and the City of LA, it is clear that these projects are part of a hotel/nightlife complex which is comprised of the Dream Hotel Phase 1,

Tao Restaurant, the Thompson Hotel, the tommie hotel and the Citizen News restaurant/event space. There are also other sites in the vicinity that appear to be part of this hotel/nightlife complex. Records available from with the State of California show that the address used in corporate filings for all the associated entities used to build these projects is 1605 Cahuenga, Los Angeles 90028. This is the same address used by Relevant Group for its corporate address.

Please see **Exhibit E**, list of corporate filings by Relevant Group and associated entities.

Not only were all of these buildings constructed by Relevant Group and its associated entities, the Dream Hotel, the Thompson Hotel, the tommie hotel and Citizen News are all now operated by a company called Ten Five Hospitality. As can be seen by reviewing Exhibit E, Ten Five Hospitality is the latest corporate venture to file papers with the State of California using the 1605 Cahuenga address. Ten Five Hospitality lists the Dream Hotel, the Thompson Hotel, the tommie hotel and Citizen News as projects on its web site.

Please see **Exhibit F**, composite of Ten Five Hospitality projects from its web site.

Also, a job description for Storeroom Coordinator accessed through the Ten Five Hospitality web site states that Relevant Group is Ten Five's parent company....

Ten Five Hospitality Overview

Ten Five represents a new type of integrated hospitality group. As the hospitality division of our parent company, Relevant Group, we balance a seasoned approach with innovative thinking and daring creativity with operational profitability to concept best-in-class Food and Beverage experiences for a new generation of sophisticated guest. [Emphasis added.]

Please see **Exhibit G** for Storeroom Coordinator job listing.

For further evidence of the relationship between Relevant Group and Ten Five Hospitality, please see....

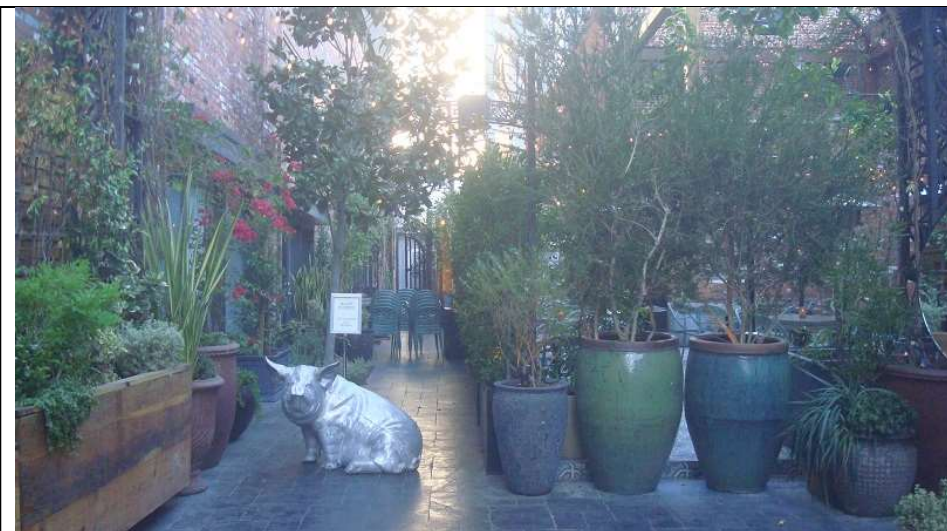
Exhibit H, Relevant Group Statement of Information from CA Secretary of State, address 1605 Cahuenga.

Exhibit I, Ten Five Hospitality Foreign LLC Registration from CA Secretary of State, address 1605 Cahuenga.

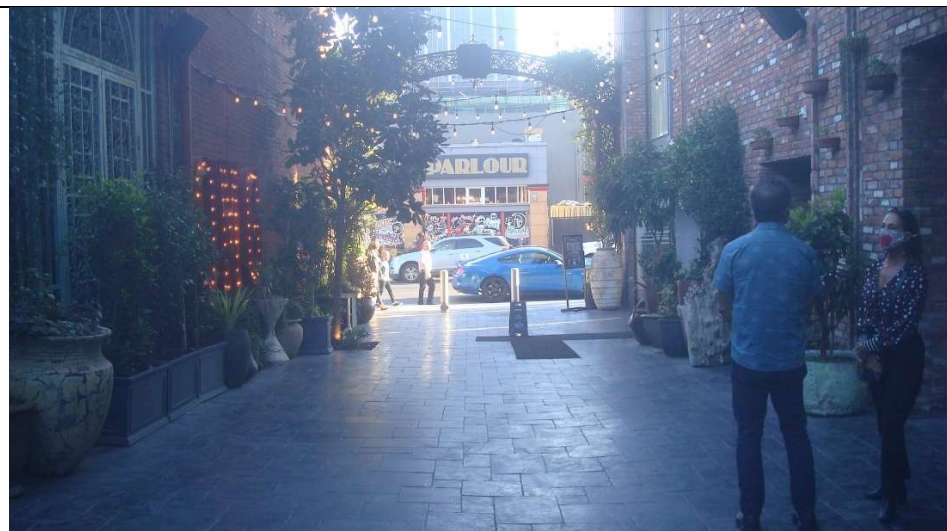
Exhibit J, Dan Daley, Principal, Ten Five Hospitality, and Chief Operating Officer, Relevant Group, resume posted on LinkedIn, accessed December 2021.

