Communication from Public

Name:	James Lloyd
Date Submitted:	09/08/2025 03:41 PM
Council File No:	25-0811
Comments for Public Posting:	See attached public comment re Proposed Housing Development Project at 5416-5430 West Carlton Way, CPC-2024-914-DB-SPPC-VHCA / 25-0811

Sep 8, 2025

City of Los Angeles
City Council
200 North Spring Street
Los Angeles, CA 90012

Re: Proposed Housing Development Project at 5416-5430 West Carlton Way, CPC-2024-914-DB-SPPC-VHCA / 25-0811

To: submitted electronically via the Council website

Cc: Danalynn Dominguez, City Planner, danalynn.dominguez@lacity.org; City Clerk's Office, clerk.cps@lacity.org; City Attorney's Office, cityatty.help@lacity.org

Dear Los Angeles City Council,

The California Housing Defense Fund ("CalHDF") submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 139-unit housing development project at 5416 – 5418, 5420, 5424-5428 and 5430 West Carlton Way, which includes 15 very low-income units. These laws include the Housing Accountability Act ("HAA"), the Density Bonus Law ("DBL"), and California Environmental Quality Act ("CEQA") guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subds. (d), (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would render the project infeasible or reduce the project's density unless, again, such written findings are made. (*Id.* at subd. (j).) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA's ambit, and it complies with local zoning code and the City's general plan. Increased density, concessions, and waivers that a project is entitled to under the DBL (Gov. Code, § 65915) do not render the project noncompliant with the zoning code or general plan, for purposes of the HAA (Gov. Code, § 65589.5, subd. (j)(3)). The HAA's protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above.

CalHDF also writes to emphasize that the DBL offers the proposed development certain protections. The City must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the City must not deny the project the proposed waivers and concessions with respect to the following: minimum and maximum building setback, roof lines, height, number of lots in a building site, rear yard, westerly side yard, space between buildings, passageway width, and open space. For requested waivers, Government Code section 65915, subdivision (e)(1) requires findings that the waivers would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. For requested concessions, Government Code section 65915, subdivision (d)(1) requires findings that the concessions would not result in identifiable and actual cost reductions, that the concessions would have a specific, adverse impact on public health or safety, or that the concessions are contrary to state or federal law. The City, if it makes any such findings, bears the burden of proof. (Gov. Code, § 65915, subd. (d)(4).) Of note, the DBL specifically allows for a reduction in required accessory parking in addition to the allowable waivers and concessions. (*Id.* at subd. (p).) Additionally, the California Court of Appeal has ruled that when an applicant has requested one or more waivers and/or concessions pursuant to the DBL, the City "may not apply any development standard that would physically preclude construction of that project as designed, even if the building includes 'amenities' beyond the bare minimum of building components." (*Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 775.)

Furthermore, the project is exempt from state environmental review under the Class 32 CEQA categorical exemption (In-Fill Development Projects) pursuant to section 15332 of the CEQA Guidelines, as the project is consistent with the applicable general plan designation and all applicable general plan policies as well as the applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The project may also be eligible for a CEQA exemption pursuant to AB 130 (Pub. Res. Code, § 21080.66), which was signed into law on June 30, 2025 and was effective immediately (Assembly Bill No. 130, 2025-2026 Regular Session, Sec. 74, available here). Caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

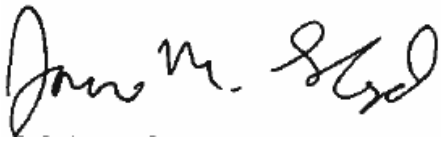
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by providing affordable housing, it will mitigate the state's homelessness crisis; it will increase the city's tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on

transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations

Communication from Public

Name: Jocelyn Urrutia

Date Submitted: 09/08/2025 02:22 PM

Council File No: 25-0811

Comments for Public Posting: To: clerk.plumcommittee@lacity.org
Cc:mailto:councilmember.blumenfield@lacity.org,cd10@lacity.org,heather.hutt@lacity.org,Councilmember.Nazarian@lacity.org,councilmember.Lee@lacity.org,contactCD4@lacity.org,councilmember.soto-martinez@lacity.org,carltonserranotenants@gmail.com, SUBJECT: Carlton Way Appeal - Substantial Evidence, COUNCIL FILE NO: 25-0811 Email Body: COUNCIL FILE NO: 25-0811 CASE NO: CPC-2024-914-DB-SPPC-VHCA CEQA: ENV-2024-915-CE Plan Area: Hollywood Council District: 13 - Soto-Martinez Project Site: 5416 - 5418, 5420, 5424-5428 and 5430 West Carlton Way Los Angeles, CA 90027 Honorable Chair Blumenfield and members of the PLUM Committee, I urge you to support the Carlton Serrano Tenants Association Appeal and reject this proposed development, which would demolish seven rent-controlled buildings, displace nearly fifty vulnerable tenants, and would result in a net loss of naturally occurring low-income RSO housing. The project is noncompliant with SB8, "No Net Loss," the Resident Protection Ordinance (RPO), SNAP Subarea A, and CEQA. Failing to comply with SB8 is grounds for project rejection and accordingly, this project must be denied. Replacing 25 existing RSO units with only 15 "Very Low Income" units (just 10.8% of the total) fails to justify the destruction of naturally occurring low-income RSO housing and promotes gentrification. The use of off-menu waivers for a 176% height increase and 74% open space reduction prioritizes profit over community standards. The claim that the project complies with SNAP is flawed, especially in Subarea A. SNAP was specifically designed to protect quality of life and to prevent invasive noncompliant projects like this from occurring. The removal of 17 trees, including two protected California Oaks, violates the Protected Tree Ordinance and necessitates a full Environmental Impact Report. Additionally, the site includes historic buildings with contextual value near the Edith Northman-designed Carlton Apartments, and their demolition would erode the area's historic fabric. The developers, ROM Investments and their affiliates, have a documented history of tenant harassment, code violations, and unethical conduct, further underscoring why this project should not proceed. Tenant harassment, such as ROM Investments documented cases of refusing to conduct repairs violates the Housing Crisis Act (SB8), the Housing Crisis Act Replacement Unit Determination (RUD) and the Resident Protection Ordinance (RPO). As this development project is noncompliant, it must be denied. Please side with the community, not bad actors, and support the appeal. Sincerely, Jocelyn Urrutia 90038

Communication from Public

Name: Julia
Date Submitted: 09/08/2025 07:02 PM
Council File No: 25-0811
Comments for Public Posting: Honorable Chair Blumenfield and members of the PLUM Committee, I urge you to support the Carlton Serrano Tenants Association Appeal and reject this proposed development, which would demolish seven rent-controlled buildings, displace nearly fifty vulnerable tenants, and would result in a net loss of naturally occurring low-income RSO housing. The project is noncompliant with SB8, “No Net Loss,” the Resident Protection Ordinance (RPO), SNAP Subarea A, and CEQA. Failing to comply with SB8 is grounds for project rejection and accordingly, this project must be denied. ?Replacing 25 existing RSO units with only 15 “Very Low Income” units (just 10.8% of the total) fails to justify the destruction of naturally occurring low-income RSO housing and promotes gentrification. The use of off-menu waivers for a 176% height increase and 74% open space reduction prioritizes profit over community standards. The claim that the project complies with SNAP is flawed, especially in Subarea A. SNAP was specifically designed to protect quality of life and to prevent invasive noncompliant projects like this from occurring. The removal of 17 trees, including two protected California Oaks, violates the Protected Tree Ordinance and necessitates a full Environmental Impact Report. Additionally, the site includes historic buildings with contextual value near the Edith Northman-designed Carlton Apartments, and their demolition would erode the area's historic fabric. The developers, ROM Investments and their affiliates, have a documented history of tenant harassment, code violations, and unethical conduct, further underscoring why this project should not proceed. Tenant harassment, such as ROM Investments documented cases of refusing to conduct repairs violates the Housing Crisis Act (SB8), the Housing Crisis Act Replacement Unit Determination (RUD) and the Resident Protection Ordinance (RPO). As this development project is noncompliant, it must be denied. Please side with the community, not bad actors, and support the appeal. - Julia, zip code 90029

Communication from Public

Name:	Marius Hisle
Date Submitted:	09/08/2025 07:28 PM
Council File No:	25-0811
Comments for Public Posting:	This long-standing Los Angeles community deserves to be protected and respected not demolished for the sake of so-called "progress" which is in truth a monetary reward for those with no livelihood at threat. The Carlton Way community built of elders, families, immigrants who have put down roots and believed in the haven of Los Angeles are being betrayed by the city planners and stripped of their homes. There are many over-priced over-developed properties across the city - we do not need another new empty building. Please do the right thing and block this property development. Protect the people of Los Angeles instead of evicting them. Prove that our dream of community is not in vain.

