

Communication from Public

Name: Bob and Ziggy Blue
Date Submitted: 04/06/2026 10:23 PM
Council File No: 25-1518
Comments for Public Posting: We are submitting the attached 37-page document to Council File 25-1518.

Date: 04/06/2026

Public Comment for Council File No. 25-1518

Subject: Barry Building (HCM #887); Procedural Due Process Issues

SUBMITTED BY: Bob Blue and Sieglinde Kruse Blue

Comment:

We are submitting the attached 36-page document into the Record. This document was produced by the Department of City Planning (DCP) in response to a California Public Records Act (CPRA).

The document contains an email correspondence dated November 17, 2026, from City Planner Jason McCrea to the Applicant's representative, Ed Casey, with the subject line *"Supplemental Correspondence - Barry Building."* The specific attachments included in the email are:

- **BF 250851 - rebuttal presentation.pdf**
- **BF 250851 - Correspondence.2_11.14.2025.pdf**

Procedural Due Process Issues:

The evidence produced demonstrates a fundamental procedural error that has prejudiced the Appellant in this matter throughout this process. These records show City Planning staff acting as a proactive intermediary for the Applicant's representative, directly providing the Appellant's hearing materials to them, while failing to provide any reciprocal access or unsolicited information from the Applicant to the Appellant.

We assert that this disparate treatment constitutes a failure by the Department of City Planning to maintain the administrative neutrality required under the California Environmental Quality Act (CEQA). Such one-sided assistance undermines the principles of a fair hearing and Procedural Due Process.

We request that this correspondence and the attached document be added to Council File No. 25-1518 as evidence of a prejudicial abuse of discretion and administrative bias.

Thank you,

Bob Blue and Sieglinde Kruse Blue

Date : 11/17/2025 12:14:37 PM

From : "Jason McCrea"

To : "Casey, Ed"

Cc : "Mindy Nguyen" , "Milena Zasadzien"

Subject : Supplemental Correspondence - Barry Building

Attachment : BF 250851 - rebuttal presentaion.pdf;BF 250851 - Correspondence.2_11.14.2025.pdf;

Hi Ed,

We received this correspondence from LABDS and wanted to pass it along to you.

Thanks.

--



LOS ANGELES
CITY PLANNING

Jason McCrea

City Planner

Major Projects

Los Angeles City Planning

221 N. Figueroa St., Room 1350

Los Angeles, CA 90012

T: (213) 847-3672 | Planning4LA.org



Los Angeles Department of Building and Safety

LADBS Board of Commissioners Meeting

Tuesday, November 18, 2025

Rebuttal to LADBS Staff Report

BF 250851 | HCM #887 (The Barry Building)

Presented by Bob Blue and Ziggy Kruse Blue

Introduction and Context

Rebuttal to the LADBS Staff Report's “Findings” regarding the 07-20-2025 Public Comment Letter

This presentation serves as a formal public comment and rebuttal to the LADBS Staff Report dated October 15, 2025.

We will address the fundamental, procedural, and environmental flaws in the Department's actions and justifications.



Finding 1: Lack of CEQA Authority

LADBS's action to certify the EIR/SOC is procedurally unsound.

Rebuttal to Finding 1

-  **Lead vs. Responsible Agency:** LADBS is a "Responsible Agency" (per CEQA Guidelines) with a limited role. It lacks the authority of a "Lead Agency" (like Planning Dept.) to certify a complex EIR and adopt an SOC.
-  **"First of its kind" is a Flaw:** The Department's admission of "no precedent" confirms its lack of institutional experience and framework to handle this major environmental policy action.
-  **Conflict with City Experts:** The LADBS signatory overrode the City's own subject matter experts (OHR and CHC) without possessing the commensurate CEQA-related qualifications.

Finding 2: A Dangerous Precedent

The justification for demolition fails, and the action creates significant legal threats.

Rebuttal to Finding 2 (Part A): Insufficient SOC

LADBS Justification

The SOC is justified by the "speculative future benefit of a vacant site that could accommodate housing or other commercially viable development."

Our Rebuttal

This is not substantial evidence. CEQA § 15093 requires specific, evidence-based findings, not generic potential. This weak justification cannot override the **certain, significant, and unavoidable** loss of an irreplaceable HCM.

Rebuttal to Finding 2 (Part B): Legal Threats

- ⚠ **Threatens All HCMs:** This "first ever" approval to demolish an HCM without a replacement project fundamentally weakens preservation policy city-wide.
- ⚠ **Creates "Abuse of Discretion":** If the City approves this, how can it legally deny a similar request from another HCM owner citing financial hardship? This creates an inconsistent and challengeable standard.
- ⚠ **Invites "Regulatory Taking" Claims:** A future owner, if denied, will make a 5th Amendment claim, citing this case as precedent that seismic retrofit costs render the property economically unviable.

Finding 3: Due Process Violations

The public's right to a fair and accessible process was violated.

Rebuttal to Finding 3



Inappropriate Appeal Form

Forcing a complex CEQA appeal onto a building code modification form (PC-Build.Mod 00) created an unreasonable and confusing hurdle.



