



## DEPARTMENT OF CITY PLANNING

### SUPPLEMENTAL APPEAL REPORT

#### Central Area Planning Commission

**Date:** December 12, 2017  
Continued from October 10, 2017

**Time:** After 4:30 p.m.\*  
**Place:** Los Angeles City Hall  
200 N. Spring Street, 10<sup>th</sup> Floor  
Los Angeles, CA 90012

**Public Hearing:** Held October 10, 2017  
**Appeal Status:** Decision by the Central  
APC is final.

**Expiration Date:** December 12, 2017

**Case No.:** AA-2016-3648-PMLA-  
CC-1A

**CEQA No.:** ENV-2016-3649-CE

**Incidental Cases:** None

**Related Cases:** None

**Council No.:** 5 - Koretz

**Plan Area:** Wilshire

**Certified NC:** Greater Wilshire

**GPLU:** Medium Residential

**Zone:** [Q]R3-1

**Appellant 1:** Sylvie Shain

**Appellant 2:** Francisco Vargas

**Appellant 3:** Stormy Sacks,  
Christopher Cloutier

**Appellant 4:** Gideon Lockspeiser,  
Lisa Amsterdam

**Applicant:** Moshe and Chaya Silber

**PROJECT LOCATION:** 121 North Sycamore Avenue

**PROJECT:** A Preliminary Parcel map for the condominium conversion of a 4-unit apartment building into a 4-unit condominium.

**REQUEST:** Appeal of the entire decision by the Deputy Advisory Agency in approving AA-2016-3648-PMLA-CC and the Categorical Exemption No. ENV-2016-3649-CE, as the environmental clearance for the project.

#### RECOMMENDATION:

1. **Grant in part** the appeal of AA-2016-3648-PMLA-CC.
2. **Sustain** the action of the Deputy Advisory Agency in approving Preliminary Parcel Map No. AA-2016-3648-PMLA-CC, contingent upon the provision of an adequate certified parking plan.
3. **Adopt** the attached Revised Findings of the Deputy Advisory Agency.

4. **Determine** that based on the whole of the administrative record, the Project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article III, Section 1, Class 1, Category 10 (Division of existing multiple family rental units into condominiums or stock cooperatives) of the City of Los Angeles CEQA Guidelines, Class 31 (Historical Resource Restoration/Rehabilitation), and Class 32 (In-fill Development Projects) of the State CEQA Guidelines, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

VINCENT P. BERTONI, AICP  
Advisory Agency

  
SHANA BONSTIN  
Principal City Planner  
JANE J. CHOI, AICP  
Senior City Planner  
KEVIN S. GOLDEN  
Deputy Advisory Agency  
RUBEN C. VASQUEZ III  
Planning Assistant  
213-978-1741

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Central Los Angeles Area Planning Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.



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### **Exhibits:**

1. Letter from Applicant to Tenants regarding interest in purchasing a unit
2. List of Comparable Units Provided by Applicant
3. Planning Department General Form CP-6771: Tenant Relocation Covenant
4. HCIDLA Notice of Intent to Withdraw Units from Rental Housing Use (Ellis Act) – Form E-2
5. Condominium Conversions for the Wilshire Community Plan 2007-2017
6. Letter of Determination
7. Applicant Appeal Documents
8. Appellant Appeal Documents
9. Site Plans

## SUPPLEMENTAL STAFF APPEAL REPORT

### **Background**

On September 1, 2017, four appeals were filed requesting that the Central Area Planning Commission overturn the Advisory Agency's decision to approve a 4-unit condominium conversion located at 121 North Sycamore Avenue. At the Central Area Planning Commission Hearing held on October 10, 2017, the Appellant raised the issue of the adequacy of the certified parking plan that was submitted as part of the application. Upon further staff review, it was determined that the certified parking plan was deficient because it was not certified as to accuracy by a licensed engineer. On November 6, 2017, Planning staff notified the applicant of this issue and requested a parking plan certified by a licensed engineer to be submitted for Planning staff's review prior to the Central Area Planning Commission meeting on November 14, 2017. Staff recommends that the Commission sustain the action of the Deputy Advisory Agency in approving the Preliminary Parcel map contingent upon the provision of an adequate certified parking plan.

The Central Area Planning Commission also raised questions during their discussion at the October 10, 2017 meeting. Below is a summary of the Commission's questions and staff's prepared answers.

### **Question 1**

*What is the number of tenants who are willing and able to purchase a unit in the building? What will be the purchase price of the units?*

**Staff Response:** One of the factors used to establish that a condominium conversion will cause a significant cumulative effect on the rental housing market is whether any of the tenants are willing and able to purchase one of the converted units. Los Angeles Municipal Code (LAMC) Section 12.95.2 F.6 states the following:

*A finding of significant cumulative effect shall be based on the following factors: (a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building...*

The Applicant mailed a letter, certified (see Exhibit 1), to each of the tenants asking them if they were willing and able to purchase a unit on August 2, 2017. None of the tenants responded to express an interest in purchasing a unit. During public testimony of the appeal hearing on October 10, 2017, tenant, Stormy Sacks, stated that he would not be able to afford a unit.

In a statement submitted by the Applicant, it is anticipated that the sales price for the condominiums will be between one million and one million five hundred thousand dollars.

The Applicant also submitted a list of comparable rental units in the vicinity. The current rent amounts for the three occupied units of the subject site are \$1,950.15, \$2,288.37, and \$2,441.36. While the average rent (\$2,718) for comparable units in the vicinity (Exhibit 2) is in excess of the current rent rate in the existing building, the amount of rent varies by neighborhood within the Wilshire Community Plan Area and citywide. Through the relocation assistance plan as shown in Exhibit 3, the tenants will receive assistance in finding new housing as part of the condo conversion process.

**Question 2**

*What is the relocation plan that the Applicant will adhere to?*

**Staff Response:** Condominium Conversion Condition 6 of the Advisory Agency's Letter of Decision (see page 9) requires the Applicant to execute and record a Covenant and Agreement (Planning Department General Form CP-6771 – Exhibit 3) binding the Applicant to provide relocation assistance in a manner consistent with LAMC 12.95.2-G and 47.06. Furthermore, when the Applicant submits the required forms to the Los Angeles Housing and Community Investment Department (HCIDLA) to remove the subject units from rental housing use, which happens when the applicant is ready to serve eviction notices to the tenants, the City's relocation contractor will contact the tenants to begin to provide relocation assistance. HCIDLA staff contacts the City's relocation contractor no later than five business days after the applicant filed the Ellis application forms.

In addition to monetary compensation, relocation assistance services from the City's relocation contractor include the following:

1. Obtain at no cost to the tenant the services of persons who prepare rental availability reports.
2. Make available to each tenant an updated report concerning the availability of comparable rental housing in the area of the tenants present unit.
3. Drive tenants without cars and assist tenants with cars in order to inspect units.
4. Hire an ambulance or similar vehicle (at no cost to the tenant) and assist any handicapped or disabled tenant with relocation-related activities.
5. Provide other personal services related to relocation to each tenant.

The relocation assistance contractor is also tasked with issuing a determination regarding the dollar amount each tenant is entitled to receive in relocation assistance. Based on the status (i.e. disabled, over the age of 62, low income etc.) of the tenant, the relocation amount due will be between \$8,050 and \$20,050 (see Exhibit 3 page 2 – Notice of Intent to Withdraw Units from Rental Housing Use (Ellis Act) – Form E-2). The determination is provided to the Applicant informing the Applicant of the amount they will be obligated to provide to the tenant. The Applicant is required to make the relocation assistance payment available to the tenants within 15 days of service of the eviction notice (LAMC 151.09 G.2). The Applicant can either pay the tenant directly in one lump sum payment or set-up a relocation assistance escrow account through which a tenant will be able to withdraw the funds as needed for relocation related services (i.e. moving expenses, deposits for new units or utility connection charges).

The relocation assistance plan will commence once the Applicant files the forms with the HCIDLA to begin the process of eviction. Therefore, the relocation plan entails relocation assistance services provided to the tenant at no cost, as well as, monetary compensation. Details of this relocation plan have been previously established by the LAMC and through a contract between the HCIDLA and the City's relocation assistance contractor and by a recorded covenant between the Applicant and the City.



**Question 3**

*How are “future cumulative effects” determined?*

**Staff Response:** Section 12.95.2 F.6 of the LAMC dictates that past, present, and future cumulative effects of the rental housing market in the planning area of successive residential or residential to commercial/industrial conversion projects shall be based on the following five factors: (a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing residential building prior to conversion; (c) the number of units which would be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination.

As previously provided in the Advisory Agency’s letter of determination on pages 19-21, the Advisory Agency determined that based on the five factors stated above the project would not create a significant cumulative effect on the rental housing market as the four subject units represented a small portion of the existing housing stock in the Wilshire Community Plan Area. Furthermore, although none of the tenants stated that they would be willing and able to purchase a unit in the building, four units existed prior to the conversion and none of the units would be eliminated in order to satisfy LAMC parking requirements. The relocation assistance plan would be in accordance of the LAMC and would provide adequate monetary compensation and relocation assistance services to affected tenants.

While the definition of a significant cumulative effect is confined to these factors, the existence of the City’s housing crisis may provide grounds to find that the loss of any affordable rent controlled units could lead to a future significant cumulative effect. However, the scarcity of the number condominium conversion applications the Department has received in the last 10 years supports the finding that the loss of a small percentage of rental units cannot impact the tens of thousands rental units in the Wilshire Community Plan Area.

To provide some context on future cumulative effects from condominium conversions, two other California municipalities such as Berkeley and San Francisco have instituted caps on condominium conversions. Within a given year, the number of units that can be converted is capped between 100 and 200 units. By contrast, over the last ten years, the City of Los Angeles has not approved the conversion of 200 units in any one given year within the Wilshire Community Plan Area. Between 2007 and 2017, 113 units were approved to be converted to condominiums, while only 51 of those units were eventually converted and obtained a Certificate of Occupancy for such use.