The February 26, 2021 determination letter for the plan approval/zone variance says that 65 parking spaces required by the Dream Hotel will be accommodated at either 1541 Wilcox (the Thompson Hotel) or 6516 Selma (the tommie hotel). Both of these projects were built by Relevant Group, and are now operated by their subsidiary, Ten Five Hospitality. Moving parking originally required for the Dream Hotel to either of these locations is further proof that the components of Relevant's hotel/nightlife complex are interdependent and operationally related.

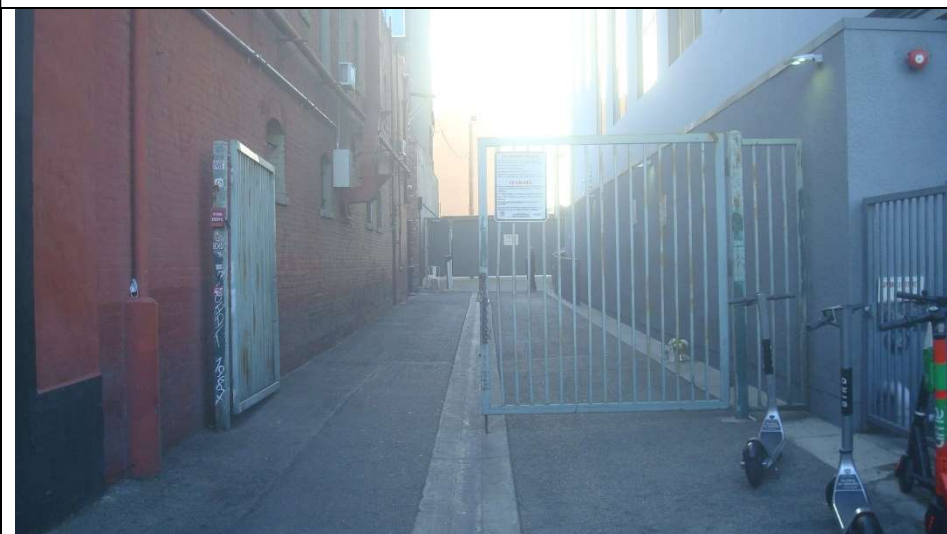
The Dream Hotel Campus Does Not Include Required Bicycle Parking, Photos Taken October 2021