Communication from Public

Name:	Rachel Playstead
Date Submitted:	09/08/2025 09:20 PM
Council File No:	25-0811
Comments for Public Posting:	Please support the Carlton Serrano Tenants Association Appeal and reject the proposed development. These are rent-controlled units in a city with very little affordable housing. Replacing 25 existing RSO units with only 15 “Very Low Income” units (just 10.8% of the total) fails to justify the destruction of naturally occurring low-income RSO housing and promotes gentrification. In order to maintain the historical integrity of this city and 50 people’s homes please reject the proposed development.

Communication from Public

Name:

Date Submitted: 09/08/2025 09:32 PM

Council File No: 25-0811

Comments for Public Posting: As a property owner in this East Hollywood area, I support the Appellants and request that PLUM grant the Appeal. i attach a detailed letter illustrating the following important items: This case is a drastic failure at proper handling of Density Bonus cases. Waivers and Incentives are recommended for approval which allow a highly incompatible building only because the developer chooses to balloon the size of the building with massive indoor non-apartment spaces, undisclosed; private pool and big private decks; and wants a cool angled shape. State Density Bonus law grants bonuses for affordable housing, The prime reason for accepting the Appeal is that the Waivers and off menu Incentives are frankly UNNECESSARY and NOT caused by the City's physical regulations at all. The Waivers and Incentives do not lead to more affordable housing units. They are design requests and are insupportable under State Density Bonus law. This developer may have innovative ideas, but his private dream cannot be at the expense of his neighbors, neighborhood, and current tenants. The Waivers and Incentives are not in our law for that. He can dream and be cool AND NOT exceed the height,NOT crowd into the setbacks, NOT build a jagged looming box violating the teeny protections left in our city for civility, livability, and walkability. I also attach calculations which I believe show the request for 131 new units fails to follow the law,. At the very least the project should be remanded back to City Planning for a transparent justification of the Applicant's calculation of units.

HERITAGE PROPERTIES

Re 5416-5430 Carlton Way
CF 25-0811
CPC 2024-914-DB-SPPC-VHCA

To the PLUM Committee Members:

In this letter we support the Appeal of the Carlton Way tenants. As a property owner in the wider SNAP neighborhood, we will show that the outsized incentives and waivers requested by this applicant in this case are frankly weird, and wholly unnecessary. In fact, a safer, better, code-compliant project with the same number of residential and affordable units is likely feasible without needing most or all of these incentive or waiver requests.

PLUM has no obligation or justification to rubber-stamp a developer's new idea which inflates this building's size and racks its shape unnecessarily, to the detriment of neighbors. PLUM deserves an accurate story. Approve the Appeal or remand this Case back to Planning. In over 1,000 pages of this Case nowhere is 35,00 – 40,000 sf "unassigned" "co-working" (non-apartment) spaces explained. State Density Bonus law requires proving that waivers enable affordable housing and City regulations physically impair that. The Off Menu Incentives and Waivers requested here are insupportable under Density Bonus law.

1. **Waivers not supportable**: The new building's "envelope" "expansion outward" is not needed and not contributing to more affordable housing. State Density Bonus law created "waivers" for instances where the planning/zoning regulations physically impair construction of affordable housing. That is NOT AT ALL the case here
    - As much as 50% of the apartment unit area, and upward by as much as 3 floors worth of construction, has been triggered by the developer adding large rooms that are not in apartments or provide less affordable housing. These "Resident CoWorking" spaces, unexplained, add square footage and building height unnecessarily, as does the "x" shape plan and large courtyard carve-outs. This illustration shows floor 5,6,7, and 8. Our yellow overlay in the diagram below shows the added non-apartment space and "carve-outs" throughout this building, which make the argument that waivers for "expanded floor plans for affordable housing" a cruel fantasy..