The LAMC provides the Central Area Planning Commission with the latitude to approve or deny the Advisory Agency’s determination. Should the Commission overturn the Advisory Agency’s approval of the condominium conversion, the applicant would be left with two options. The applicant could move forward with an Ellis eviction and remove the units from the rental market and construct a project that, if by-right, would not need any entitlements or CEQA review. This potentially could include the demolition of the existing building to construct as many as six units possibly negatively impacting the neighborhood character. The other option would be to keep the existing units as rentals and not displace any of the tenants.

**Question 4**

*How have condominium conversions resulted in the loss of Rent Stabilization Ordinance (RSO) units in the Wilshire Community Plan Area over the last 10 years?*

**Staff Response:** A review of the applications filed for the Wilshire Community Plan Area (CPA) reveals that from 2007 to present, 113 rental units were approved for conversion to condominiums. Of the 113 units, building records show that 51 units have been issued Certificates of Occupancy for condominiums. The property owners of the remaining 62 units either did not move forward with the conversion or continue to be in the process of securing a Certificate of Occupancy for a condominium. Therefore, to date, condominium conversions have resulted in the loss of 51 RSO units in the Wilshire CPA over the last 10 years (see Exhibit 4 – Condominium Conversions for the Wilshire Community Plan 2007-2017).

To provide further context to the loss of RSO units staff has prepared the following data points:

There are approximately 1,432,550 housing units within the City of Los Angeles. Approximately 54.3%, or 777,876 units, are multi-family dwelling units, and 46.7%, or 654,677 units are single-family dwelling units.<sup>1</sup>

*Housing Gain within the Wilshire Community Plan Area*

Based on the most current data available, there are approximately 128,528 housing units in the Wilshire CPA.<sup>2</sup> Approximately 19,539 units are single family dwelling units and 108,989 are multi-family dwelling units. Between 2010 and September 2015, the City of Los Angeles gained 32,304 housing units, of which 31,805 units were multi-family units. The Wilshire CPA saw a net gain of 2,623 multi-family units.<sup>3</sup>

*Affordable Set-Aside Units Entitled through the Density Bonus Program in the Wilshire Community Plan Area*

During the same time (2010 to 2015), 83 density bonus projects were entitled by the Department of City Planning (DCP), yielding 3,750 units, of which 847 units were set aside as covenanted units for Very Low or Low Income Households. In fact, the Wilshire CPA has the highest number of density bonus case filings throughout the City of Los Angeles. While data is not currently available on whether all of the entitled projects were ultimately constructed, there is the potential for 847 new covenanted affordable units to come online within the Wilshire CPA.

*RSO Units Removed from the Rental Market through Ellis Act applications in Wilshire Community Plan Area*

There are approximately 639,521 RSO Units in the City of Los Angeles.<sup>4</sup> Approximately 87,420 (13.7%) are within the Wilshire CPA. From 2006 to approximately 2017, there were 185 Ellis Act applications within the Wilshire CPA to remove 945 units from the rental market. Of these, 37.5%, or 354 units, were RSO units. This represents a 0.004% of the total number of the RSO stock in

<sup>1</sup> Department of City Planning, 2015 Growth and Infrastructure Report, Department of City Planning, DRU, Population/Housing Estimate 10/01/2015.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Department of City Planning Zoning Information and Map System and Los Angeles Housing and Community Investment Department.

the Wilshire CPA. Of the 354 units, 113 units can be attributed to residential condominium conversions.

### STAFF RECOMMENDATION

The Department of City Planning acknowledges the difficulties tenants may face through displacement given the realities of the current housing market. The City has enacted policies to help mitigate those hardships. However, the facts do not substantiate the conclusion to deny this condominium conversion application.

In consideration of the foregoing and contingent on the receipt of a parking plan certified by a licensed engineer, it is submitted that the Deputy Advisory Agency acted reasonably in approving Preliminary Parcel Map No. AA-2016-3648-PMLA-CC. Staff recommends that the Central Area Planning Commission grant the appeal in part, sustain the action of the Deputy Advisory Agency in approving AA-2016-3648-PMLA-CC contingent upon the provision of an adequate certified parking plan, adopt the Revised Findings of the Deputy Advisory Agency, and determine that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 1, Class 1, Category 10 of the City of Los Angeles CEQA Guidelines, Class 31, and Class 32 of the State CEQA Guidelines, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

### REVISED FINDINGS

The initial decision referenced a \$3,000 rental rate for the units. The correct rental rates are \$1,950.15, \$2,288.37, and \$2,441.36. Planning Staff recommends that the Central Area Planning Commission adopt the following revised findings for Case No. AA-2016-3648-PMLA-CC: (new language in bold; deleted language in strikethrough)

### FINDINGS OF FACT

- (e) THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS LESS THAN 5 PERCENT. AS CONDITIONED, THE PROPOSED CONVERSION PROJECT WILL NOT HAVE A SIGNIFICANT CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE PLANNING AREA IN WHICH THE PROPOSED PROJECT IS LOCATED.

Section 12.95.2-F.6 of the LAMC reads in pertinent part: "After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential...conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider the following criteria:

- (a) The number of tenants who are willing and able to purchase a unit in the building.
- (b) The number of units in the existing building prior to conversion.



- (c) The number of units which will be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements.
- (d) The adequacy of the relocation assistance plan proposed by the subdivider.
- (e) Any other factors pertinent to the determination.

Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2-F.6 the Advisory Agency considered the criteria enumerated in this subsection. The vacancy rate for multi-family units (defined as properties with 5 or more units) within the Wilshire Community Plan Area, as provided by the Los Angeles Department of City Planning Demographics Research Unit in July 2017 is 4.39% (The vacancy rate was sourced from the American Community Survey, 2011-2015 5-year Average Estimate). However, the project would not create a **significant** cumulative **effect** ~~impact~~ on the rental housing market as the removal of four (4) units from the rental housing market is a small portion of the existing rental housing stock in the Wilshire Community Plan area.

A concern that arises from a condominium conversion of residential units is that the conversion is removing units covered by the Rent Stabilization Ordinance from the rental market. The Wilshire Community Plan has approximately 87,420 units that are protected by the City's Rent Stabilization Ordinance (RSO). This represents roughly 14% of all RSO units within the City of Los Angeles. The project proposes to convert four (4) rent-stabilized units, constructed in 1926. **Based on statements submitted by the tenants, the current rents for the three occupied units are \$1,950.15, \$2,288.37, and \$2,441.36. Although the subject units are subject to the RSO, the rent amounts are closer to market rate than an affordable rate.** ~~Based on communication with the Applicant's representative, the current rent for these units is \$3,000.~~ The U.S. Department of Housing and Urban Development (HUD) estimates the Fair Market Rent (FMR) for FY 2017 in the Los Angeles-Long Beach-Glendale area for a two-bedroom unit is \$1,545. The removal of four (4) rent stabilized units that are between **\$400 and \$900 per month higher than nearly double** the HUD estimate for FMR will not in and of itself create a significant cumulative effect on the rental housing market in the planning area of successive residential conversion projects (past, present and future).

**A review of the applications filed for the Wilshire Community Plan Area (CPA) reveals that through 2007, 113 rental units were approved for conversion to condominiums. Of the 113 units, building records show that 51 units have been issued Certificates of Occupancy for condominiums. The property owners of the remaining 62 units either did not move forward with the conversion or continue to be in the process of securing a Certificate of Occupancy for a condominium. Therefore, to date, condominium conversions have resulted in the loss of 51 RSO units in the Wilshire CPA over the last 10 years (see Exhibit 4 – Condominium Conversions for the Wilshire Community Plan 2007-2017).**

To provide further context to the loss of RSO units staff has prepared the following data points:

**There are approximately 1,432,550 housing units within the City of Los Angeles. Approximately 54.3%, or 777,876 units, are multi-family dwelling units, and 46.7%, or 654,677 units are single-family dwelling units.**

***Housing Gain within the Wilshire Community Plan Area***

Based on the most current data available, there are approximately 128,528 housing units in the Wilshire CPA. Approximately 19,539 units are single family dwelling units and 108,989 are multi-family dwelling units. Between 2010 and September 2015, the City of Los Angeles gained 32,304 housing units, of which 31,805 units were multi-family units. The Wilshire CPA saw a net gain of 2,623 multi-family units.

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During the same time (2010 to 2015), 83 density bonus projects were entitled by the Department of City Planning (DCP), yielding 3,750 units, of which 847 units were set aside as covenanted units for Very Low or Low Income Households. In fact, the Wilshire CPA has the highest number of density bonus case filings throughout the City of Los Angeles. While data is not currently available on whether all of the entitled projects were ultimately constructed, there is the potential for 847 new covenanted affordable units to come online within the Wilshire CPA.

***RSO Units Removed from the Rental Market through Ellis Act applications in Wilshire Community Plan Area***

There are approximately 639,521 RSO Units in the City of Los Angeles. Approximately 87,420 (13.7%) are within the Wilshire CPA. From 2006 to approximately 2017, there were 185 Ellis Act applications within the Wilshire CPA to remove 945 units from the rental market. Of these, 37.5%, or 354 units, were RSO units. This represents a 0.004% of the total number of the RSO stock in the Wilshire CPA. Of the 354 units, 113 units can be attributed to residential condominium conversions.