Restriction of Comments

The official LOD stated "No additional information will be accepted." This had an institutional "chilling effect" on public participation.



Councilmember Bias

The City Council must act in a quasi-judicial capacity. Demonstrated bias (per *Petrovich v. Sacramento*) is grounds for invalidating the final decision.

Rebuttal to Finding 3



Inappropriate Appeal Form

Forcing a complex CEQA appeal onto a building code modification form (PC-Build.Mod 00) created an unreasonable and confusing hurdle.

CITY OF LOS ANGELES DBS DEPARTMENT OF BUILDING AND SAFETY		REQUEST FOR MODIFICATION OF BUILDING ORDINANCES UNDER AUTHORITY OF L.A.M.C. SECTION 98.0403	
PERMIT APP. #:		DATE:	
JOB ADDRESS:		For City Dept. Use Only	
Tract:		Building Zoning	
Block:		Grading Shoring	
Lot:		Mech. Elec. Plumb.	
Owner:		Green D.A. Misc.	
Petitioner:			
Address:			
City	State Zip Phone	City	State Zip Phone
REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)		CODE SECTIONS:	
JUSTIFICATION (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)			
Owner/Petitioner Name (Print)		Signature	
Position			
FOR CITY DEPARTMENT'S USE ONLY BELOW THIS LINE			
Concurrences required from the following Department(s)		Approved Denied	
☐ Los Angeles Fire Department	Print Name Sign	☐	☐
☐ Public Works Bureau of Engineering	Print Name Sign	☐	☐
☐ Department of City Planning	Print Name Sign	☐	☐
☐ Department of County Health	Print Name Sign	☐	☐
☐ Other	Print Name Sign	☐	☐
DEPARTMENT ACTION			
☐ GRANTED ☐ DENIED		Reviewed by: (Staff) (Print) Sign Date	
		Action taken by: (Supervisor) (Print) Sign Date	
NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF THIS FORM FOR APPEAL PROCEDURES			
CONDITIONS OF APPROVAL (Continued on Page 2):		For Cashiers Use Only (PROCESS ONLY WHEN FEES ARE VERIFIED)	
FEES (DEPARTMENT USE ONLY)			
Appeal Processing Fee.. (No. of Items) = 1 X \$130 + \$39/addl = 130.00			
Inspection Fee (No of Insp.) = X \$ 84.00 =			
Research Fee ... (Total Hours Worked) = 2 X \$104.00 = 208.00			
Subtotal = 338.00			
Development Services Center Surcharge X .03 = 10.14			
Systems Development Surcharge X .06 = 20.28			
Total Fees = 368.42			
Fees verified by:			
Print and Sign			

Rebuttal to Finding 3



Restriction of Comments

The official LOD stated "No additional information will be accepted." This had an institutional "chilling effect" on public participation.

instruct the appellant how to complete the form.

The appellant must itemize the grounds for the appeal, along with applicable LAMC sections, on the Appeal Form. The Request for Modification Form and any evidence supporting the appeal, such as photographs and correspondence should be submitted as an attachment to the appeal form.

No additional information will be accepted by the Department after the appeal form has been submitted unless a new appeal form is filed and applicable fees are paid.

3. REVIEW OF APPEAL FORMS AND FEE FOR WRITTEN REPORT

The Manager shall review the appeal package for completeness. If the Manager determines that the form and all attachments clearly state the grounds for the appeal and cannot be approved administratively, the Manager shall complete the fees portion on page two of the Request for Modification form as outlined in LAMC Section 98.0403 (b) and refer the customer to cashiers with (3) copies. Filling fees are based on the subject of the request as set forth in Tables 4A or 4B plus \$104.00 for (1) hour of research.

4. ROUTE ORIGINAL APPEAL PACKAGE

After the fees are paid, the appellant shall return the original appeal package and a copy of the paid request for modification form to the Manager. The Manager shall ensure that the appellant's original appeal package is hand delivered to the Commission Office. The Commission staff shall log the appeal by assigning a case number, creating a case file and assigning the case to the responsible manager.

5. WRITTEN DETERMINATION

The Manager assigned to the case shall prepare a report and presentation setting forth the justifications and findings for LADBS's determination, specifically addressing the appellant's issues. The report shall be completed within 60 days from the date of the appeal's submittal and the item shall be scheduled for the next available BBSC hearing date. For complex requests, additional time may be required to complete the report.

6. NOTIFICATION OF PUBLIC HEARING

When the appeal is scheduled for a hearing before the BBSC, the Commission staff shall notify the appellant through a written notice at least ten days prior to the date of the hearing. The notice shall be given by email or U.S. mail.

Rebuttal to Finding 3



Councilmember Bias

The City Council must act in a quasi-judicial capacity. Demonstrated bias (see ***Petrovich v. Sacramento***) is grounds for invalidating the final decision.

Excerpts from Councilmember Traci Park's (CD-11) Venice Field Deputy Sean Silva **prior** to hearing from the Commissioners at the 09-05-2024 Cultural Heritage Commission hearing:

*“... I'm here to relay our office's support for the certification of the EIR and a **recommendation to adopt a Statement of Overriding Consideration** for the property known as the Barry Building.”*

*“... **We have worked with the property owners to establish a preservation covenant that ensures the safeguarding of the site's iconic elements, including the staircases and benches. These elements are to be used in the site's future development, paying homage to the Barry Building.**”*

Summary & Request for Action

The LADBS's actions are invalid and must be reversed.