- 7 Waivers and 3 Off Menu incentives are requested to allow the floor plans to inflate into setbacks and up in height, but are NOT necessary to provide housing and thus do not qualify for PLUM approval.
- This "X" shape design and added "non-apartment" spaces is what causes the project to get so tall and inflated. It is their design that triggers all these requests for large reductions in public open space and setbacks. This is NOT qualifying under State Density Bonus law because it is NOT necessary nor triggered by City regulations; nor is it providing "additional affordable housing" as claimed in the LOD. This is desired not required.
- Off Menu Incentives must be supported by financial analysis demonstrating that the incentive was necessary for affordability. As the building design is voluntarily kinked for the "cool" factor rather than straight in its floor plan, that argument is untenable.

2. **Large and small math errors:** As described in the following letter, large and small math errors not only distort the Case and make it impossible to approve, they call into question whether the project size is entirely wrong. At 47 unit Base Density, the total unit count with 46% Bonus will be 69 apartments on 2 or 3 floors.
    - Base unit density is repeatedly called out as 400 sf/du based with fuzzy references only to the Community Plan and to AB 2334 in the text. It is probable the entire project size is wrong. An accurate look shows zoning for this parcel at 800 sf/DU, per Q conditions in Ord 165,668 at the time of this application. Redevelopment is cited on the drawings, and existed at that time, but never had the authority in law to allow greater density without a City Zone Variance. AB 2334 addressed the "minimum lot area per unit requirement," but only to the extent of preventing local governments from applying standards that would physically preclude a project that meets density bonus eligibility criteria from being built, and for assisting cities and counties that didn't have these already calculated. Los Angeles did..
    - The Approved stamped plans and the Case File text do not agree on many calculations and quantities, including the density bonus calculations. The plans themselves do not agree from one to the next
    - Parking is calculated on "units", omitting the 8 existing units whose garage is removed and failing to account for 35,000-40,000 sf residential space called Co-Working space.
    - Many calculations are questionable and inconsistent within the case.

3. **Whole case sidesteps replacement of existing rental RSO housing :** This project includes the eviction of about 50 tenants and demolition of 25 houses or generous apartments. Nowhere is the total of 48 affordable units mentioned.
    1. 15 newly constructed affordable units are referenced in the text.
    2. 8 existing RSO units which will remain must be clearly stated to be in addition to the 15 new unit requirement.
    3. 25 SB 8 replacement units are not addressed by City Planning as a part of the approval of the plans or the case. City Planning only makes verbal references to "Conditions of Approval" C-1 Condition 3 recites: "*The project shall be required to comply with the Replacement Unit Determination (RUD) letter dated June 3, 2024, to the satisfaction of LAHD".* Condition 6 also addresses this, but fails to mention or clarify that the 8 remaining RSO retain (at minimum) current rent levels, although having been absorbed into a new "project" with a new address.
    4. Total of 48 necessary affordable units is never acknowledged. In fact City Planning goes to great pains to describe rent control Exemptions available.

HERITAGE PROPERTIES

PLUM cannot justify this Density Bonus Project as complying with State Density Bonus law. Our letter is in support of tenants and citizens who expect stringent adherence to the law. This project is "up to something", and the something may be desirable for the developer, but it is not disclosed by Staff or in the Council File. This case fails at explaining its Density Bonus calculations and at justifying Incentives and Waivers rather than fixing the design to be code-compliant.

This case is located in the SNAP area of East Hollywood where we own property, also in the "Neighborhood Conservation" low intensity zone with SNAP regulations to maintain current scale and pedestrian environment. Also, our City Council has sold us on its great efforts at tenant protection. This case is a poster child for the great deception. The SNAP Plan recognized the planning goal of making this specific section of Carlton Way continue to be multifamily, but intentionally at a lower density and without any mixed commercial use as was expected in other sections of East Hollywood. In over 1,000 pages of repetition of the developer requests, the facts are left out.

WAIVERS NOT SUPPORTABLE

"Expansions" into setbacks etc are being requested unnecessarily with no additional affordable housing: The City standards that the developer asks to violate include a height limit (from 38'- 105 ft—an added 4 or 5 stories); minimum setbacks at front, side, and rear yards; combining of lots with original 50' frontage into a singular large wide parcel; privatized open space; passageways reduced between buildings (for fire safety and for construction and movers access); inadequate parking for residents; and more. No "additional" affordable housing results, as is repeatedly falsely promised.