~~The City has had 19 applications for condominium conversion cases in the past five years. In the past 10 years, there have been three other condominium conversion projects within 1,000 feet of the project site, resulting in 20 units that were removed from the rental market. The removal of four (4) additional units will not result in a significant cumulative effect impact on the rental housing market.~~

The Advisory Agency determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-2 and CC-6. **Condominium Conversion Condition 6 of the Advisory Agency's Letter of Decision (see page 9) requires the Applicant to execute and record a Covenant and Agreement (Planning Department General Form CP-6771 – Exhibit 3) binding the Applicant to provide relocation assistance in a manner consistent with LAMC 12.95.2-G and 47.06. Furthermore, when the Applicant submits the required forms to the Los Angeles Housing and Community Investment Department (HCIDLA) to remove the subject units from rental housing use, the City's relocation contractor will contact the tenants to begin to provide relocation assistance.**

In addition to monetary compensation, relocation assistance services from the City's relocation contractor include the following:

1. Obtain at no cost to the tenant the services of persons who prepare rental availability reports.
2. Make available to each tenant an updated report concerning the availability of comparable rental housing in the area of the tenants present unit.
3. Drive tenants without cars and assist tenants with cars in order to inspect units.
4. Hire an ambulance or similar vehicle (at no cost to the tenant) and assist any handicapped or disabled tenant with relocation-related activities.
5. Provide other personal services related to relocation to each tenant.

The relocation assistance contractor is also tasked with issuing a determination regarding the dollar amount each tenant is entitled to receive in relocation assistance. Based on the status (i.e. disabled, over the age of 62, low income etc.) of the tenant, the relocation amount due will be between \$8,050 and \$20,050 (see Exhibit 3 – Notice of Intent to Withdraw Units from Rental Housing Use (Ellis Act) – Form E-2). The determination is provided to the Applicant informing the Applicant of the amount they will be obligated to provide to the tenant. The Applicant is required to make the relocation assistance payment available to the tenants within 15 days of service of the eviction notice (LAMC 151.09 G.2). The Applicant can either pay the tenant directly in one lump sum payment or set-up a relocation assistance escrow account through which a tenant will be able to withdraw the funds as needed for relocation related services (i.e. moving expenses, deposits for new units or utility connection charges).

The relocation assistance plan will commence once the Applicant files the forms with the HCIDLA to begin the process of eviction. Therefore, the relocation plan entails relocation assistance services provided to the tenant at no cost, as well as, monetary compensation. Details of this relocation plan have been previously established by the LAMC and through a contract between the HCIDLA and the City's relocation assistance contractor and by a recorded covenant between the Applicant and the City. ~~These protections include: advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and Los Angeles Municipal Code (LAMC) Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.~~

In addition, the residential structure on the site has been identified as part of Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District in Survey LA. The conversion of the property will allow for opportunities for new investment to preserve this potentially significant historic resource.

Although each tenant has been informed of the Applicant's plan to convert the units, none of the tenants have yet expressed a willingness to purchase their unit. **The Applicant mailed a letter, certified (see Exhibit 1), to each of the tenants asking them if they were willing and able to purchase a unit on August 2, 2017. None of the tenants responded to express an interest in purchasing a unit. During public testimony of**



**the appeal hearing on October 10, 2017, tenant, Stormy Sacks, stated that he would not be able to afford a unit.**

**In a statement submitted by the Applicant, it is anticipated that the sales price for the condominiums will be between one million and one million five hundred thousand dollars.**

**The Applicant also submitted a list of comparable rental units in the vicinity. The current rent amounts for the three occupied units of the subject site are \$1,950.15, \$2,288.37, and \$2,441.36. While the average rent (\$2,718) for comparable units in the vicinity (Exhibit 2), is in excess of the current rent rate in the existing building, the amount of rent varies by neighborhood within the Wilshire Community Plan Area and citywide. Through the relocation assistance plan as shown in Exhibit 3, the tenants will receive assistance in finding new housing as part of the condo conversion process.**

Each tenant will have an opportunity to purchase their unit pursuant to LAMC 12.95.E.3, which requires the Applicant to offer the tenants an exclusive right. Four (4) units are proposed to be converted into condominiums which is also the number of units that existed in the building prior to the conversion.

Furthermore, none of the units are being eliminated through the conversion process to satisfy Municipal Code parking requirements. A certified parking plan dated December 12, 2015, shows that one more parking space is being added to the existing parking for a total of six parking spaces. The parking provided conforms with LAMC Section 12.95.2.H.1(a), of one and one-half parking spaces per dwelling unit having three or more habitable rooms for condominium conversion projects.

Therefore, the Advisory Agency has determined that it cannot make the findings set forth in Section 12.95.2-F.6, and therefore, the condominium conversion may be approved.

MOSHE SILBER  
508 N LARCHMONT BLVD  
LOS ANGELES, CA 90004  
TEL (323) 957-2255

Francisco Vargas  
125.5 N Sycamore Ave  
Los Angeles, Ca 90036

August 2, 2017

Dear Tenant,

In good fate and after careful consideration, we, the owners of the property have decided to go through full renovation of the property for a better living condition. Sincere apologies for whatever inconvenience this may temporarily bring.

Please note that according to your Lease Agreement, we reserve the right to advertise and show the property. Appointments will be scheduled during reasonable business hours and on weekends with adequate notice.

Rest assured though that **you remain to be our priority**. Expression of your interest in continuing your stay by a decision to purchase your unit is most welcome. You have first priority to purchase the unit. If interested, you may do so by filling up the lower portion of this communication coupled with your signature and having the slip returned to our office.

If in case, you would opt not to purchase, it is essential that you cooperate by allowing access to the property and make sure it is in a clean and presentable plight. It is not really necessary for you to be present during these appointments; however, if you prefer so, we will do our best to oblige. Refusal to cooperate by not allowing access to the property is a default of your lease.

Please note that we will comply with the **Eviction and Relocation Assistance Requirements pursuant to the Los Angeles Municipal Code and California State Law**.

Every effort will be made to accommodate you and we would like to thank you in advance for your cooperation in this matter.

Should you have any questions or concerns, please feel free to contact the management.

Sincerely,

Moshe Silber, Owner

-----

       YES, I'm interested to stay and purchase my current unit.

       NO, I'm not interested in purchasing the unit.

\_\_\_\_\_  
TENANT'S SIGNATURE OVER PRINTED NAME

MOSHE SILBER  
508 N LARCHMONT BLVD  
LOS ANGELES, CA 90004  
TEL (323) 957-2255

Lisa Amsterdam & Gideon Lockspeiser  
123 N Sycamore Ave  
Los Angeles, Ca 90036

August 2, 2017

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Every effort will be made to accommodate you and we would like to thank you in advance for your cooperation in this matter.

Should you have any questions or concerns, please feel free to contact the management.

Sincerely,

Moshe Silber, Owner

-----

       YES, I'm interested to stay and purchase my current unit.

       NO, I'm not interested in purchasing the unit.

\_\_\_\_\_  
TENANT'S SIGNATURE OVER PRINTED NAME



MOSHE SILBER  
508 N LARCHMONT BLVD  
LOS ANGELES, CA 90004  
TEL (323) 957-2255

Stormy Sacks & Christopher Cloutier  
121 N Sycamore Ave  
Los Angeles, Ca 90036

August 2, 2017

Dear Tenant,

In good fate and after careful consideration, we, the owners of the property have decided to go through full renovation of the property for a better living condition. Sincere apologies for whatever inconvenience this may temporarily bring.

Please note that according to your Lease Agreement, we reserve the right to advertise and show the property. Appointments will be scheduled during reasonable business hours and on weekends with adequate notice.

Rest assured though that **you remain to be our priority**. Expression of your interest in continuing your stay by a decision to purchase your unit is most welcome. You have first priority to purchase the unit. If interested, you may do so by filling up the lower portion of this communication coupled with your signature and having the slip returned to our office.

If in case, you would opt not to purchase, it is essential that you cooperate by allowing access to the property and make sure it is in a clean and presentable plight. It is not really necessary for you to be present during these appointments; however, if you prefer so, we will do our best to oblige. Refusal to cooperate by not allowing access to the property is a default of your lease.

Please note that we will comply with the **Eviction and Relocation Assistance Requirements pursuant to the Los Angeles Municipal Code and California State Law**.

Every effort will be made to accommodate you and we would like to thank you in advance for your cooperation in this matter.

Should you have any questions or concerns, please feel free to contact the management.

Sincerely,

Moshe Silber, Owner

-----

       YES, I'm interested to stay and purchase my current unit.

       NO, I'm not interested in purchasing the unit.

\_\_\_\_\_  
TENANT'S SIGNATURE OVER PRINTED NAME

7017 0660 0000 2750 9529

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*Domestic Mail Only*

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LOS ANGELES, CA 90036

Certified Mail Fee	\$3.35	0036
\$		09
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$0.49	
\$		
Total Postage and Fees	\$3.84	
\$		

Sent To Stormy Sack & Christopher Cloutier  
Street and Apt. No., or PO Box No. 121 N S CAMORE AVE  
City, State, ZIP+4® LOS ANGELES, CA 90036

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7017 0660 0000 2750 9536

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
LOS ANGELES, CA 90036	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$3.84
Sent To <i>Lisa Amsterdam + Gideon Locksperger</i>	
Street and Apt. No., or PO Box No. <i>123 N. SYCAMORE AVE</i>	
City, State, ZIP+4® <i>LOS ANGELES, CA 90036</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



7017 0660 0000 0990 6707

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LOS ANGELES, CA 90036

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$3.84



Sent To Francisco Vargas  
Street and Apt. No., or PO Box No. 125 1/2 N Sycamore Ave  
City, State, ZIP+4® LOS ANGELES, CA 90036