Our Formal Request (The "Ask")

We request the Board of Commissioners take the following 6 actions:

-  **REVERSE** the 06/06/2025 Letter of Determination (LOD).
-  **RESCIND** the EIR Certification.
-  **RESCIND** the SOC Adoption.
-  **RESCIND** the Mitigation Monitoring Program (MMP).
-  **REJECT** the LADBS Staff Report's recommendation.
-  **DENY** the demolition permit.

Thank You



Veronica Lopez <veronica.lopez@lacity.org>

RE: The Barry Building Demolition Project - 11973-11975 WEST SAN VICENTE BOULEVARD; BOARD FILE NO. 250851 ... For the November 18, 2025 LADBS Board of Commissioners Meeting (Item C-1) ...

1 message

Ziggy Kruse <ziggykruse2005@yahoo.com>

Fri, Nov 14, 2025 at 3:42 PM

Reply-To: Ziggy Kruse <ziggykruse2005@yahoo.com>

To: Veronica Lopez <veronica.lopez@lacity.org>

Cc: "kenneth.fong@lacity.org" <kenneth.fong@lacity.org>, "kathryn.phelan@lacity.org" <kathryn.phelan@lacity.org>, Faruk Sezer <faruk.sezer@lacity.org>, "Esq. Coryn Kahn" <ckesq@outlook.com>, "osama.younan@lacity.org" <osama.younan@lacity.org>, Bob Blue <bob.blue@live.com>, Ziggy Kruse <ziggykruse2005@yahoo.com>, Hydee Feldstein-Soto <hydee.feldsteinsoto@lacity.org>

Dear Ms. Lopez:

Please add the attached document "*2025-11-14_Comment Letter on ENTIRE LADBS Staff Report_Final with signature*" to the Agenda Package for the November 18, 2025 LADBS Board of Commissioners Meeting (Item C-1), as well as to the Administrative Record regarding BF 250851.

Please email acknowledgement of this email and the attachment to ziggykruse2005@yahoo.com and bob.blue@live.com.

Thank you.

Sincerely,
Sieglinde Kruse Blue and Robert Blue



2025-11-14_Comment Letter on ENTIRE LADBS Staff Report_Final with signature.pdf
250K

Robert Blue & Sieglinde Kruse Blue
Los Angeles, CA 90049
bob.blue@live.com ziggykruse2005@yahoo.com

November 14, 2025

VIA EMAIL ONLY

Board of Building and Safety Commissioners
Attn: Veronica Lopez, Board Secretary
201 North Figueroa Street, Suite 1030
Los Angeles, CA 90012
veronica.lopez@lacity.org

LADBS NO.:	BF 250851
CASE NO.:	CHC-2007-1585-HCM
RELATED CASE NO:	ENV-2019-6645-EIR
CEQA:	SCH#2020110210 (EIR)
Location:	11973-11975 W. San Vicente Boulevard
Applicant:	11973 San Vicente, LLC
Council District:	11 - Park
Community Plan Area:	Brentwood - Pacific Palisades

Subject: Public Comment Letter Rebutting the October 15, 2025
LADBS Staff Report Regarding the Appeal of the June 6, 2025
Letter of Determination (LOD) for the Demolition of Historic-
Cultural Monument No. LA-887

Dear Board President Stevens and Commissioners:

This letter serves as our formal public comments and full rebuttal to the findings and recommendations contained within the Los Angeles Department of Building and Safety (LADBS) Staff Report dated October 15, 2025, which was prepared in response to the Appeal filed on July 8, 2025, by Angelenos for Historic Preservation (BF 250851).

The Staff Report improperly concluded that the proposed demolition of the **Barry Building (Historic-Cultural Monument No. LA-887)** is legally justifiable. We contend the report is fundamentally flawed, lacks substantial evidence, and sets a dangerous legal precedent.

I. Requested Action

We request that the Board of Building and Safety Commissioners take the following actions:

1. **REVERSE** the actions taken by LADBS in their Letter of Determination (LOD) dated 06/06/2025 in their entirety,
2. **RESCIND** the certification of the EIR,
3. **RESCIND** the adoption of the SOC, and

4. **RESCIND** the adoption of the Mitigation Monitoring Program (MMP).

Therefore, we ask that Board of Building and Safety Commissioners to:

1. **REJECT** the LADBS Staff Report's recommendation to approve the demolition, and
2. **DENY** the demolition permit application under the authority of LAMC §91.106.4.5.

II. CEQA Violation: The Statement of Overriding Considerations (SOC) is Unsubstantiated and Invalid

The LADBS Staff Report's finding that the benefits of the project outweigh the unavoidable harm is unsupported by substantial evidence and violates CEQA Guidelines §15093.

A. Fatal Lack of Public Benefit

The SOC relies on highly speculative and hypothetical future benefits, which is insufficient to override the *certain, significant, and irreversible* loss of a designated Historic-Cultural Monument.