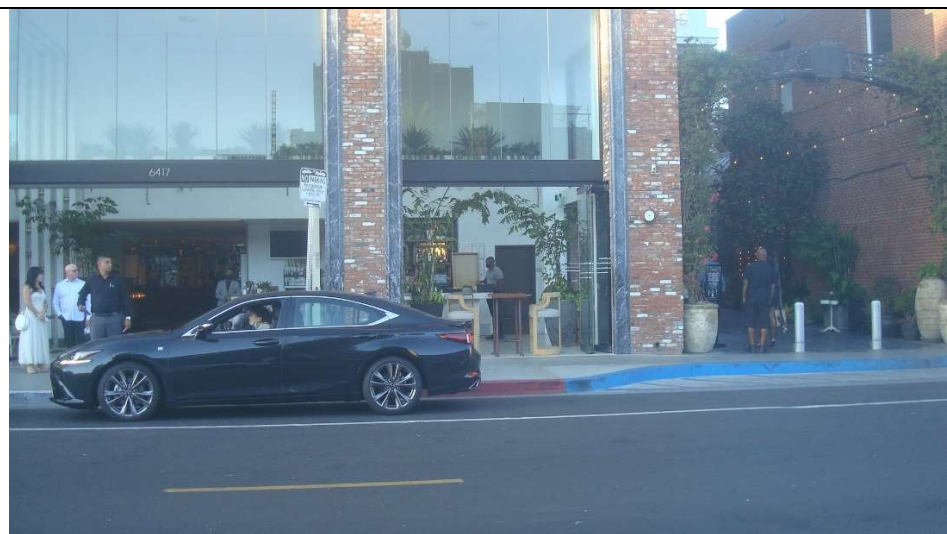
Dream Hotel Patio 1, View North



Dream Hotel Patio 2, View South



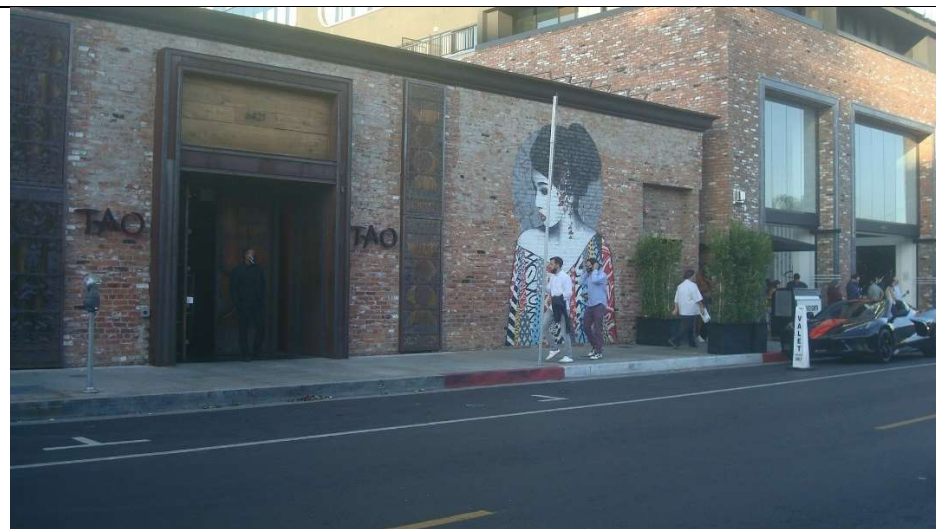
Dream Hotel, Alley Behind the Hotel



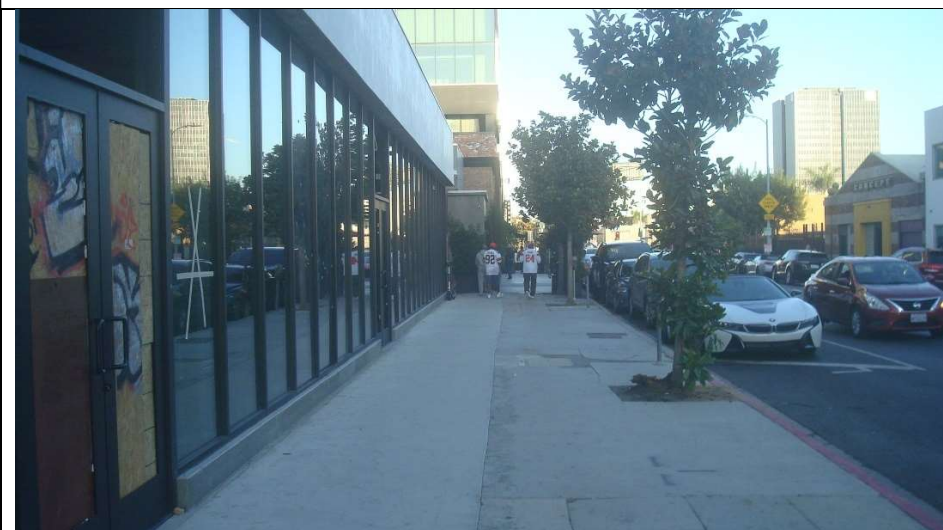
Dream Hotel Entrance, Selma



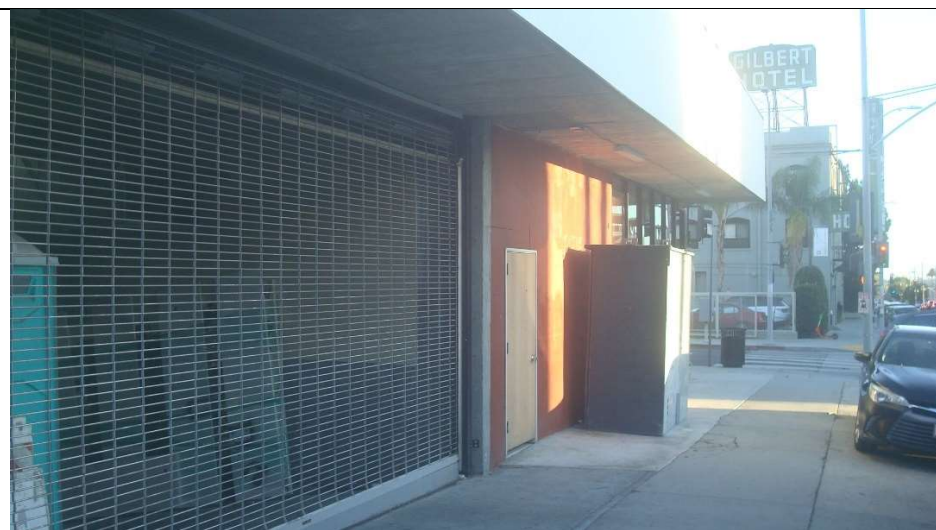
Dream Hotel, Tao Restaurant, Selma



Tao Restaurant, Selma



Retail Space, Selma



Retail Space, Wilcox



EXHIBIT B-1 CUSTOMER SERVICE REQUEST

CSR No.: 438838
 CALL DATE: January 30, 2019 3:18 pm
 DUE BY: February 28, 2019 3:18 pm
 SOURCE: INTERNET
 TAKEN BY:

GENERAL ENFORCEMENT
 MARK VISOCKY
 PRIORITY:3

CASE #:

6417 W SELMA AVE 90028

APN: 5546-007-038	ZONE: C4		
LAPD Bureau	WEST	LAPD Division	HOLLYWOOD
LAPD Reporting District	646	Area Planning Commission	Central
LADBS Branch Office	LA	Council District	13
Certified Neighborhood Council	Central Hollywood	Community Plan Area	Hollywood
Census Tract	1907.00	District Map	148-5A187
Energy Zone	9	Fire District	1 (Entire parcel)
Lot Cut Date	07/08/1960	Near Source Zone Distance	0.8
Thomas Brothers Map Grid	593-F4		
CNAP area	2	Low to moderate income %	70.79%
Community Development Block Gr	BID-HOLLYWOOD ENTERTAINMENT DISTRICT	City Planning Cases	CPC-2016-1450-CPU
City Planning Cases	CPC-2007-3931-ZC-H D-CUB-CU-ZV-SPR	City Planning Cases	CPC-1986-835-GPC
City Planning Cases	CPC-2002-1128-CA	City Planning Cases	CPC-2013-3169
City Planning Cases	CPC-2018-6005-CA	City Planning Cases	CPC-2003-2115-CRA
City Planning Cases	CPC-1999-324-ICO	City Planning Cases	CPC-1999-2293-ICO
Community Redevelopment Area	ZI 1352 HOLLYWOOD	Director's Determination	DIR-2010-2962-CLQ
Ordinance	ORD-129944	Ordinance	ORD-180381
Ordinance	ORD-175038	Ordinance	ORD-165660-SA90
Ordinance	ORD-173562	Zoning Administrator's Case	ZA-2013-3504-ZV
Zoning Administrator's Case	ZA-2003-4377-CUB	Zoning Administrator's Case	ZA-2006-4883-CUB-C UX
Zoning Information File	ZI-2498 Local Emergency Temporary Regulations - Time Limits and Parking Relief - LAMC 16.02.1	Zoning Information File	ZI-2452 Transit Priority Area in the City of Los Angeles
Zoning Information File	ZI-2374 State Enterprise Zone: Los Angeles	Zoning Information File	ZI-2488 Redevelopment Project Area: Hollywood
Zoning Information File	ZI 2277		