1. **How DB Incentives and Waivers are not supported**: It is the applicant's specific design and specific uses that pushes this "building envelope" beyond the limits of its zoning. The current zoning and development standards for this site are NOT precluding the affordable unit construction

   15 affordable housing units are fully possible without 3 off-menu incentives and 7 waivers. It is not the public's obligation to promote private luxury or experimental design. We all have dreams. This dream may even be great. But the private dreams don't erase the obligation to comply in the public interest..

   - For Waivers: LOD page F-3 of Findings states
     A Density Bonus Project "may request other waivers or reductions of development standards that will have the effect of physically precluding the construction of a development meeting the affordable set aside percentage criteria of subdivision)b) at the densities or with the concessions or incentives permitted under State Density Bonus Law
   - Findings are false: City Planning writes repeatedly Finding statements which are unsubstantiated and untrue:
     "*As proposed , the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased.*" Also *" the increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types".*
   - No additional affordable housing results from the "expanded floor area" , while the effect on the surrounding area is deleterious-- crowding out open space, light and air, and expected setbacks. City Planning has required 15 units VLI units based on its Density Bonus calculations. City Planning has not required any 'additional" units.
   - Private luxury features cause the larger building, such as outdoor private decks, a large pool deck at a lower level, and the "Resident Co-working" rooms to increase the building by as much as 2-3 floors.

- Residential units are very small, almost dorm-like, with no variety of unit types, and far smaller than the ones demolished.

2 Large mystery "Resident Co-Working" rooms are located throughout the building in choice locations which makes the waivers unnecessary, deceptive, and unacceptable:

- These of course could be additional affordable units
- Perhaps as much as 35,000 sq. ft of "resident co-working space" is on these plans—which could be 50 more of the usual units in the building or at least 10 or more large units. These are large rooms in choice corner locations. They appear nowhere in the case file, and are not calculated for parking
- As a City Planning "Use" these might be "joint live/work spaces" --which are prohibited in this zone. (Ord 173,749 does not locate "joint live/work" as an allowed use in this zone.) City Planning has not explained what "use" resident Co-working falls under. Maybe "community rooms". These communal spaces add roughly half the quantity of spaces allocated for apartments. They are undisclosed and cause this building to balloon in size.
- City Planning has applied no Conditions for the use of these large spaces that are not apartments.
- City Planning fails to report that the result of the mystery spaces is a building taller and wider than otherwise NECESSARY. This makes this entire application unacceptable.

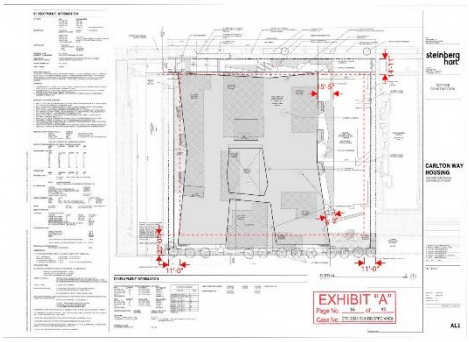
3 Specifics re some Waivers and Off Menu Incentives

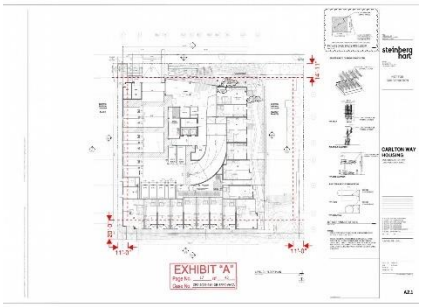
- **Height waiver**: : "*As proposed , the granting of this waiver will allow the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased*."
    - This statement appears on a waiver to allow a 38' ft allowable height (3 stories) to be increased to 105' (8 stories) . 5 additional stories of height have not led to any additional affordable units .
- **Lot Merger** without Tract Map or Covenanted lot Tie: Merging 4 existing building lots together- twice the length allowed by zoning. City Planning states "*Thus the denial of the requested waiver will have the result of physically precluding one or more affordable units*. " This is patently false.
    - The Lot Tie prohibition was intended in the SNAP ordinance to keep the frontage of buildings on this small residential street at a reasonable scale—two times a house lot, vs 4 times-- as an unrelieved façade..
- **Front Yard Off Menu Incentive** Violating the setback requirement in SNAP to align with neighbors, the building has an angled and serrated front jaggedly angling from 12'-6-18'-3. Ths is a design choice having nothing to do with affordable housing. A hulking electric is located in the front yard, detracting from the pedestrian experience.
- **Rear and Side Yard Setbacks**: Reducing normal 20' rear yard to 6'. Reducing the usual 11' side yard (based on building height) to 5'. City Planning states ***"****denial of the …requested waiver will have the result of physically precluding one or more affordable units."* This is patently false.
    - The rear yard reduction is for the swimming pool,. It will NOT preclude affordable units. It may preclude Fire Dept rescue, and cause problems for adjoining buildings. Using this narrow rear setback as the outdoor access to apartments can cause problems for neighbors.
    - The side yard reduction is mainly for private large patios.