- **SOC is Based on a Vacant Lot:** LADBS admits that no subsequent development project is currently proposed, approved, or guaranteed. The SOC therefore rests on the idea that the removal of the building to create a **vacant, fenced-off dirt lot** constitutes a public social, economic, or legal benefit.
- **Expert Rebuttal to Social Benefit:** As testified by City Planner Melissa Jones (Office of Historic Resources) at the 09/05/2024 Cultural Heritage Commission (CHC) hearing, a vacant lot frequently contributes to **additional community problems**, including increases in crime, vagrancy, and negative health impacts, thus serving as a further detriment rather than conferring a benefit. The decision solely prioritizes vague future financial gain for the applicant, which does not meet the high public necessity threshold required by CEQA.
- **Harm is Unquestionably Overriding:** The loss of the Barry Building (LA-HCM #887) is the most severe and irreversible cultural resource impact possible. To override this requires a demonstrable, immediate public necessity (e.g., critical housing), which is entirely absent here.

B. Failure of Institutional Authority and Expertise

LADBS acted outside of its institutional capacity as a Responsible Agency when it unilaterally certified the Environmental Impact Report (EIR) and adopted the SOC, despite acknowledging this was the **"first of its kind"** action for the department. This unprecedented action:

- Demonstrates a fundamental **lack of experience and institutional framework** to handle the procedural rigor of certifying a complex EIR related to a Historic-Cultural Monument.
- Shows a disregard for the City's subject matter experts, as the LADBS signatory overrode the recommendations of both the **Office of Historic Resources (OHR) and the Cultural Heritage Commission (CHC)**, who recommended **against** adopting the SOC.

III. LAMC Violation: Preservation Infeasibility is Not Proven

LAMC §91.106.4.5 mandates that a demolition permit for an HCM shall not be issued unless the Department first finds that *"specific economic, social or other considerations make infeasible the preservation of the building or structure."* The Staff Report's finding of economic infeasibility is based on an arbitrary and legally insufficient reliance on the owner's self-generated cost estimates.

A. Unsubstantiated and Inflated Cost Estimates

The owner's evidence is insufficient to meet the burden of proof for infeasibility:

- **Lack of Independent Verification:** The Staff Report fails to require or cite a truly **independent, neutral third-party peer review** of the owner's cost estimates, relying solely on the applicant's figures.
- **Scope Overstatement:** The cost breakdown appears to include non-essential or luxury upgrades well beyond the minimum compliance scope required by the Soft-Story Retrofit Ordinance (LAMC §91.9300 et seq.) and basic ADA accessibility. The true, mandated cost of preservation is significantly lower than the claimed "infeasible" maximum.¹
- **Ignoring Alternatives:** The owner's estimate assumes the most expensive structural solution. The Staff Report failed to evaluate less destructive, lower-cost engineering methods routinely used on other HCMs in the City. Furthermore, the economic analysis failed to provide the cost estimates based on the **minimum scope of work for only the South Structure** (South Wing) when the compliance order was issued in March 2018.

¹ The building is fenced off and inaccessible, and building drawings are not available since LADBS does not retain drawings for 3-story or less commercial buildings built before 1978. This makes it infeasible for the public to obtain an accurate expert counter cost estimate. However, we reserve our right to submit such an estimate if and when it becomes available.

B. Self-Imposed Economic Hardship

The applicant has allowed the building to remain vacated and neglected for over eight years (since 2016). Granting demolition now effectively **rewards demolition by neglect**—allowing structural decay to create issues that are then used to justify destruction, circumventing the very protection HCM status is meant to provide.

IV. Procedural and Segmentation Flaws in the EIR Process

The EIR and subsequent LADBS determination are procedurally flawed due to **segmenting/piecemealing** the project and other due process issues.

- **Improper Segmentation (Piecemealing):** The EIR artificially limited the project scope to only the Barry Building parcel (APN No. 4404-025-008) while ignoring the surrounding assemblage of parcels that are **all owned by the same Applicant entity** (11973 San Vicente, LLC and 11991 San Vicente, LLC).
 - Testimony at the 09/05/2024 CHC hearing confirmed all surrounding parcels are under the exact same ownership.
 - The Applicant's control over the entire area, and public comments alluding to a **foreseeable future development project** (e.g., the Green Hollow Square footprint mentioned by Ms. Jones; comments by Sean Silva, CD 11 Field Deputy, regarding a Preservation Covenant for future development), and LADBS's own 10/15/2025 Staff Report demonstrates that the project was improperly segmented.
 - This prevented a thorough analysis of the cumulative environmental effects of the entire undertaking.
 - LADBS Staff itself alluded to a **foreseeable** future project when it mentions *"The removal would result in an additional vacant site that could accommodate housing or other commercially viable development in the future, built to more energy-efficient and structurally safer modern building codes, contributing to the City's Regional Housing Needs Assessment (RHNA) allocations and the City's critical housing need, or providing new commercial uses in line with smart growth policies and transit-oriented development". (10-15-2025 Staff Report, pp 8-9)*
- **Due Process Errors:** LADBS's initial use of the incorrect appeal form (PC-Build.Mod 00) and the restrictive language in the official LOD ("No additional information will be accepted...") created an **institutional chilling effect** on public participation, constituting a fundamental due process error.