PROBLEM: ANY ISSUES WITH HOTELS AND MOTELS

CALLER COMMENT: I am writing to report that the Dream Hotel at 6417 Selma in Hollywood does not contain the parking required under the terms of City Planning's approval for the project. In a letter dated April 4, 2014, signed by Associate Zoning Administrator Jim Tokunaga, Case No. ZA 2013-3504(ZV), it is clearly stated on page 9 that, "As proposed, the hotel will provide 77 on-site parking spaces with many of these through a mechanical lift." The applicant somehow received approval from LADBS for the conversion of parking to additional square footage, even though 77 parking spaces were required under the terms of the approval. The completed project contains no on-site parking spaces at all, in addition to several thousand square feet of unapproved additional space.

COMMENT: Refer to: CITATIONS. Inspector researched the Customer Service Request and referred it to the Department of Building and Safety, CITATIONS section for further investigation.

SITE OWNER: 6417 SELMA HOLDING LLC
 1605 N CAHUENGA BLVD
 LOS ANGELES, CA 90028
 Contact ID: AC2357790

EXHIBIT B-2

cmaddren@gmail.com

From: Joel Williams <joel.n.williams@lacity.org>
Sent: Tuesday, October 5, 2021 7:11 AM
To: cmaddren@gmail.com
Subject: Re: Follow-Up: Complaint Re 6417 Selma, Customer Service Request No. 438838

Good morning, a citation was not issued.

Joel

On Mon, Oct 4, 2021 at 2:59 PM <cmaddren@gmail.com> wrote:

Joel,

Thanks for following up. Thanks also for the offer to discuss, but I've been having hearing issues lately and talking on the phone is difficult.

The comment on the customer service request said the complaint had been referred to the citation section. Really all I'd like to know is if a citation was issued. And if so, could you please forward a copy?

Best,

Casey

From: Joel Williams <joel.n.williams@lacity.org>
Sent: Monday, September 27, 2021 4:08 PM
To: cmaddren@gmail.com
Subject: Follow-Up: Complaint Re 6417 Selma, Customer Service Request No. 438838

Good afternoon, my name is Joel Williams with Code Enforcement. Inspector Visocky brought this to my attention.

I have some information concerning the Customer Service Requests we received.

I am available Wednesday to discuss if you would like. Please let me know. Have a great day.

Joel

--

Joel Williams

Senior Building Mechanical Inspector

Code Enforcement Bureau.

City of Los Angeles

Department of Building and Safety

[221 N. Figueroa St., 11th Floor](#)

[Los Angeles, CA 90012](#)

Office 213-482-0469

Fax 213-252-3912

Joel.N.Williams@lacity.org

--

Joel Williams

Senior Building Mechanical Inspector

Code Enforcement Bureau.

City of Los Angeles

Department of Building and Safety

[221 N. Figueroa St., 11th Floor](#)

[Los Angeles, CA 90012](#)

Office 213-482-0469

Fax 213-252-3912

Joel.N.Williams@lacity.org


EXHIBIT C

Temporary Certificates of Occupancy Issued by LADBS for Dream Hotel, Screenshot, February 20, 2022

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Result of Document Search by Address

Address: 6417 SELMA

- To print a summary overview, check mark the column for the desired record, then click here for [printer friendly format](#).
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Selected Addresses v

<input type="checkbox"/>	Document Type	Sub Type	Doc Date	User Doc Number	Digital Image
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10000-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10003-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10005-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10006-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10007-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10008-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	13010-10009-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	15047-20000-01418	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		11/5/2021	CERT 125852-9	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		4/22/2021	13010-10000-03647	
<input type="checkbox"/>	CERTIFICATE OF OCCUPANCY-TEMP 		4/22/2021	13010-10003-03647	

Search Records by:

- ▶ **Address**
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- ▶ Assessor Number
- ▶ Document Number
- ▶ Advance and Address Range