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

## 121 N Sycamore St - 1.5 Mile Vacant Apartment Unit

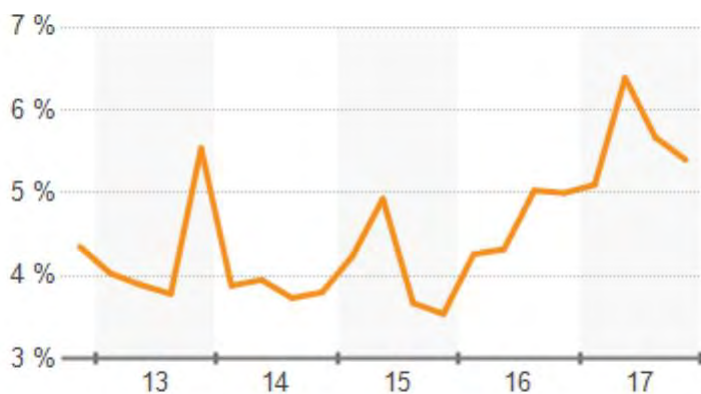
Leasing Units	Survey	5-Year Avg
Vacant Units	877	645
Vacancy Rate	5.4%	4.3%
12 Mo. Absorption Units	553	358

Inventory in Units	Survey	5-Year Avg
Existing Units	16,243	15,084
12 Mo. Const. Starts	0	298
Under Construction	0	737
12 Mo. Deliveries	656	422

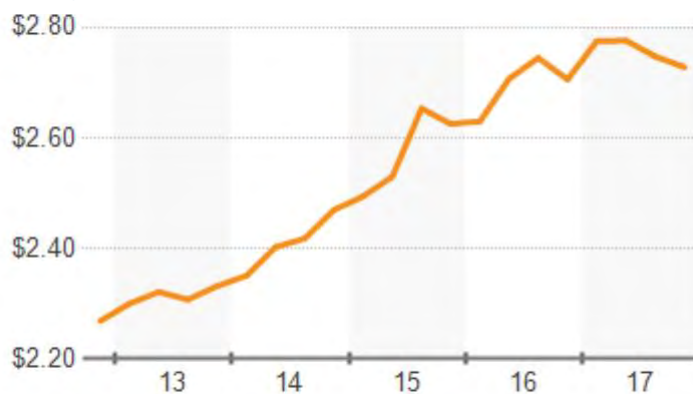
Rents	Survey	5-Year Avg
Studio Asking Rent	\$1,665	\$1,501
1 Bed Asking Rent	\$2,032	\$1,851
2 Bed Asking Rent	\$2,718	\$2,561
3+ Bed Asking Rent	\$4,207	\$4,053
Concessions	0.8%	0.4%

Sales	Past Year	5-Year Avg
Sale Price Per Unit	\$486,965	\$325,712
Asking Price Per Unit	\$355,583	\$301,247
Sales Volume (Mil.)	\$257	\$142
Cap Rate	3.8%	4.4%

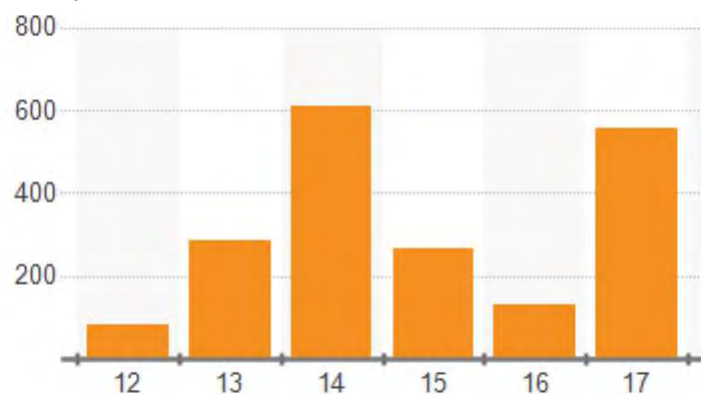
Vacancy Rate



Asking Rent Per SF



Absorption Units



Effective Rent Per SF





Covenant:

EXHIBIT: \_\_\_\_\_ CONDOMINIUM CONVERSION

Tract Map Number: \_\_\_\_\_ OR Parcel Map Number: \_\_\_\_\_

I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the Advisory Agency of said City that pursuant to Sections 12.95.2 and 47.06 of the Los Angeles Municipal Code and applicable provisions of the Subdivision Map Act:

- A. Each of the tenants of the proposed condominium conversion has been or will be given a 180-day written notice of Termination of Tenancy prior to the proposed conversion. Anyone becoming a tenant after the Tract Map Application or after the Preliminary Tract Map Approval shall be notified in writing prior to entering into a rental agreement but shall not be entitled to 180 days notice of intent to convert. (Section 66427.1 of the Subdivision Map Act mandates 180 days notice of intention to convert rather than 120 days as is found in the Municipal Code.); and shall not be entitled to relocation benefits or services unless expressly agreed in writing with the landlord. Tenants in residence on the date of the Tract Map Application and on the date of the Tract Map's preliminary approval shall be entitled to receive relocation benefits and services as noted in Paragraphs (b) and (d) below. (Note: This is not a notice of termination - see Paragraph "E" below.)
- B. Each of the tenants of the proposed condominium conversion project must be given written notice of an exclusive right to contract for the purchase of the dwelling unit occupied by the tenant upon the same or more favorable terms and conditions than those on which such unit will be initially offered to the general public. In the event a tenant's existing unit is required to be combined with an adjacent unit, another unit of comparable size and amenities shall be offered to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the California Business and Professions Code unless the applicant receives prior written notice of the tenant's intention not to exercise the right.
- C. Each eligible tenant will be given assistance in finding a comparable replacement rental unit by a contractor hired by the Los Angeles Housing and Community Investment Department. Comparability shall be determined from the following factors: size; price; location; proximity to medical and recreational facilities, parks, community centers, shops, transportation, school, churches and synagogues; amenities. A unit is not comparable if it is located in a building for which an application for conversion purposes has been filed with any governmental agency. Such assistance shall be available to all eligible tenants within 10 days of the date on which the 180-day notice terminating the tenancy is sent to each tenant; or, if no notice terminating the tenancy has been given, within 15 days from the date the eligible tenant gives notice of the eligible tenant's intent to terminate the tenancy, or the date of preliminary parcel map or tentative map approval, whichever date is later. Such assistance shall include, at a minimum, the following services:
  - 1. Obtain at no cost to the tenant the services of persons who prepare rental availability reports;
  - 2. Make available to each tenant an updated report concerning the availability of comparable rental housing in the area of the tenants present unit;
  - 3. Drive tenants without cars and assist tenants with cars in order to inspect units;

EXHIBIT: \_\_\_\_\_ CONDOMINIUM CONVERSION

Tract Map Number: \_\_\_\_\_ OR Parcel Map Number: \_\_\_\_\_

4. Hire an ambulance or similar vehicle (at no cost to the tenant) and assist any handicapped or disabled tenant with relocation-related activities;
  5. Provide other personal services related to relocation to each tenant.
- D. Relocation Fee: The applicant shall pay a relocation fee in the following amounts to each *Eligible Tenant* (Defined in the 'Definitions' Section Below) and to each tenant *Entitled to Special Protection* (Defined in 'Definitions' Section Below). If more than one fee applies to a rental unit, the applicant shall pay the highest of the applicable fees:
1. To *Eligible Tenants*:
    - (i) Eligible Tenants who have resided in their rental unit for fewer than three years **and** whose income is above 80% of the AMI (Area Median Income): \$7,600;
    - (ii) Eligible Tenants who have resided in their rental unit for more than three years **or** whose income is less than 80% AMI (Area Median Income) regardless of the length of tenancy: \$10,050;
  2. To *Eligible Tenants Entitled to Special Protection*:
    - (i) Eligible Tenants to Special Protection who have resided in their rental unit for fewer than three years **and** whose income is above 80% of the AMI (Area Median Income): \$16,100;
    - (ii) Eligible Tenants Entitled to Special Protection who have resided in their rental unit for more than three years **or** whose income is less than 80% of the AMI (Area Median Income) regardless of their length of tenancy: \$19,000;
  3. Tenants who claim eligibility for special protection under this subparagraph shall file a statement with the Los Angeles Housing and Community Investment Department (HCIDLA) verifying their income on a form prescribed by HCIDLA. If the applicant disputes the tenant's self-certification of the tenant's stated income eligibility, such dispute shall be resolved by the HCIDLA in an adjudicatory proceeding for which the applicant shall pay a fee of \$186. Each of the foregoing amounts shall be adjusted on an annual basis pursuant to the formula set forth in LAMC Section 151.06D, rounded to the nearest \$50.
  4. The applicant shall also pay to the Los Angeles Housing and Community Investment Department (HCIDLA) a fee in the amount of \$752 for each unit occupied by a tenant entitled to 'special protection' (senior - over 62, handicapped or disabled as defined below); and \$491 for all other eligible tenants, together with an administrative fee of \$59 per unit to pay for the administrative costs in providing the tenant relocation services by the City's Relocation Assistance Service Provider to each tenant as noted in Paragraph 'c' above. Each of these amounts may be increased in an amount based on the Consumer Price Index - All Consumers averaged for the first 12-Month period ending September 30, of each year, as determined and published by HCIDLA on or before May 30, of each year, pursuant to LAMC Section 151.07A6.

EXHIBIT: \_\_\_\_\_ CONDOMINIUM CONVERSION

Tract Map Number: \_\_\_\_\_ OR Parcel Map Number: \_\_\_\_\_

- E. Continued Tenancy Pending Relocation. Until each eligible tenant is successfully relocated, the tenant shall be permitted to reside in the unit presently occupied in the conversion project. There shall be no time limit for such continued tenancy for each tenant qualified for "special protection". In all other cases, the applicant is not required to consent to continued tenancy beyond 12 months from the date of tentative map or preliminary parcel map approval or the date on which the 180-day notice of intent to convert is given to all tenants, whichever date is later. All eligible tenants wishing to terminate their lease after approval of the preliminary tract map are entitled to full relocation services and payments in accordance with Los Angeles Municipal Code Section 47.06-D regardless of whether a 180-day notice of intent to convert has been given to the tenant.
- F. Each of the eligible tenants of the proposed condominium conversion remaining in possession has been, or will be given written notification within ten days of approval of a final map for the proposed conversion and of their rights to relocation services and financial assistance pursuant to Section 47.06-D of the Los Angeles Municipal Code.
- G. That satisfactory evidence will be submitted to the Advisory Agency that the preceding has been accomplished in accordance with the Relocation Plan submitted with the Tract Map Application.
- H. Dispute Resolution: Pursuant to the Los Angeles Municipal Code Section 12.95.2-G9, in case of dispute between tenants, the applicant, or the City, the Advisory Agency will interpret the application, of this covenant and agreement following a hearing before a duly authorized representative of the Advisory Agency.
- I. The property owner shall provide written proof that each eligible and qualified tenant has received a copy of this covenant.