V. Policy and Precedent

The approval of this demolition establishes a destructive City-wide precedent:

- If a designated landmark can be destroyed solely to create a speculative vacant lot for the private financial gain of an owner who allowed the property to decay, the City's entire historic preservation ordinance is rendered moot.
- This creates a "**vacant lot loophole**" that endangers all other designated historical resources facing mandatory code upgrades.

VI. Conclusion

The LADBS Staff Report dated 10-15-2025 fails to meet the legal requirements of CEQA and the Los Angeles Municipal Code.

We urge the Board to reject the Staff recommendation, recognize the procedural and substantive flaws in the determination, and protect the Barry Building (HCM #887) with the following actions:

1. **REVERSE** the actions taken by LADBS in their Letter of Determination (LOD) dated 06/06/2025 in their entirety,
2. **RESCIND** the certification of the EIR,
3. **RESCIND** the adoption of the SOC, and
4. **RESCIND** the adoption of the Mitigation Monitoring Program (MMP)
5. **REJECT** the LADBS Staff Report's recommendation to approve the demolition, and
6. **DENY** the demolition permit application under the authority of LAMC §91.106.4.5.

Thank you for your time and consideration.

Sincerely,

Robert Blue
Robert Blue

Sieglinde Kruse Blue
Sieglinde Kruse Blue



Veronica Lopez <veronica.lopez@lacity.org>

BF 250851, LADBS Board of Commissioners Meeting for 11/18/2025, Agenda Item C-1, 11973 San Vicente Blvd, Los Angeles (Barry Building HCM #887)

1 message

Bob Blue <bob.blue@live.com>

Sun, Nov 16, 2025 at 6:06 PM

To: Veronica Lopez <veronica.lopez@lacity.org>

Cc: Kenneth Fong <kenneth.fong@lacity.org>, "kathryn.phelan@lacity.org" <kathryn.phelan@lacity.org>, Faruk Sezer <faruk.sezer@lacity.org>, "Corin L Kahn, Esq." <clkesq@outlook.com>, "osama.younan@lacity.org" <osama.younan@lacity.org>, Bob Blue <bob.blue@live.com>, Ziggy Kruse <ziggykruse2005@yahoo.com>, Hydee Feldstein-Soto <hydee.feldsteinsoto@lacity.org>

Subject: BF 250851, LADBS Board of Commissioners Meeting for 11/18/2025, Agenda Item C-1, [11973 San Vicente Blvd, Los Angeles](#) (Barry Building HCM #887)

Hello Veronica,

Please add the following PDF documents to the Agenda Package for the November 18, 2025 LADBS Board of Commissioners Meeting (Item C-1), as well as to the Administrative Record regarding BF 250851.

"2025-11-15_Alpha Structural, 11973 San Vicente Blvd, OBS Estimate.pdf"

"2025-11-15_Alpha Structural, [11973 San Vicente Blvd](#), BACKGROUND of Alpha Structural and Albert Biskalis.pdf"

Please note that these documents are being submitted prior to the 11/18/2025 meeting and before action is taken by the LADBS Board on the Agenda Item referenced above.

Please email acknowledgement of this email and the attachment to bob.blue@live.com and ziggykruse2005@yahoo.com .

Thank you.

Sincerely,

Robert Blue and Sieglinde Kruse Blue

2 attachments

 **2025-11-15_Alpha Structural, 11973 San Vicente Blvd, OBS Estimate.pdf**
419K



2025-11-15_Alpha Structural,11973 San Vicente Blvd, BACKGROUND.pdf
123K

OBSERVATION LETTER

Bob Blue
Email: bob.blue@live.com

November 15, 2025

Re: 11973 San Vicente Blvd. Los Angeles CA, 90049

This letter has been prepared for Bob Blue, as a follow-up to our site visit on November 12th, 2025, and summarizes the findings of our visit.

This letter is limited to the confirmation of mandatory retrofitting upgrades and preliminary potential costs (soft story seismic retrofitting) and is not intended to analyze the overall ability of the structure(s) to withstand future loading conditions. It should also be noted that this site visit did not include a review of original or renovation structural plans, or the benefit of a current subsurface investigation (soils report), as they were not made available. The observation was conducted on a visual basis, and no instruments were used to measure plumb or level conditions of floors or walls.

Regardless of opinions stated, written, or implied by any representative of Alpha Structural Inc., no building elements or structure obscured or covered by anything may be commented relied upon in any email, report or Observation Letter issued. This includes but is not limited to floor structures or slabs covered by carpeting or any floor covering, retaining walls covered by foliage, pools filled with water, etc. If comment is requested of us, please have these areas exposed entirely for observation.

Rough estimates were requested for the various repair options. It should be noted that these estimates are given on a "plus or minus" basis and are not actual bids. In order to acquire an exact price, an option would need to be chosen, and an accurate bid undertaken in order to ascertain the price therein.