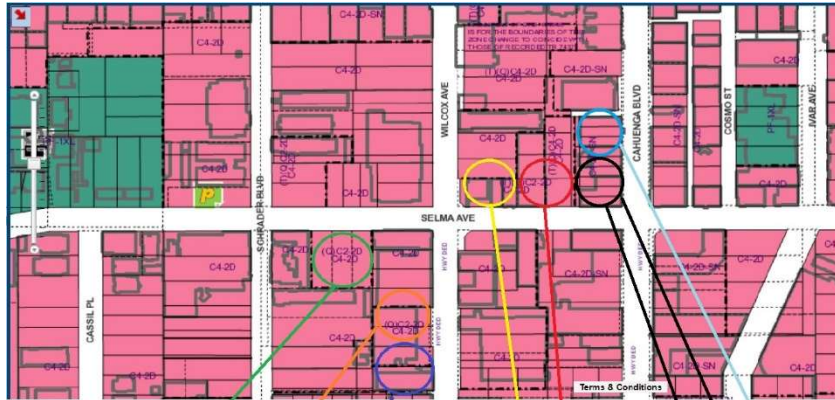


EXHIBIT D

Map of Projects Proposed/Completed by Relevant Group and Associated Entities



**6516 Selma
tommie hotel
Nearly completed**

**1545 Wilcox
Citizen News, restaurant/event center
Under construction.**

**1541 Wilcox
Thompson Hotel
Completed.**

**1615 Cahuenga
Beauty & Essex
Bar & restaurant. Part of
Dream Hotel complex.
Completed.**

**1605 Cahuenga
Pre-existing bldg used for
address on corporate docs.**

**1601 Cahuenga
Avenue LA, nightclub
Pre-existing bldg.**

**6417 Selma
Dream Hotel Phase 1
Completed.**

**6421 Selma
Tao Restaurant
Completed.
Also Dream Phase 2
Work not begun.**

**Relevant Group Associated Entities
Corporate Filings from CA SOS**

EXHIBIT E

Name	Doc Type	Date	Address	Mmgrs/Mmbrs	Signed	Notes
Five Chairs Holdings LLC	Reg Foreign LLC	10/22/2010	1605 Cahuenga 90028	NA	Mari C. Miyatake	
Hollywood International Regional Center LLC	Amendment	7/6/2011	NA	NA	Grant King Manager	Name change from Hollywood Investment Fund LLC
Hollywood International Regional Center LLC	Statement of Info	7/21/2020	1605 Cahuenga 90028	Relevant Group LLC	Rosy Lim (printed)	Relevant is Mgr/Mmbr of HIRC
Hollywood International Regional Center Selma LP	Certificate of LP	7/11/2011	1605 Cahuenga 90028	General Partners HIRC	Grant King Mmbr Five Chairs Mmbr HIRC	
Hollywood International Regional Center Tommie LLC	Reg Foreign LLC	12/21/2016	1605 Cahuenga 90028	NA	Richard Heyman Member	
Hollywood International Regional Center Wilcox LLC	Reg Foreign LLC	3/9/2021	1605 Cahuenga 90028	NA	Grant King	
Relevant Group LLC	Amendment	3/2/2017	NA	NA	Grant King Member	Name change from Five Chairs Holdings LLC
Relevant Group LLC	Statement of Info	7/11/2019	1605 Cahuenga 90028	R. Heyman G. King Mgr/Mmbrs	Andrew Shayne CFO	
Relevant Hospitality LLC	Articles of Org	4/24/2019	1605 Cahuenga 90028	NA	Richard Heyman	
Relevant Hospitality LLC	Statement of Info	12/22/2020	1605 Cahuenga 90028	Relevant Holding LLC	Jay Yang Controller	Appears no Relevant Holding LLC registered in CA
Relevant Hospitality LLC	Statement of Info	4/29/2021	1605 Cahuenga 90028	Relevant Holding LLC	Jason Chen CAO	Appears no Relevant Holding LLC registered in CA
R & G Hospitality Group LLC	Articles of Org	9/30/2014	1605 Cahuenga 90028	NA	Grant King Mmbr Five Chairs Holdings	
R & G Hospitality Group LLC	Statement of Info	9/24/2020	1605 Cahuenga 90028	HIRC LLC	Rosy Lim Staff Accountant	
6417 Selma Hotel LLC	Reg Foreign LLC	9/24/2013	1605 Cahuenga 90028	NA	Richard Heyman Mgr HIRC & Mgr HIRC Selma	
6417 Selma Holdings LLC	Reg Foreign LLC	12/4/2015	1605 Cahuenga 90028	NA	R Heyman Mmbr 6417 Selma Hotel LLC	
Dream Selma Restaurant LLC	Articles of Org	11/12/2014	1605 Cahuenga 90028	NA	Richard Heyman Mgr 6417 Selma Hotel LLC	
6421 Selma Wilcox Hotel LLC	Statement of Info	11/28/2016	1605 Cahuenga 90028	6421 Dream 2 Holdings LLC	Richard Heyman Member	
6421 Selma Restaurant LLC	Amendment	2/26/2016	NA	NA	Grant King Member 6417 Selma Hotel LLC	Name change from Dream Selma Restaurant LLC
6421 Selma Restaurant LLC	Statement of Info	7/11/2019	1605 Cahuenga 90028	6417 Selma Hotel LLC	Andrew Shayne CFO	
1541 Wilcox Hotel LLC	Statement of Info	10/28/2015	1605 Cahuenga 90028	R. Heyman & G. King Managers	Richard Heyman Member	
6516 Tommie Hotel LLC	Foreign LLC Reg	4/17/2019	1605 Cahuenga 90028	NA	Richard Heyman	
6516 Tommie LP	Foreign LP Reg	3/29/2017	1605 Cahuenga 90028	R. Heyman G. King Gen Partners	Richard Heyman	Attachment lists HIRC Tommie as General Partner
6516 Tommie LLC	Foreign LLC Reg	4/17/2019	1605 Cahuenga 90028	NA	Richard Heyman	
Hollywood Citizen News LLC	Foreign LLC Reg	7/18/2016	1605 Cahuenga 90028	NA	Richard Heyman Member	Heyman signs as Mgr Five Chairs Holdings & HIRC
Hollywood Citizen News LLC	Statement of Info	4/21/2020	1605 Cahuenga 90028	Miramar-Citizen News Investors LLC	Rosy Lim Staff Accountant	
Hollywood Citizen News Manager LLC	Statement of Info	7/11/2019	1605 Cahuenga 90028	HIRC LLC	Andrew Shayne CFO	
Hollywood Citizen News Operating Company LLC	Articles of Org	3/16/2018	1605 Cahuenga 90028	NA	Grant King	
Ten Five Hospitality LLC	Foreign LLC Reg	7/2/2021	1605 Cahuenga 90028	NA	Dan Daley	