  Passageways and Space Between Buildings: Normal passageway requirement for multifamily is stated as 22'. Applicant proposes a 58% and 72% reduction. City Planning states**:** *"Without the rear yard setback waiver, the total unit count would be reduced. Thus the*

denial of the requested waiver will have the result of physically precluding one or more affordable units". This is patently false

- Nothing identifies the units in these areas as affordable.
- Reducing passageways and spaces between buildings can have an effect on fire ratings for adjoining buildings. This can impede Fire Department access especially for rescue ladders; minimize areas for trees; obstruct light and air throughout the block; impede movers and maintenance, etc. This especially harms the existing building-to-remain.





MATH ERRORS

1. **<u>Base Density probable error</u>**: Nowhere in the Case is the calculation of Base Density explained except in the Staff Report Page A-6. That <u>asserts</u> a base density rather than explaining it's origins. Base Density under zoning is 47 units for this property, with its (Q) R-4-2 zone per Ord # 165,668 having a clear 800 SF/DU required.
    a. The Applicant has not requested the doubling of base density as a part of this Case—apparently according to the LOD. It has appeared as "proposed". It is not clear where and how the Applicant "proposes" doubling density formally. "*The applicant is 'proposing' a 95 unit base density of one dwelling unit per 400 square feet*" . "*Based on the required set-aside of at least 15% of the 95 base density units for very Low Income households, the applicant is entitled to three (3) off menu incentives.* "
    b. None of the incentives requested is an increase in Base Density. A. keyword search does not turn this up in the Staff Report at all.
    c. Staff Report 7/23/25 states *" In accordance with State Density Bonus Law (Government Code Section 65915 and Assembly Bill 2334), the Applicant is obtaining the base density allowance from the maximum allowable residential density permitted under the Zone, Specific Plan, or General Plan Land Use Designation*." That is 800 sf/du. The location of the 400 SF/DU for this parcel is not revealed.
    d. Page F-5 of the LOD also says the reduction of 800 sf per unit to 400 sf per unit was enacted in AB 2334, amending the Maximum Allowable Residential Density definition, now found in State Density Bonus Law CA 65915. Checking that, it says: (6) *"Maximum allowable residential density" or "base density" means the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the greatest number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. Density shall be determined using dwelling units per acre.* " A range of density is not allowed on this parcel.
    e. In Los Angeles the Hollywood Community Plan is adopted as Zoning Ordinances-- in this case Ord # 165,668 which states very clearly that metric is 800 sf/DU.

f. While the drawings refer to the Hollywood Redevelopment Plan (Sheet G0.1), the calculation of Density Bonus cannot be based on the Redevelopment Plan general land use,. Redevelopment Plans by definition could be more permissive with density than Los Angeles zoning.

2. **Density Bonus calculation-** If accepting that 131 new units will be built, with 8 existing units that equals 139 total units.. City Staff Report refers to 139 units. To obtain the 46.25% bonus on an alleged 95 unit Base density, that triggers 14% VLI requirement and totals the 139 units. The 46.25% is incorporated now in CA 65915. If the Base Density is 47 units, the total is 69 units.
3. **Open space calculation error**- Omitting the existing apartment building from the "project" , and still requests a 74% reduction in open space.
4. **Parking calculation error**: : The project plans show the existing driveway access to the existing garage at 5416-18 Carlton Way removed and not replaced. The 8 units are not included in the garage calculations for the new building. Eliminating existing parking is not allowed under LAMC. The plans seem to show no reasonably feasible way for residents of 5416-8 to access the parking garage.