**DEFINITIONS:**

- 1. **Eligible Tenant:** The term "eligible tenant" means any tenant who (a) was a resident of the property both on the date of tentative or preliminary parcel map application and the date of preliminary approval of such map and (b) who does not intend to purchase a unit in the conversion project.
- 2. **Eligible Tenant Entitled to Special Protection:** An eligible tenant is entitled to "special protection" if the tenant satisfies any of the following criteria: has attained age 62; is handicapped as defined in Section 50072 of the California Health and Safety Code; is disabled as defined in Title 42 United States Code Section ~ 423; is residing with one or more minor dependent children; or is a resident of a low to moderate cost housing unit.

**NOTE:** For the year beginning July 1, 2014 and all subsequent years, the fee amounts shall be adjusted on an annual basis pursuant to the formula set forth in Section 151.06 D of the Los Angeles Municipal Code.





**Los Angeles HOUSING + COMMUNITY**  
Department of Community Development  
Regulatory Compliance & Code Bureau  
1200 West 7th Street, 8th Floor, Los Angeles, CA 90017  
tel: 213.808.8888 | toll-free 866.557.7368  
hcd@lacity.org

## Notice of Intent to Withdraw Units from Rental Housing Use (Ellis Act) – Form E-2



Eric Garcetti, Mayor  
Rushmore D. Cervantes,  
General Manager

Property Information for Units to be Withdrawn from Rental Housing Use			
<b>Address:</b>			
<b>City:</b>	<b>Zip Code:</b>	<b>APN:</b>	
<b>Total No. of Buildings at Property:</b>		<b>No. of Buildings Withdrawn:</b>	
<b>Total No. Units at Property:</b>		<b>No. of Units Withdrawn:</b>	
<b>Legal Description:</b>			
<b>I certify that all accommodations in the structure(s) or building(s) covered by this Notice are being withdrawn from rent or lease. Per LAMC §151.09.A.10, a landlord seeking to evict tenants in order to demolish or permanently remove a unit from rental housing use may not withdraw from rent or lease less than all of the accommodations in a structure or building.</b>			<b>Landlord's Initials below:</b>  
Owner Information			
<b>First Name:</b>		<b>Last Name:</b>	
<b>Relationship to Property:</b>		<b>Company Name:</b>	
<b>Full Mailing Address:</b>			
<b>Work Phone:</b>		<b>Cell Phone:</b>	
<b>Home Phone:</b>		<b>Email:</b>	
I declare that I am the owner of the real property described above, and I hereby notify the City of Los Angeles of my intent to withdraw the rental units indicated on this form from rental housing use. I further declare, under penalty of perjury under the laws of the State of California, that the information provided on this form and all attached pages is true, correct, and complete.			
<i>All owners must sign. Attach additional pages if necessary.</i>			
<b>Print Full Name (Owner 1)</b>	<b>Print Full Name (Owner 2)</b>	<b>Print Full Name (Owner 3)</b>	
<b>Signature:</b>	<b>Signature:</b>	<b>Signature:</b>	
<b>Date:</b>	<b>Date:</b>	<b>Date:</b>	
<b>Address:</b>	<b>Address:</b>	<b>Address:</b>	
<b>City, State, Zip Code:</b>	<b>City, State, Zip Code:</b>	<b>City, State, Zip Code:</b>	

Recording Information of Non-Confidential Memorandum			
<b>Recording Date:</b>		<b>Recording Number:</b>	
Future Use of Withdrawn Accommodations			
<input type="checkbox"/> <b>Demolition</b>	<b>What will be the future use of the property?</b>	<input type="checkbox"/> <b>New Multi-Family Housing</b>	<input type="checkbox"/> <b>Single Family Dwelling</b>
<input type="checkbox"/> <b>Converted to:</b>	<input type="checkbox"/> <b>Condominiums</b>	<input type="checkbox"/> <b>Condos or Co-Ops</b>	<input type="checkbox"/> <b>Commercial Structure</b>
<input type="checkbox"/> <b>Used for:</b>	<input type="checkbox"/> <b>Non-Rental Housing</b>	<input type="checkbox"/> <b>Co-Op Ownership Units</b>	<input type="checkbox"/> <b>Undecided</b>
		<input type="checkbox"/> <b>Storage/Home Office</b>	<input type="checkbox"/> <b>Other:</b> _____

**For Office Use Only:**

<b>Notice of Intent to Withdraw Case No.</b>	<b>Amount Paid: \$</b>
<b>Demo/Conversion Clearance Case No.</b>	<b>Amount Paid: \$</b>



## Required Documentation

**Please call the Landlord Declarations Section at (213) 808-8537 to schedule an appointment for application submission.**

The following documentation is required at the time of application submission:

- ☐ County Recorded Memorandum Summarizing Non-Confidential Provisions of a *Notice of Intent to Withdraw Units from Rental Housing Use* (Form E1)
- ☐ *Notice of Intent to Withdraw Units from Rental Housing Use* (Form E2)
- ☐ Copy of *Notice to Tenant of Pending Withdrawal* (Form E3) for each occupied unit.
- ☐ Copy of notice terminating tenancy to be served to tenants, as required by California State Law.
- ☐ Copy of Grant Deed
- ☐ Copy of Articles of Incorporation or Articles of Organization, if not owned by a natural person.
- ☐ For Demolition/Conversion: Copy of LADBS Notice of Intent to Demolish & Clearance Summary Worksheet.

The following documentation may be submitted after the application has been submission:

- ☐ *Notice of Interest in Renewing Tenancy* (Form E4) *Copy of Form E4 must be provided to Tenant. If tenant provides landlord with Form E4, owner must provide HCIDLA with a copy.*
- ☐ *Notice to City of Claims for Extended Tenancy* (Form E5) *If a tenant is entitled to an extended stay of one (1) year (applies if tenant is at least 62 years of age or is disabled and has lived in the unit for at least one year), the owner must complete Form E5 and submit it to HCIDLA.*
- ☐ *Notice to City of Extended Dates of Withdrawal* (Form E6) *Landlord may provide the one (1) year extension to other tenants. Landlord must submit Form E6 to HCIDLA if tenancy extensions are provided.*
- ☐ *Notice of Intention to Re-Rent Withdrawn Accommodations* (Form E7) *If landlord intends to re-rent withdrawn units, the landlord must submit Form E7 to HCIDLA.*

## Demolition or Conversion Clearance

Are you also requesting a demolition or conversion clearance?	Yes	No
How many units will be demolished?	Are all the units vacant?	Yes No

*\*HCIDLA will need to verify that the units are vacant before providing the clearance. Verification may take two to three weeks.*

## Summary of Application Fees Effective 07/01/2017 through 06/30/2018 (Increases every July 1<sup>st</sup>)

	Fees	x No. of Units	Applicable Fees
<b>Qualified*</b> Unit – Relocation Services Provider Fee:	\$730	x	\$
<b>Eligible*</b> Unit – Relocation Services Provider Fee:	\$455	x	\$
Relocation Services Administrative Fee:	\$ 63	x	\$
Demolition Monitoring Administrative Fee:	\$ 45	x	\$
*See Tenant Information section of this application (p. 3) to determine Qualified or Eligible status.			<b>Total Amount Due:</b> \$

## Tenant Relocation Assistance Fees due to Tenants Effective 07/01/2017 through 06/30/2018 (Increases every July 1<sup>st</sup>)

Household Determination	Occupancy Less than 3 Years	Occupancy of 3 Years or More	Low (80%) Income (AMI)* (regardless of length of occupancy)
<b>Eligible</b>	\$8,050	\$10,550	\$10,550
<b>Qualified</b>	\$16,950	\$20,050	\$20,050

If the rental unit is occupied by two or more tenants, each tenant shall be paid a pro-rata share. In accordance with LAMC Sec. 151.09.G2, the landlord shall pay relocation assistance amount owed to the tenant, either directly or via an escrow account in the tenant's name, within 15 days of service of a written notice of tenancy termination.