EXHIBIT F

Composite of Projects Featured on Ten Five Web Page



Mondrian South Beach



Thompson Hollywood



tommie Hollywood [LEARN MORE](#) →



Dream Hollywood [LEARN MORE](#) →



Citizen News [LEARN MORE](#) →



Mother Wolf [LEARN MORE](#) →



Baia Beach Club [LEARN MORE](#) →



Bar Lis [LEARN MORE](#) →

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STOREROOM COORDINATOR

[Job Details](#)

[Job Location](#)

[Ten Five Hospitality - Los Angeles, CA](#)

[Position Type](#)

[Full Time](#)

Job Description

We are currently looking for a talented and enthusiastic Storeroom Coordinator at Ten Five Hospitality. The ideal candidate for this opportunity will complement their talent with the Ten Five Hospitality brand. The candidate will embrace, appreciate and foster a collaborative team environment, with a passion for Ten Fives creative and entrepreneurial culture.

Ten Five Hospitality Overview

Ten Five represents a new type of integrated hospitality group. As the hospitality division of our parent company, Relevant Group, we balance a seasoned approach with innovative thinking and daring creativity with operational profitability to concept best-in-class Food and Beverage experiences for a new generation of sophisticated guest.

Each Food and Beverage concept fills a void in the current landscape and offers a distinct personality from design to ambience to service delivery and beyond that stands out in the crowd.

With a team of the industrys most talented hospitality professionals providing proven organizational and operational excellence, Ten Five offers a wealth of experience, superior aesthetic sensibility, incredible speed, solution-minded management.

Our success is born of an uncompromising belief in and commitment to our Core Values: Excellence, Growth, Teamwork, Transparency, Speed, Empowerment and Profitability.

And to our greatest value - our Ten Five Members.

Who will love this position?

- You, if you have a Passion for Service and Innovative Approches to Process and Problem Solving.
- You, if you have an appreciation of creating transformative experiences and a Service Forward Mentality.
- You, if you are Creative, Individualistic, and Collaborative with an eye for Detail.

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- High attention to detail including:
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 - Inventory Par levels and understanding usage reports
 - Requisition and Pull sheet forms
- Working knowledge of Food and Beverage inventory, hospitality and restaurant operating supplies and equipment and food sanitation practices
- Conduct physical inventory when required and enter/upload inventory into the procurement software
- Independently manage product check-in processes per the procurement SOP
- Monitor and maintain cleanliness, sanitation, and organization of assigned work areas.
- Able to compile and deliver accurate requisitions to outlets, communicating any shortages
- Assists the storeroom coordinator with inventory counts when necessary
- Able to manage a busy and fast-paced check-in and receiving environment

Qualifications and Skills

- Food handling certification.
- Computer literacy.Â Experience with Birchstreet Inventory Systems is a plus.
- Be well organized, maintain concentration and think clearly while working independently Â
- Perform job functions with minimal supervision.
- Problem solver; ability to be resourceful and proactive when issues arise
- Accountability; sets high expectations and achieves them regardless of the barriers
- Quick learner; anticipates needs and is a self-starter
- Attention to Detail; thoroughness in accomplishing tasks ensuring the job gets done right
- Flexible; ability to change course quickly based on the companys changing needs
- Team Player; works cooperatively with others toward accomplishment of shared goals
- Demonstrates a sense of urgency and works well under pressure
- Excellent time-management skills with the ability to prioritize tasks
- Exceptional verbal and written communication skills
- Able to stand for up several hours at a time and properly lift up to 50lbs
- High School Diploma with 5+ years F&B experience

Â

Apply Now

Legal First Name*

Legal Last Name*

Email*

Confirm Email*

Phone*

ATTACH RESUME

[Start Application](#)

chevron_left

Sign In

Welcome ! It looks like you have an account with this email. Please enter your password to complete your application.

Password*

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Ready for the next step?

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Apply Now

Legal First Name*

Legal Last Name*

Email*

Confirm Email*

Phone*

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Sign In

Welcome ! It looks like you have an account with this email. Please enter your password to complete your application.

Password*

[Forgot password?](#)

Thanks!

An email has been sent to you with a password to access your account.

'Thank You'

Ready for the next step?