WHOLE CASE SIDESTEPS AND MUDDIES REPLACEMENT FOR RSO HOUSING

Where does Planning add the requirement together of 48 total rent controlled or deed restricted affordable units: 15 DB-qualifying units, plus 25 replacement units for demolished RSO buildings; plus 8 existing-to-remain RSO units?

a. Nowhere does the project or appeal response clarify or guarantee that the current 8 RSO tenants occupying un-demolished 5416-18 Carlton Way are guaranteed to remain as RSO tenants.
b. Nowhere does the project address the loss of their parking rights in the structure behind their apartment building.
c. Condition 3 on Conditions of Approval page C-1 appears that this will allow Exemptions from the RSO Ordinance going forward. **"**The project shall be required to comply with the Replacement Unit Determination (RUD) letter dated June 3, 2024, to the satisfaction of LAHD. It "*Rent Stabilization Ordinance (RSO). Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from LAHD regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the applicant will need to either replace all withdrawn RSO units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by LAHD shall be provided."*
d. City Planning verbatim response Page 5 of the PLUM Committee report by City Planning recommending disapproval of the appeal is as follows:
    i. My summary of this paragraph is as follows: 15 units are required as a percentage of the new construction for Density Bonus compliance, and 25 units are required under "No Net Loss". Of that total of 40 units, LAHD is requiring none of the replacement units. LAHD will double dip and 11 of the newly-required units that qualified the project for a bonus density of 44 units will serve as replacement, and the other 14 will be forgotten and ignored.

HERITAGE PROPERTIES

Quote direct from Page 5: City Planning rebuts Appelant with pure gobbledegook: ***"The Project is not compliance with "No Net Loss" laws, RSO protection, fair replacement mandates, net loss of affordable housing and displacement of tenants.***

- *The project includes the demolition of 25 units that are protected under the Rent Stabilization Ordinance. The project includes a new 131-unit apartment building with 15 units restricted to Very Low Income Households and an existing eight (8)-unit apartment building, for a total of 139 units.*
- *The project has been conditioned to record a covenant with the Los Angeles Housing Department (LAHD) to make 15 units available for Very Low-Income Households to ensure the applicant sets aside the required number of affordable housing for the project.*
- *The project is subject to the replacement requirements under the Housing Crisis Act (SB 8). The Los Angeles Housing Department (LAHD) reviewed all of the existing structures at the subject site and determined, per the Housing Crisis Act Replacement Unit Determination (RUD), dated June 3, 2024, that 11 units are subject to the replacement pursuant to the requirements of the HCA, including seven (7) units set aside for habitation by Very Low Income Households and four (4) units set aside for habitation by Low Income Households.*
- *Fifteen units are being set aside for habitation by Very Low Income Households proposed through Density Bonus and the project will be required to comply with all the applicable regulations set forth by LAHD. As such, the project meets the eligibility requirement for providing replacement housing consistent with California Government Code Sections 65915(c)(3) (State Density Bonus Law) and 66300 (Housing Crisis Act of 2019).*
- *The existing tenant protections under the Housing Crisis Act are available to the tenants on site, including the right to remain and the right to return. Planning Staff has conditioned the project to adhere to the requirements outlined in the RUD letter, ensuring that 15 units are reserved for the specified affordability levels. In accordance with Condition No. 3 of the Letter of Determination, the project is required to comply with the terms of the RUD letter, dated June 3, 2024, to the satisfaction of LAHD.*
- *Furthermore, under Condition No. 6 of the Letter of Determination, the project owner must secure LAHD's approval for the replacement of affordable units. Therefore, the City Planning Commission's approval was appropriate. The request before the Planning Department was a consideration of a Density Bonus determination. The project complies with the applicable regulations and conditions, such as Condition No. 3 and Condition No. 6 of the Letter of Determination, set forth by the Vermont/Western SNAP Regulations and the Density Bonus/Affordable Housing Incentive Program Compliance Review, including provisions for replacing affordable units and ensuring that the tenants impacted by this development are provided with appropriate relocation assistance and the right to remain and the right to return under the Ellis Act, SB 330 and SB 8. With regard to relocation assistance, the City's Relocation Consultant will be engaged to provide transportation and support during the relocation process, as required by LAMC Section 47.07.*

An embarassment for Los Angeles.