GENERAL:

- The subject property is an 13,301 sq. ft. (approximately) two-story commercial office building originally built in 1951 according to the Los Angeles County Assessor records.
- The building is located on a relatively flat pad.
- The building is constructed on a concrete slab on grade foundation system and is separated by a courtyard in the center of the building with four wings along the northerly, southerly, easterly and westerly sides of the building. The southerly wing of the building is almost entirely open on the first level, and the above framing is supported by a series of pipe columns that support the above beams and floor framing.
- A review of a letter prepared by Russell Tanouye of Englekirk Structural Engineers, Inc., dated June 1, 2021, was performed prior to preparing this letter. The purpose of this letter was to provide retrofit schemes to bring the building into compliance with the Soft-Story retrofit ordinance. The general retrofit scheme consists of steel moment frames along the southerly wing as phase one, and strengthening walls via shear walls along the northerly, easterly, and westerly wings as phase two.

- A search into City of Los Angeles LADBS online services specifies that this building does fall into the Soft-Story retrofit program with an order to comply (OTC) date of 3/1/2018. <https://www.ladbservices2.lacity.org/OnlineServices/?service=plr>

OBSERVATIONS:

- At the time of observation, the building was enclosed with temporary fences and inaccessible and only visible from the location of the enclosure fences. As a result, visibility was limited, primarily at the courtyard and northerly rear of the building.
- It was observed that both sides of the southerly wing of the building are generally open below, with pipe columns that support the above beams and floor system. This area of the structure appears to have a soft story condition. A soft story is when office/ living space occurs over a soft or weak plane.
- The easterly plane of building appears to also have a soft or weak condition as most of the wall line below appears to consist of covered openings. Photos provided by client, dated June 2015 does verify that the currently boarded up exterior walls consist of storefront/ window openings.
- The northerly plane of the building within the courtyard appears to possibly have a soft or weak plane.
- The northerly rear appears to not have a soft story condition based on limited observation, although it will need to be confirmed during the engineering and exploration phase to visually confirm all openings occurring along the lower and upper levels. Photos provided by the client provide insight to the northeasterly section/ corner of the building, however the northwesterly corner will still need to be confirmed.

RECOMMENDATIONS:

- A Soft-Story seismic retrofit is recommended. The retrofit is considered a mandatory structural upgrade per the City of Los Angeles Mandatory Retrofitting Ordinance #183893 (Mandatory Standards for Earthquake Hazard Reduction in Existing Wood-Frame Buildings with Soft, Weak, or Open-Front Walls). This would consist of complete seismic analysis to entire building, targeting (4) identifiable soft and/ or weak plane on the subject site. The retrofit would consist of implementing lateral resistant systems consisting of multiple special cantilever column systems (SCCS) with drag and shear transfer systems with concrete grade beams. Columns can be designed for offset or replacement columns. Preliminary design accounts for a total of approximately (6) columns to contain both sides of the southerly wing and approximately (4) columns to contain the easterly plane and shear walls/ strong walls will likely be sufficient to contain the northerly plane at the courtyard.
 - Estimated cost approximately, +/- \$14,000. (Engineering and permit expediting.)
 - Estimated cost approximately, +/- \$365,000. (Estimated construction costs are contingent upon final engineered specifications, plans and city requirements. It should be noted that the estimated cost does not include finished cosmetics of any kind as this is to be done by others.)

Thank you for the opportunity to be of service. Should you or any of your authorized agents have any questions, please feel free to call or email anytime.

Sincerely,



Albert Biskalis

Alpha Structural, Inc.

General Engineering Contractors – Structural Engineers

CSLB License #663409 – Class A, B, C-8

Mobile: 323-927-2615

Office: 323-258-5482

Email: albert@alphastructural.com

BACKGROUND & EXPERIENCE INFORMATION
Alpha Structural, Inc

BACKGROUND & EXPERIENCE of Albert Biskalis, provided by:

Albert Biskalis, VP DEVELOPMENT and Structural Assessor

Mr. **Biskalis** has approximately 18 years of structural design/ drafting and has an Associates of Science degree in CAD Drafting/ Design. Five of those years operating in Alpha Structural's engineering department and 3 years as a Structural Assessor. He has helped develop many soft story plans with Alpha Structural's engineering department. HIS Registration number is 144101 SP. This license is held under Alpha Structural's contractor license #66340

BACKGROUND & EXPERIENCE OF COMPANY

The information below is available on Alpha Structural's Website:

<https://www.alphastructural.com>

Servicing Los Angeles County, Orange County, Ventura County and Santa Barbara County

For over 30 years, Alpha Structural, Inc. has developed a powerful reputation as the **#1 Design/Build firm in Los Angeles and surrounding counties**. With over 850 years of combined professional experience in our engineering department alone, we can design any and all of your structural repairs and upgrades, in addition to building them. Whether it's a single-family home, a multi-family apartment building or a commercial building, we engineer and build ANY needed repairs to keep your building safe.