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Email*
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Or

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[chevron_left](#)

Create an Account

Email*

Confirm Email*

Password*

Verify Password*

First Name*

Last Name*



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EXHIBIT H

FILED

Secretary of State
State of California

~~JUN 11 2019~~

JUL 11 2019
added 07-22-2019 RAR

	Secretary of State Statement of Information 16 (Limited Liability Company)	LLC-12
	IMPORTANT — This form can be filed online at bizfile.sos.ca.gov . Read instructions before completing this form. Filing Fee — \$20.00 Copy Fees — First page \$1.00; each attachment page \$0.50; Certification Fee — \$5.00 plus copy fees	

1.50 / nf / pc
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IMPORTANT — This form can be filed online at bizfile.sos.ca.gov.
 Read instructions before completing this form.
 Filing Fee — \$20.00
 Copy Fees — First page \$1.00; each attachment page \$0.50;
 Certification Fee — \$5.00 plus copy fees

1. Limited Liability Company Name (Enter the exact name of the LLC. If you registered in California using an alternate name, see instructions.)
RELEVANT GROUP, LLC

2. 12-Digit Secretary of State Entity (File) Number
201029810056

3. State, Foreign Country or Place of Organization (only if formed outside of California)
DELAWARE

4. Business Addresses

a. Street Address of Principal Office - Do not list a P.O. Box	City (no abbreviations)	State	Zip Code
1605 N CAHUENGA BLVD	LOS ANGELES	CA	90028
b. Mailing Address of LLC, if different than item 4a	City (no abbreviations)	State	Zip Code
c. Street Address of California Office, if item 4a is not in California - Do not list a P.O. Box	City (no abbreviations)	State	Zip Code
		CA	

5. Manager(s) or Member(s) If no managers have been appointed or elected, provide the name and address of each member. At least one name and address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and address(es) on Form LLC-12A.

a. First Name, if an individual - Do not complete item 5b RICHARD	Middle Name	Last Name HEYMAN	Suffix
b. Entity Name - Do not complete item 5a			
c. Address 1605 N CAHUENGA BLVD	City (no abbreviations) LOS ANGELES	State CA	Zip Code 90028

6. Service of Process (Must provide either Individual OR Corporation.)
 INDIVIDUAL — Complete Items 6a and 6b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box			
		State CA	Zip Code

CORPORATION — Complete item 6c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete item 6a or 6b
Capitol Corporate Services, Inc. #C1990324

7. Type of Business
 Describe the type of business or services of the Limited Liability Company
REAL ESTATE DEVELOPER

8. Chief Executive Officer, if elected or appointed

a. First Name	Middle Name	Last Name	Suffix
b. Address		City (no abbreviations)	State Zip Code

9. The information contained herein, including any attachments made part of this document, is true and correct.

7-10-19 Date ANDREW SHAYNE Type or Print Name of Person Completing the Form CFO Title [Signature] Signature



**Attachment to
Statement of Information
(Limited Liability Company)**

**LLC-12A
Attachment**

A. Limited Liability Company Name (Enter the exact name on file with the California Secretary of State.)

RELEVANT GROUP, LLC

Above Space For Office Use Only

B. 12-Digit Secretary of State Entity (File) Number

201029810056

C. State, Foreign Country, or Place of Organization (only if formed outside of California)

D. List of Additional Manager(s) or Member(s) - If the manager/member is an individual, enter the individual's name and address. If the manager/member is an entity, enter the entity's name and address. Note: The LLC cannot serve as its own manager or member.

2a. First Name - Do not complete Item 2b GRANT	Middle Name	Last Name KING	Suffix
2b. Entity Name - Do not complete Item 2a			
2c. Address 1605 N CAHUENGA BLVD.	City (no abbreviations) LOS ANGELES	State CA	Zip Code 90028
3a. First Name - Do not complete Item 3b	Middle Name	Last Name	Suffix
3b. Entity Name - Do not complete Item 3a			
3c. Address	City (no abbreviations)	State	Zip Code
4a. First Name - Do not complete Item 4b	Middle Name	Last Name	Suffix
4b. Entity Name - Do not complete Item 4a			
4c. Address	City (no abbreviations)	State	Zip Code
5a. First Name - Do not complete Item 5b	Middle Name	Last Name	Suffix
5b. Entity Name - Do not complete Item 5a			
5c. Address	City (no abbreviations)	State	Zip Code
6a. First Name - Do not complete Item 6b	Middle Name	Last Name	Suffix
6b. Entity Name - Do not complete Item 6a			
6c. Address	City (no abbreviations)	State	Zip Code
7a. First Name - Do not complete Item 7b	Middle Name	Last Name	Suffix
7b. Entity Name - Do not complete Item 7a			
7c. Address	City (no abbreviations)	State	Zip Code
8a. First Name - Do not complete Item 8b	Middle Name	Last Name	Suffix
8b. Entity Name - Do not complete Item 8a			
8c. Address	City (no abbreviations)	State	Zip Code

EXHIBIT I

	Secretary of State	LLC-5
	Application to Register a Foreign Limited Liability Company (LLC)	
IMPORTANT — Read Instructions before completing this form. Must be submitted with a current Certificate of Good Standing issued by the government agency where the LLC was formed. See Instructions. Filing Fee – \$70.00 Copy Fees – First page \$1.00; each attachment page \$0.50; Certification Fee - \$5.00 <i>Note:</i> Registered LLCs in California may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to https://www.ftb.ca.gov .		



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1a. LLC Name (Enter the exact name of the LLC as listed on your attached Certificate of Good Standing.)

TEN FIVE HOSPITALITY LLC

1b. California Alternate Name, If Required (See Instructions – Only enter an alternate name if the LLC name in 1a not available in California.)

2. LLC History (See Instructions – Ensure that the formation date and jurisdiction match the attached Certificate of Good Standing.)

a. Date LLC was formed in home jurisdiction (MM/DD/YYYY) 12 / 3 / 2020	b. Jurisdiction (State, foreign country or place where this LLC is formed.) Florida
c. Authority Statement (Do not alter Authority Statement) This LLC currently has powers and privileges to conduct business in the state, foreign country or place entered in Item 2b.	