## 2017 HUD Low (80%) Income Household Limits for Greater Los Angeles (AMI)\*

1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$50,500	\$57,700	\$64,900	\$72,100	\$77,900	\$83,650	\$89,450	\$95,200



Tenant Information # <span style="background-color: #cccccc; padding: 0 10px;"> </span>			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number:		Email:	
Move In Date:	Unit has a tenant who is 62 years or older: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Current Rent: \$	Unit has a tenant who is disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Last Rent Increase Date:	Unit has a minor dependent children: <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p style="text-align: center;">If "Yes" was marked for <u>any</u> of the three above, the unit is "Qualified."            If "No" was marked for all three, the unit is "Eligible."</p>			
Date Written Notice of Termination will be Served:		No. of Unit Occupants:	

Tenant Information # <span style="background-color: #cccccc; padding: 0 10px;"> </span>			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number:		Email:	
Move In Date:	Unit has a tenant who is 62 years or older: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Current Rent: \$	Unit has a tenant who is disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Last Rent Increase Date:	Unit has a minor dependent children: <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p style="text-align: center;">If "Yes" was marked for <u>any</u> of the three above, the unit is "Qualified."            If "No" was marked for all three, the unit is "Eligible."</p>			
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Tenant Information # <span style="background-color: #cccccc; padding: 0 10px;"> </span>			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number:		Email:	
Move In Date:	Unit has a tenant who is 62 years or older: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Current Rent: \$	Unit has a tenant who is disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Last Rent Increase Date:	Unit has a minor dependent children: <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p style="text-align: center;">If "Yes" was marked for <u>any</u> of the three above, the unit is "Qualified."            If "No" was marked for all three, the unit is "Eligible."</p>			
Date Written Notice of Termination will be Served:		No. of Unit Occupants:	

Tenant Information # <span style="background-color: #cccccc; padding: 0 10px;"> </span>			
First Name:		Last Name:	
Work Phone:	Home Phone:	Cell Phone:	
Unit Number:		Email:	
Move In Date:	Unit has a tenant who is 62 years or older: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Current Rent: \$	Unit has a tenant who is disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Last Rent Increase Date:	Unit has a minor dependent children: <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p style="text-align: center;">If "Yes" was marked for <u>any</u> of the three above, the unit is "Qualified."            If "No" was marked for all three, the unit is "Eligible."</p>			
Date Written Notice of Termination will be Served:		No. of Unit Occupants:	

Fees paid to the Los Angeles Housing + Community Investment Department (HCIDLA) are non-refundable, therefore it is your obligation to be aware of the Rent Stabilization Ordinance's Ellis Act Provisions before submitting fees.

#### Owner Certification

I hereby declare, under penalty of perjury under the laws of the State of California, that the information provided in this form is true and correct to the best of my knowledge and belief and that I am evicting the tenant(s) at the rental property identified on this form in order to remove the rental units from rental housing use.

I acknowledge that I will be responsible for providing monetary relocation assistance to the tenant(s) being evicted in accordance with LAMC §151.09.G. If the City determines that a higher Relocation Assistance Services Provider Fee is due based on a different relocation eligibility status determination, I will compensate the City for the balance due. **All fees are non-refundable.** I further acknowledge that if I re-rent the withdrawn accommodations, the rent for any subsequent tenant(s) is not decontrolled and therefore, must be established at the rental amount of the current tenant plus any increases allowed by LAMC §151.06C.

Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Any person who willfully or knowingly with the intent to deceive makes a false statement or representation, or knowingly fails to disclose a material fact in this form shall be guilty of a misdemeanor (LAMC §151.10B).*

#### Acknowledgement

I acknowledge that I have received the *Procedures for Withdrawing Rental Units from the Rental Market* packet.

Initials: \_\_\_\_\_

#### Schedule an Appointment

Call (213) 808-8537 to schedule an appointment for application submission.

Appointment Date and Time: \_\_\_\_\_ Assigned Analyst: \_\_\_\_\_

\_\_\_\_\_

## Condominium Conversions for the Wilshire Community Plan 2007-2017

Exhibit 5

Condo Conversions - Wilshire

Case No.	Address	Units	COO Info	Approval
AA-2007-15-PMLA-CC	1416 GENESEE AVE 90019	4	No COO for condo	AA approved 11/14/2007
AA-2007-3252-PMLA-CC	200 MANSFIELD AVE 90036	2	COO for condo issued 2013	APC approved 4/28/2009
AA-2008-2578-PMLA-CC	320 KINGSLEY DR 90020	4	No COO for condo	AA approved 3/1/2013
AA-2008-4991-PMLA-CC	120 SYCAMORE AVE 90036	4	COO for condo issued 2010	AA approved 2/9/2009
AA-2008-919-PMLA-CC	5360 SAN VICENTE BLVD 90019	TERMINATED		
AA-2009-310-PMLA-CC	126 SYCAMORE AVE 90036	4	No COO for condo	AA approved 4/24/2009
AA-2014-3602-PMLA-CC	348 ORANGE DR 90036	2	Building permit for condo conversion issued 6/5/16	AA approved 4/27/2015
AA-2014-4044-PMLA-CC	151 SYCAMORE AVE 90036	4	No COO for condo	AA approved 10/22/2015
AA-2016-3648-PMLA-CC	121 SYCAMORE AVE 90036	4	n/a	AA approved on 8/17/2017
AA-2017-2361-PMLA-CC	1211 SHERBOURNE DR 90035	4	n/a	under processing
TT-70084-CC	4454 2ND ST 90004	TERMINATED		
VTT-67071-CC	100 N. SYCAMORE	12	No COO for condo	AA approved on 3/27/2012
VTT-67328-CC	115 N. WETHERLY	18	No COO for condo	APC approved 7/22/2008
VTT-68622-CC	4835 ELMWOOD AVE 90004	9	COO issued 2011	AA approved on 12/31/2007
VTT-68920-CC	130 ALEXANDRIA AVE 90004	30	COO issued 2012	AA approved on 1/16/2009
VTT-70510-CC	114 SYCAMORE AVE 90036	4	COO issued 2014	APC approved 4/28/2009
VTT-74328-CC	122 FLORES ST 90048	8	n/a	City Council sustained AA approval on 7/3/2017

17 CC filed for Wilshire

TOTAL

113

51 units have been converted



DEPARTMENT OF  
CITY PLANNING  
CITY PLANNING COMMISSION

DAVID H. J. AMBROZ  
PRESIDENT

RENEE DAKE WILSON  
VICE-PRESIDENT

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<http://planning.lacity.org>

Decision Date: August 17, 2017

Last Day to Appeal: September 1, 2017

Moshe and Chaya Silber (O)(A)  
508 North Larchmont Boulevard  
Los Angeles, CA 90004

Joseph Pazcoguin (R)  
Plan and Permit Inc.  
8222 Melrose Avenue, #401  
Los Angeles, CA 90046

RE: Preliminary Parcel Map No. AA-2016-3648-PMLA-CC  
Related Case: None  
Wilshire Planning Area  
Zone: [Q]R3-1  
District Map: 138B181  
Council District: 5  
CEQA: ENV-2016-3649-CE  
Legal Description: Lot 89, Tract 8498

In accordance with provisions of Section 17.53 and 12.95.2 of the Los Angeles Municipal Code, the Advisory Agency approved Parcel Map No. AA-2016-3648-PMLA-CC composed of one lot, located at 121 North Sycamore Avenue, for a maximum four-unit condominium conversion, as shown on map stamp-dated December 5, 2016, in the Wilshire Community Plan. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That the entire parcel map area be labeled on the final map as Parcel "A".
2. That the dimensions of roadway and sidewalk area are indicated on the map.
3. That the existing Public Utilities Easement within the subdivision be delineated on the final map.
4. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Sycamore Avenue adjoining the subdivision by repairing and replacing any broken or offgrade curb, gutter, and sidewalk area; plant trees and landscape the parkway area.
  - b. Improve the alley adjoining the subdivision by the construction of standard 2-foot wide longitudinal concrete gutter and suitable surfacing to complete a 10-foot wide half alley, together with any necessary removal and reconstruction of the existing improvements all acceptable to the City Engineer.
  - c. Construct the necessary house connection sewer to serve the subdivision; evaluate the efficiency of the existing house connection, or any other arrangement acceptable to the Central Engineering District Office.

**BUREAU OF STREET LIGHTING**

5. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Sycamore Avenue.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

6. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building and Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Reduction of existing front yard setback to less than 15 feet after required street dedication would require an approval from City Planning.

**Notes:**

Existing permit 1991LA85649 approved 5 parking spaces on the site. A Building Permit is required from the Department of Building and Safety to

allow for 6 parking spaces on the site.

Any proposed or existing structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

## DEPARTMENT OF TRANSPORTATION

7. That the project be subject to any recommendations from the Department of Transportation.

## FIRE DEPARTMENT

8. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Parcel Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. Where above ground floors are used for residential purposes, the access requirement shall interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
  - d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - e. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - f. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.



- g. Entrance to the main lobby shall be located off the address side of the building.
- h. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- i. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- j. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

**Note:**

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6904. You should advise any consultant representing you of this requirement as well.

**DEPARTMENT OF WATER AND POWER**

- 9. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (c).)

**BUREAU OF SANITATION**

- 10. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated December 22, 2016. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

- 11. To assure that cable television facilities will be installed in the same manner as

other required improvements, please email [cabletv.ita@lacity.org](mailto:cabletv.ita@lacity.org) that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

## DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of four (4) dwelling units.
- b. Provide a minimum of 1.5 off-street parking spaces per dwelling unit, per LAMC 12.95.2.H.1(a).

In addition, prior to issuance of a building permit or certificate of occupancy, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (201 N. Figueroa Street, 4<sup>th</sup> Floor).

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.

Not Applicable.

- d. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

- e. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS**

Applicant shall do all of the following:

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

processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those

held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

13. That prior to recordation of the final map, the subdivider shall apply to the Department of Building and Safety for a Certificate of Completion for a change from apartments to condominiums.
14. **Certified Parking Plan.** The subdivider shall submit two copies of a parking plan, certified by a licensed surveyor or registered civil engineer and approved by the Department of Building and Safety, to the satisfaction of the Advisory Agency prior to recordation of the final map, indicating the number of spaces required, driveways, aisle widths, column locations or any other type of obstructions. New parking spaces, if any, are to be constructed in accordance with current codes.
15. Any modifications to the exterior façade of the building must be in conformance with the Secretary of Interior's Standards for Rehabilitation as approved by the Department of City Planning Office of Historic Resources.