Source: <https://www.alphastructural.com/>

BACKGROUND & EXPERIENCE INFORMATION

Alpha Structural, Inc

For “Observation Letter” dated November 15, 2025

The Only One to Engineer & Build

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Veronica Lopez <veronica.lopez@lacity.org>

RE: The Barry Building Demolition Project - 11973-11975 WEST SAN VICENTE BOULEVARD; BOARD FILE NO. 250851 ... For inclusion to the November 18, 2025 LADBS Board of Commissioners Meeting (Item C-1) ...

1 message

Ziggy Kruse <ziggykruse2005@yahoo.com>

Sun, Nov 16, 2025 at 8:03 PM

Reply-To: Ziggy Kruse <ziggykruse2005@yahoo.com>

To: Veronica Lopez <veronica.lopez@lacity.org>

Cc: "kenneth.fong@lacity.org" <kenneth.fong@lacity.org>, "kathryn.phelan@lacity.org" <kathryn.phelan@lacity.org>, Faruk Sezer <faruk.sezer@lacity.org>, "Esq. Coryn Kahn" <ckesq@outlook.com>, "osama.younan@lacity.org" <osama.younan@lacity.org>, Ziggy Kruse <ziggykruse2005@yahoo.com>, Bob Blue <bob.blue@live.com>, Hydee Feldstein-Soto <hydee.feldsteinsoto@lacity.org>

Dear Ms. Lopez:

Please add the attached document "*2025-11-16_Blue's Rebuttal Ltr on LADBS 10-15-2025 Staff Report_FINAL*" to the Agenda Package for the November 18, 2025 LADBS Board of Commissioners Meeting (Item C-1), as well as to the Administrative Record regarding BF 250851.

Please email acknowledgement of this email and the attachment to ziggykruse2005@yahoo.com and bob.blue@live.com.

Thank you.

Sincerely,
Sieglinde Kruse Blue and Robert Blue



2025-11-16_Blue's Rebuttal Ltr on LADBS 10-15-2025 Staff Report_FINAL.pdf

174K

Robert Blue & Sieglinde Kruse Blue
Los Angeles, CA 90049

bob.blue@live.com

ziggykruse2005@yahoo.com

November 16, 2025

VIA EMAIL ONLY

Board of Building and Safety Commissioners
Attn: Veronica Lopez, Board Secretary
201 North Figueroa Street, Suite 1030
Los Angeles, CA 90012
veronica.lopez@lacity.org

LADBS NO.:	BF 250851
CASE NO.:	CHC-2007-1585-HCM
RELATED CASE NO:	ENV-2019-6645-EIR
CEQA:	SCH#2020110210 (EIR)
Location:	11973-11975 W. San Vicente Boulevard
Applicant:	11973 San Vicente, LLC
Council District:	11 - Park
Community Plan Area:	Brentwood - Pacific Palisades

Subject: Formal Comment Letter and Objections to 10-15-2025 Staff Report in response to our July 20, 2025 Comment letter in support of the July 8, 2025 Appeal (Historic-Cultural Monument No. LA-887) of the Letter of Determination

Dear Board President Stevens and Commissioners:

I. Introduction and Context

This letter serves as our formal public comments and full rebuttal to the findings and recommendations contained within the Los Angeles Department of Building and Safety (LADBS) Staff Report dated October 15, 2025, which was prepared in response to the Appeal filed on July 8, 2025, by Angelenos for Historic Preservation (BF 250851).

II. Objections to LADBS Actions and Rebuttal of LADBS Staff Responses to our July 20, 2025 public comment letter, which was submitted in support of the July 08, 2025 appeal

The following sections address the fundamental, procedural, and environmental flaws in the LADBS's actions documented in the June 6,

2025, Letter of Determination, and provide our counter-response to the Department's justifications provided in the LADBS Staff Report dated 10/15/2025 response.

A. Finding 1: Lack of Institutional and Signatory Authority for CEQA Actions (Countering LADBS Response to Supplemental Issue No. 1)

LADBS Staff Report Response to Supplemental Issue No. 1: LADBS is the decision-maker per LAMC 91.106.4.5 and is therefore responsible for the CEQA actions (EIR Certification/SOC Adoption).

Rebuttal:

1. Certification Authority vs. Permit Finding: LADBS as Responsible Agency: The role of certifying a complex Environmental Impact Report (EIR) and adopting a Statement of Overriding Considerations (SOC) belongs to the "Lead Agency," defined by **Public Resources Code (PRC) § 21067** and **CEQA Guidelines § 15051** as the agency with the principal responsibility for approving the project as a whole (usually the Planning Department). LADBS's responsibility under LAMC 91.106.4.5 is a limited, specific finding, making it a "Responsible Agency" under CEQA Guidelines, not the certifying Lead Agency.

2. Unprecedented Action as Policy Flaw: The Department's admission that this is the "first of its kind" is precisely the problem. It demonstrates LADBS's lack of experience and institutional framework to handle the procedural rigor and policy implications of certifying an EIR and adopting an SOC related to a Historic-Cultural Monument. The lack of precedent means this decision creates an environmental policy that should be made by a lead agency with relevant, demonstrated expertise.

3. Conflict with City Experts: The LADBS signatory overrode the City's subject matter experts (OHR and CHC) without possessing the commensurate CEQA-related qualifications, rendering the certification and SOC adoption procedurally unsound and void of necessary environmental expertise.