3. Business Addresses (Enter the complete business addresses. Items 3a and 3b cannot be a P.O. Box or "in care of" an individual or entity.)

a. Street Address of Principal Executive Office - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
1605 N CAHUENGA BLVD	HOLLYWOOD	CA	90028
b. Street Address of Principal Office in California, if any - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
1605 N CAHUENGA BLVD	HOLLYWOOD	CA	90028
c. Mailing Address of Principal Executive Office, if different than item 3a	City (no abbreviations)	State	Zip Code

4. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL – Complete Items 4a and 4b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
		CA	

CORPORATION – Complete Item 4c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 4a or 4b Capitol Corporate Services, Inc. #C1990324

5. Read and Sign Below (See Instructions. Title not required.)

By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized to sign on behalf of the foreign LLC.

Signature 

Dan Daley
Type or Print Name

State of Florida

Department of State

I certify from the records of this office that TEN FIVE HOSPITALITY LLC is a limited liability company organized under the laws of the State of Florida, filed on December 3, 2020.

The document number of this limited liability company is L20000378900.

I further certify that said limited liability company has paid all fees due this office through December 31, 2021, that its most recent annual report was filed on April 30, 2021, and that its status is active.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Thirtieth day of June, 2021*



Randy Rye
Secretary of State

Tracking Number: 3592393178CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

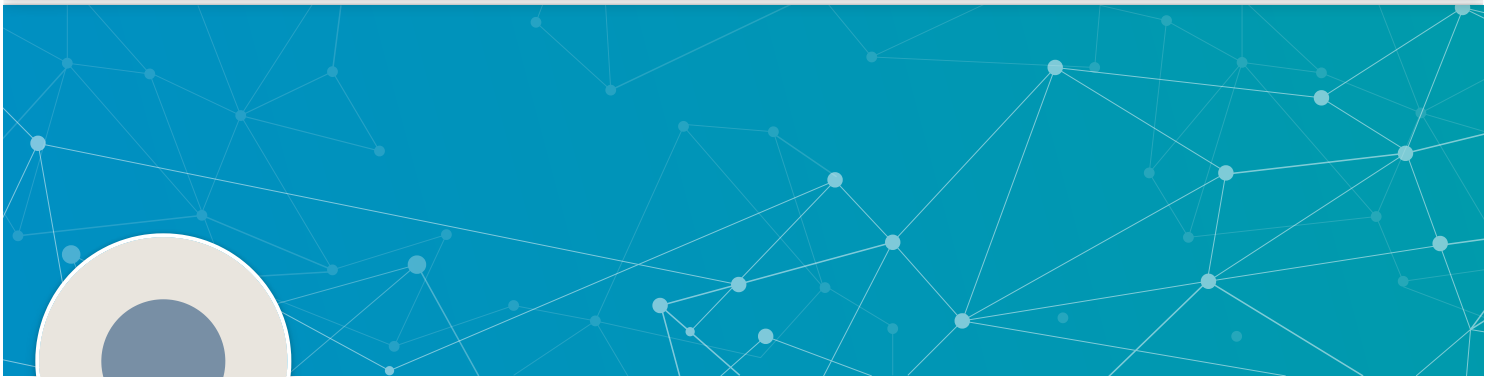
<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

202118710873



Dan Daley

EXHIBIT J



Dan Daley

Principal

New York, New York, United States · 500+ connections

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Ten Five Hospitality



Georgetown University

Experience



Principal

Ten Five Hospitality

Jan 2021 - Present · 1 year



Chief Operating Officer

Relevant Group

Jun 2019 - Present · 2 years 7 months

Greater Los Angeles Area



COO

IS Development, LLC

Dec 2018 - Jun 2019 · 7 months



Dan Daley



Vice President Operations, PUBLIC Hotels

PUBLIC HOTELS

Jul 2017 - Dec 2018 · 1 year 6 months

Greater New York City Area



Dream Downtown

3 years

General Manager

May 2015 - Jul 2017 · 2 years 3 months

New York

Corporate Director of Operations

Aug 2014 - Jul 2017 · 3 years

Greater New York City Area

Education



Georgetown University

B.A.

Languages

Italian

-

Groups



Marketing Nightlife | Clubs | Restaurants | Bars | Hospitality

-



Dan Daley



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Principal at Ten Five Hospitality
Miami, FL



Eric Freitas

General Manager, Ludlow Hotel
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Sebastian Puga

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Nicki Molino

Vice President of Special Events at Ten Five Hospitality
Los Angeles, CA



Sophie Ratzsch

F&B Marketing Manager, West Coast at Ten Five Hospitality
West Hollywood, CA



Chris Budhu

Director of Front Office at Dream Downtown
New York, NY



Teresa Lausell

at
New York, NY



Chelsea Salamone

Director, Acquisitions & Development at The Standard Hotels
New York, NY



Dan Daley



Austin, TX



Demien Farrell

VP of Development at Relevant Group

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Dan Daley

State Representative at Florida House of Representatives

Miami-Fort Lauderdale Area



Dan Daley

Executive Recruiter, Software Sales Recruiter , Dan@Big3consulting.com 801-677-6006 ext 2 Executive match-maker, Husband, Father, Bison rancher, Beekeeper

Lubec, ME



Dan Daley

Managing Director at Rock The Boat Activities LTD

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Leading a Marketing Team

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Dan Daley
Principal




Principal at Ten Five Hospitality



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