#### **DEPARTMENT OF CITY PLANNING – STANDARD CONDOMINIUM CONVERSION CONDITIONS**

- CC-1. That prior to final map recordation, the applicant shall execute and record a covenant and agreement stating that each tenant shall be given at least a 180-day written notice of intention to convert, prior to termination of tenancy, due to the conversion or proposed conversion. (201 N. Figueroa Street, 4<sup>th</sup> Floor) Government Code section 66452.19 This notification supersedes Los Angeles Municipal Code (LAMC) 12.95.2-E.2.
- CC-2. That prior to final map recordation, the applicant execute a covenant and agreement stating that each tenant of the proposed condominium conversion project shall be given written notice within five days after receipt of the subdivision public report of an exclusive right to contract for the purchase of the dwelling unit, occupied by the tenant, upon the same or more favorable terms and conditions than those initially offered to the general public. If a tenant's existing unit is to be combined with an adjacent unit, another unit of comparable size and amenities shall be offered to that tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the California Business and Profession Code, unless the applicant receives prior written notice of the tenant's intention not to exercise the right. (201 N. Figueroa Street, 4<sup>th</sup> Floor) (Los Angeles Municipal Code (LAMC) 12.95.2-E.3).

- CC-3. Prior to recordation of the final map, the subdivider shall pay a Rental Housing Production Fee for each unit, prior to the conversion. This fee shall be paid to the Rental Housing Production Account of the Los Angeles Housing and Community Investment Department in accordance with Section 12.95.2-K of the LAMC. (1200 W. 7<sup>th</sup> Street, 1<sup>st</sup> Floor Public Counter).

NOTE: All fees collected pursuant to this LAMC 12.95.2 K. shall be deposited and held in the Rental Housing Production Account of the Los Angeles Housing and Community Development Department (HCIDLA), the account is established to be administered by the HCIDLA separately from all other money expended by the Department. Money in this account shall be used exclusively for the development of low and moderate income rental housing in the City, pursuant to guidelines carrying out this purpose prepared by the Department and approved by resolution of the City Council.

- CC-4. That prior to recordation of the final map, a Housing Inspection Report, prepared by a Licensed Engineer, shall be submitted to the Advisory Agency. The report shall be prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect. As necessary, the inspection shall be conducted by a team of experts certified by the International Conference of Building Officials, with specialty in mechanical, electrical, plumbing and structural engineering. The report shall indicate the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems. The report shall show substantial compliance with applicable provisions of Chapter IX of the Los Angeles Municipal Code (LAMC) for existing residential buildings, taking into account nonconforming rights. In addition, prior to inspecting the building, the subdivider or owner shall obtain from the tenants a list of defects and necessary repairs, which in their opinion exist on the site, common areas, unit or apartment structure. Prior to recordation of the final map, any deficiencies determined by the inspection shall be corrected and satisfactory evidence shall be submitted to the Advisory Agency that said corrections have been made. Form CP-6711 will not be prepared unless a list of deficiencies per the Housing Inspection Report Guidelines and a tenant's list of defects are submitted. A certified parking plan shall be required as a part of this condition and all spaces shall be in place prior to recordation. The Advisory Agency has Housing Inspection Report Guidelines available at 201 N. Figueroa Street, 4<sup>th</sup> Floor for the preparation of Housing Inspection reports.

**OR**

Prior to the issuance of a Certificate of Completion for condominiums or recordation of the Final Map, whichever occurs first, the Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use.



- CC-5. That an acoustical report prepared by a licensed acoustical engineer be submitted to the Department of City Planning for approval prior to recordation of the final map or concurrently with any required Housing Inspection Report. The acoustical report shall indicate (a) the type of construction between dwelling units and the general sound attenuation. (Note: The acoustical report may be included in the Housing Inspection Report as a separate section.)

**OR**

Prior to the issuance of Certificate of Occupancy for condominiums or recordation of the Final Map, whichever occurs first, the Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use for sound attenuation.

- CC-6. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6771) in a form satisfactory to the Advisory Agency, binding the applicant and any successor in interest to provide relocation assistance in a manner consistent with Section 12.95.2-G and 47.06 of the Los Angeles Municipal Code pertaining to rental subsidies for tenants either terminating tenancy or evicted for condominium conversions and any additional ordinances that may provide greater relocation assistance. The covenant and agreement shall be executed and recorded within 10 days after expiration of appeal period (and final action thereon) and a copy provided to each tenant within five days of recordation of the covenant and agreement. **Failure to meet the requirement of this condition – including time limits – may be grounds to disapprove the final map.** (201 N. Figueroa Street, 4<sup>th</sup> Floor)
- CC-7. That prior to final map recordation, the applicant shall execute a covenant and agreement stating that proof shall be submitted (Certified mail or Affidavit) to the Advisory Agency, indicating that each tenant of the proposed condominium conversion project shall be given written notification of the condominium conversion within 30 days after final map recordation.

Prior to issuance of any building permit proof shall be submitted to the Advisory Agency that written notification of the condominium conversion within 30 days after final map recordation was given to each tenant of the proposed condominium conversion project.

- CC-8 That prior to final map recordation, the applicant shall execute a covenant and agreement for, or provide a receipt, satisfactory to the Advisory Agency, in connection with this condominium conversion. The receipt that the subdivider provides shall show that a Park and Recreation fee, (or a \$200 per unit Dwelling Unit Construction tax has been paid to Building and Safety [201 N. Figueroa Street, 3<sup>rd</sup> Floor, Station 17] if a Certificate of Occupancy was issued more than 5 years before final map recordation) and a Residential Development Tax of \$300 per

dwelling unit has been paid. (221 N. Figueroa Street, Suite 100).

CC-9 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the parcel action. However, the existing or proposed zoning may not permit this number of units.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the LAMC.

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this parcel conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features, which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

**FINDINGS OF FACT (CEQA)**

On August 10, 2017, the Planning Department determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article III, Section 1, Class 1, Category 10 - Division of existing multiple family rental units into condominiums or stock cooperatives, Class 31 - Historical Resource Restoration/Rehabilitation, and Class 32 - In-fill Development Projects Log No. ENV-2016-3649-CE. The project is a Preliminary Parcel Map for the condominium conversion of a 4-unit apartment building into a 4-unit condominium. As a residential condominium conversion, the project qualifies for the Class 1, Category 10, Class 31, and Class 32 Categorical Exemption.

Article III, Section 1 of the City CEQA Guidelines states the following (emphasis added):

*The Secretary for Resources has provided a list of classes of projects which he has determined do not have a significant effect on the environment and which are therefore exempt from the provisions of CEQA. The following specific categorical exemptions within such classes are set forth for use by Lead City Agencies, provided such categorical exemptions are not used for projects where it can be readily perceived that such projects may have a significant effect on the environment.*

The proposed project, a Preliminary Parcel Map for the conversion of a 4-unit apartment building into a 4-unit condominium, does not have any readily perceived significant effects on the environment as stated below.

Class 1 pertains to Existing Facilities, which consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing. Category 10 specifically identifies projects that involve the division of existing multiple family rental units into condominiums or stock cooperatives as exempted.

Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer. The subject property was identified by Survey LA as a contributor to the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District. As proposed the project will not modify the exterior façade of the building and therefore will not have any impact to the historic nature of the building.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria, which the instant project does:



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

The adopted Wilshire Community Plan designates the subject property for Medium Residential land uses with the corresponding zone of R3. The property consists of approximately 0.17 net acres (7,502 net square feet) and is presently zoned [Q]R3-1. Ordinance No. 165,331 established the Q Conditions for the property which dictate that residential uses shall be permitted a density not to exceed one dwelling unit per 1,200 square feet of lot area. A maximum six (6) units would be permitted on the lot. However, the applicant is proposing to maintain four (4) units. The proposed condominium conversion will not only preserve the residential character of the neighborhood, it will inject investment into the building with new ownership helping to preserve the property's status as a contributor in the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District

In accordance with LAMC 12.95.2 F, there are no applicable general or specific plans that contain a definite statement of policies and objectives applicable to condominium conversion projects in the Wilshire Community Plan.

The project is compatible with the Wilshire Community Plan which encourages projects that:

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy 1-1.2: Promote neighborhood preservation in all stable residential neighborhoods.

Program: With the implementation of the Wilshire Community Plan, all discretionary actions, Specific Plans, and any community and neighborhood residential projects must be consistent with Wilshire Community Plan recommendations.

The subject property is a contributor to the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District. The project is not proposing any modifications to the existing exterior of the building. Therefore, the condominium conversion will not impact the historic nature of the building or the residential character of the neighborhood by increasing the density of the subject site.

The project will provide much needed new home ownership opportunities in the Wilshire Community Plan area in the form of existing quality housing. As conditioned, the proposed subdivision map is substantially consistent with the

applicable general and specific plans.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The development consists of four (4) units on a lot that is 7,502 gross square feet in size. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.17 acres. Lots adjacent to the subject site are zoned [Q]R3-1 and C2-1VL and developed with the following urban uses: three to four unit residential structures abutting the subject property to the north, south, and east, and commercial retail abutting the site to the west, as well as one to two story commercial uses to the north along Beverly Boulevard. The project site is less than 500 feet from La Brea Boulevard to the west and less than 700 feet from Beverly Boulevard to the north. Both boulevards are two major thoroughfares in the Wilshire Community with properties zoned C2-1VL, [Q]R3-1, and R2-1 improved with neighborhood serving commercial uses and multi-family residential uses.

- (c) The project has no value as habitat for endangered, rare or threatened species.

The site is not, and has no value as, a habitat for endangered, rare or threatened species. The site was previously disturbed and is surrounded by development. No new construction is proposed as the project is a condominium conversion. No protected trees will be removed. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water.

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

The project is beneath the threshold criteria established by LADOT for preparing a traffic study, as no new units are being constructed. Therefore, the project will not have any significant impacts to traffic. The project will not result in significant impacts related to air quality because the project is a preliminary parcel map for the condominium conversion of four (4) apartment units into a four (4) unit condominium. No new construction is involved. As mentioned, the project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water.

- (e) The site can be adequately served by all required utilities and public services.

The project site is currently and will be adequately served by all public utilities and

services given that the conversion from apartment to residential condominium will be on a site with an existing building and is consistent with the general plan. Therefore, based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Exemption.