B. Finding 2: Establishment of a Dangerous and Unprecedented Precedent and Insufficient SOC Justification (Countering LADBS Justification for SOC)

LADBS Staff Report Response to Supplemental Issue No. 2: The LOD effectively authorizes the demolition of a Historic Cultural Monument (HCM #887, the Barry Building) *without* an approved replacement project.

Rebuttal:

1. SOC Justification is Insufficient (Lack of Substantial Evidence): The LADBS's justification for the Statement of Overriding Considerations (SOC) is weak, stating the unavoidable impact (loss of HCM) is outweighed by the **speculative future benefit** of a "vacant site that could accommodate housing or other commercially viable development." **CEQA Guidelines § 15093** and **PRC § 21081(b)** require that the SOC be supported by **substantial evidence in the record**. A generic claim of potential future housing or commercial use on a vacant lot, without an approved, specific project, does not meet the high threshold of "specific economic, legal, social, technological, or other considerations" required to override the certain, significant, and unavoidable loss of a unique, irreplaceable cultural resource under CEQA.

2. "First Ever" Action & Threat to HCMs: The approval establishes a dangerous precedent that immediately threatens the integrity and future viability of all Historic Cultural Monuments across the City. The very act of demolishing an HCM without a replacement project fundamentally alters the policy landscape and makes future demolitions easier to justify, contrary to the City's preservation goals.

3. Abuse of Discretion: If the City of Los Angeles granted a demolition permit for one HCM due to documented financial hardship related to seismic compliance but then **denied an identical request** from a different HCM owner, the denial could be challenged as an **abuse of discretion**. The owner would argue that the

City's decision-making process was **inconsistent** and that the denial was not based on substantial evidence or clear policy, especially when a similar, precedent-setting case was approved.

4. **Regulatory Taking:** A more direct and powerful challenge is a claim of a **regulatory taking** under the Fifth Amendment of the U.S. Constitution, which requires "just compensation" if private property is taken for public use. The owner would argue that the City's denial of the demolition permit, coupled with the prohibitive cost of mandated seismic retrofitting, effectively deprives them of all economically viable use of the property. They are being forced to preserve the HCM for the public's benefit without just compensation for the significant financial burden. The fact that the City previously acknowledged the financial hardship in a similar case (by granting the first demolition) would be a critical piece of evidence supporting the second owner's claim that the cost does render the property economically unviable.

5. **Socio-Economic Flaw:** The decision prioritizes a vague future financial benefit to the applicant over the certified cultural value of the resource, which is inherently contrary to the stated goals of historic preservation and environmental protection.

C. Finding 3: Due Process, Bias, and Procedural Impediments (Countering LADBS Responses to Supplemental Issues No. 2a, 2b, and 2c)

LADBS Staff Report Response to Supplemental Issue No. 2a, 2b, and 2c: The LOD provided a flawed process for public appeal and the decision-making process was compromised by bias.

Rebuttal:

1. **Inappropriate Appeal Form (Countering Response 2a):** LADBS's use of the **PC-Build.Mod 00** form is a fundamental due process error. Forcing appellants to use a *building code modification* form for a **CEQA Appeal** created an unreasonable and confusing hurdle. The fact

that an appeal was ultimately filed does not remedy the procedural flaw that violated the public's right to fairness and access.

2. Restriction of Comments (Countering Response 2b): The initial, restrictive language in the official LOD ("No additional information will be accepted...") created an institutional chilling effect on public participation and comment. An *after-the-fact email clarification* is an inadequate remedy for a serious procedural defect embedded in the official appeal document itself.

3. Councilmember Bias Must Be Addressed (Countering Response 2c): When the City Council hears the CEQA appeal, it acts in a **quasi-judicial** capacity, requiring neutrality and impartiality. The bias and prejudgment demonstrated by Councilmember Traci Park (via prior public statements and actions supporting demolition) are highly relevant. This behavior is grounds for invalidating the final decision, even if the vote is not outcome-determinative, under the common law bias rule affirmed in California case law such as ***Petrovich Development Company, LLC v. City of Sacramento***. LADBS's dismissal of this issue ignores the full legal scope of the due process concern for the future appeal process.

III. Summary and Request for Action

Based on the evidence of flawed procedure, institutional lack of authority, violation of due process rights, and significant threat to the City's historic resources, we believe the actions taken by LADBS in the June 6, 2025 Letter of Determination are invalid and must be reversed.

We therefore request that the LADBS Board of Commissioners do the following:

1. **REVERSE** the actions taken by LADBS in their Letter of Determination (LOD) dated 06/06/2025 in their entirety,
2. **RESCIND** the certification of the EIR,
3. **RESCIND** the adoption of the SOC, and
4. **RESCIND** the adoption of the Mitigation Monitoring Program

(MMP)

5. **REJECT** the LADBS Staff Report's recommendation to approve the demolition, and

6. **DENY** the demolition permit application under the authority of LAMC §91.106.4.5.

Thank you for your consideration.

Sincerely,

Robert Blue

Robert Blue

Sieglinde Kruse Blue

Sieglinde Kruse Blue