There are five (5) Exceptions which must be considered in order to find a project exempt under CEQA Guidelines Section 15301 (Class 1): (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. The City has had 19 applications for condominium conversion cases in the past five years. In the past 10 years, there have been three other condominium conversion projects within 1,000 feet of the project site, resulting in 20 units that were removed from the rental market. As mentioned, the project proposed is a preliminary parcel map for the condominium conversion of a 4-unit apartment building into a 4-unit condominium, in an area zoned and designated for such development. All adjacent lots are developed with the following urban uses: multi-family dwellings and retail businesses abutting the subject property to the north and west, and multi-family dwellings abutting the site to the south and east, and the subject site is of a similar size and slope to nearby properties. The project proposes no changes to the Floor Area Ratio (FAR) and the existing improvements are consistent in size, bulk, and massing to other developments in the vicinity. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

The subject site is not designated as a state scenic highway, nor are there any designated state scenic highways located near the project site. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The proposed condominium conversion is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument. However, the Los Angeles Office of Historic Resources has identified the subject property as a contributor to the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District. No exterior work is proposed for the project, therefore, there will be no impact to the identified contributor as no changes will occur to the exterior of the building.

## **FINDINGS OF FACT**

In connection with the approval of Preliminary Parcel Map No. AA-2016-3648-PMLA-CC, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Wilshire Community Plan designates the subject property for Medium

Residential land uses with the corresponding zone of R3. The property consists of approximately 0.17 net acres (7,502 net square feet) and is presently zoned [Q]R3-1. Ordinance No. 165,331 established the Q Conditions for the property which dictate that residential uses shall be permitted a density not to exceed one dwelling unit per 1,200 square feet of lot area. A maximum six (6) units would be permitted on the lot. However, the applicant is proposing to maintain four (4) units. The proposed condominium conversion will not only preserve the residential character of the neighborhood, it will inject investment into the building with new ownership helping to preserve the property's status as a contributor in the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District

In accordance with LAMC 12.95.2 F, there are no applicable general or specific plans that contain a definite statement of policies and objectives applicable to condominium conversion projects in the Wilshire Community Plan.

The project is compatible with the Wilshire Community Plan which encourages projects that:

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy 1-1.2: Promote neighborhood preservation in all stable residential neighborhoods.

Program: With the implementation of the Wilshire Community Plan, all discretionary actions, Specific Plans, and any community and neighborhood residential projects must be consistent with Wilshire Community Plan recommendations.

The subject property is a contributor to the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District. The project is not proposing any modifications to the existing exterior of the building. Therefore, the condominium conversion will not impact the historic nature of the building or the residential character of the neighborhood by increasing the density of the subject site.

The project will provide much needed new home ownership opportunities in the Wilshire Community Plan area in the form of existing quality housing. As conditioned, the proposed subdivision map is substantially consistent with the applicable general and specific plans.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. No dedication or improvement requirements were found to be necessary. The proposed project is a residential condominium project and only proposes internal changes to an existing building with four units.

Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is not located in hillside, a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The proposed project is a residential condominium conversion and will preserve the existing structures on the site without any major modifications.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. According to the Bureau of Engineering letter dated January 24, 2017, there is an existing sewer available in the street adjoining the subject property.

Therefore, the site is physically suitable for the proposed residential condominium conversion.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The [Q] Conditions of Ordinance No. 165,331 Subarea 440 limits density to 1,200 square feet of lot area per dwelling unit, thus allowing six (6) units on the 7,502-square foot project site. The proposed preliminary parcel map, a 4-unit condominium conversion, is allowable under the current zone and the land use designation. Therefore, the site is physically suitable for the proposed density of development.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

This subdivision is part of a class of projects which the City Council has determined will not have a significant effect upon the environment. On August 10, 2017, the Planning Department determined that the City of Los Angeles Guidelines for the

Implementation of the California Environmental Quality Act of 1970 and State CEQA Guidelines designate the subject project as Categorically Exempt under Article III, Section 1, Class 1 Category 10 – Division of existing multiple family rental units into condominiums or stock cooperatives, Class 31 – Historical Resource Restoration/Rehabilitation, and Class 32 – In-fill Development Projects ENV-2016-3649-CE.

The site is already developed in an urban area and not a habitat for fish or wildlife. Furthermore, there is no expansion floor area involved. Therefore, the condominium conversion is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed condominium conversion. The development is required to remain connected to the City's sanitary sewer system, where the sewage is directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision is connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The proposed project is a condominium conversion of an existing building with minimal exterior alterations.

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site contains legally recorded lots identified by the Assessor Parcel Record. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park or any officially recognized public recreation area. Therefore, the proposed condominium conversion would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Furthermore, the Advisory Agency of the City of Los Angeles, pursuant to Section 12.95.2



of the Los Angeles Municipal Code, makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS SUBSTANTIALLY CONSISTENT WITH APPLICABLE DENSITY PROVISIONS OF THE GENERAL PLAN OR SPECIFIC PLANS IN EFFECT AT THE TIME THE ORIGINAL BUILDING PERMIT WAS ISSUED AND THE APPLICATION FOR MAP APPROVAL IS FILED FIVE YEARS OR MORE FROM THE DATE THE ORIGINAL CERTIFICATE OF OCCUPANCY FOR THE BUILDING WAS ISSUED.

This provision is not applicable as the application for the map approval was filed five years or more from the date of original Certificate of Occupancy (C of O) for this building. Note: Building permits were issued in 1925. However, no C of O is on record since C of O's were not issued until 1930.

- (b) THE PROPOSED MAP IS CONSISTENT WITH ANY APPLICABLE GENERAL PLAN OR SPECIFIC PLAN PROVISION WHICH CONTAINS A DEFINITE STATEMENT OF POLICIES AND OBJECTIVES EXPLICITLY APPLICABLE TO CONDOMINIUM CONVERSION PROJECTS.

The adopted Wilshire Community Plan designates the subject property for Medium Residential land uses with the corresponding zone of R3. The property is presently zoned [Q]R3-1. The Q Conditions pursuant to Ordinance No. 165,331 limit density to 1,200 square feet per unit. The property is approximately 7,502 square feet in size which would yield a maximum of six units. The project proposes to convert a 4-unit apartment into a 4-unit condominium which would conform to the Q Conditions. There are no applicable general or specific plans that contain a definite statement of policies and objectives applicable to condominium conversion projects. Therefore, as conditioned, the proposed subdivision map is substantially consistent with the applicable general and specific plans.

- (c) THE PROPOSED CONDOMINIUM CONVERSION DOES NOT CONTAIN ANY VIOLATIONS OF CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE (LAMC) THAT HAVE NOT BEEN CORRECTED OR AN ADEQUATE PLAN TO CORRECT SUCH VIOLATIONS HAS BEEN DEVELOPED OR ACCOMPLISHED. FOR PURPOSES OF THIS PROVISION, CHAPTER IX OF THE LAMC MEANS THE CODE IN EFFECT WHEN THE BUILDING PERMIT WAS ISSUED AND OTHER SUBSEQUENTLY ENACTED REGULATIONS EXPLICITLY MADE APPLICABLE TO EXISTING STRUCTURES.

The Subject Property has no known violations of Chapter IX of the Los Angeles Municipal Code.

- (d) THE BUILDING PROPOSED FOR CONVERSION IS NOT OF UNREINFORCED MASONRY FOR WHICH THE BUILDING PERMIT WAS ISSUED PRIOR TO OCTOBER 1, 1933, NOR IS IT MORE THAN THREE STORIES IN HEIGHT

## WITHOUT AN ELEVATOR.

The building is composed of stucco, not unreinforced masonry and the building is two stories in height.

- (e) THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS LESS THAN 5 PERCENT. AS CONDITIONED, THE PROPOSED CONVERSION PROJECT WILL NOT HAVE A SIGNIFICANT CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE PLANNING AREA IN WHICH THE PROPOSED PROJECT IS LOCATED.

Section 12.95.2-F.6 of the LAMC reads in pertinent part: "After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential...conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider the following criteria:

- (a) The number of tenants who are willing and able to purchase a unit in the building.
- (b) The number of units in the existing building prior to conversion.
- (c) The number of units which will be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements.
- (d) The adequacy of the relocation assistance plan proposed by the subdivider.
- (e) Any other factors pertinent to the determination.

Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2-F.6 the Advisory Agency considered the criteria enumerated in this subsection. The vacancy rate for multi-family units (defined as properties with 5 or more units) within the Wilshire Community Plan Area, as provided by the Los Angeles Department of City Planning Demographics Research Unit in July 2017 is 4.39% (The vacancy rate was sourced from the American Community Survey, 2011-2015 5-year Average Estimate). However, the project would not create a cumulative impact on the rental housing market as the removal of four (4) units from the rental housing market is a small portion of the existing rental housing stock in the Wilshire Community Plan area.

A concern that arises from a condominium conversion of residential units is that the conversion is removing units covered by the Rent Stabilization Ordinance from the



rental market. The Wilshire Community Plan has approximately 87,420 units that are protected by the City's Rent Stabilization Ordinance (RSO). This represents roughly 14% of all RSO units within the City of Los Angeles. The project proposes to convert four (4) rent-stabilized units, constructed in 1926. Based on communication with the Applicant's representative, the current rent for these units is \$3,000. The U.S. Department of Housing and Urban Development (HUD) estimates the Fair Market Rent (FMR) for FY 2017 in the Los Angeles-Long Beach-Glendale area for a two-bedroom unit is \$1,545. The removal of four (4) rent stabilized units that are nearly double the HUD estimate for FMR will not in and of itself create a significant cumulative effect on the rental housing market in the planning area of successive residential conversion projects (past, present and future). The City has had 19 applications for condominium conversion cases in the past five years. In the past 10 years, there have been three other condominium conversion projects within 1,000 feet of the project site, resulting in 20 units that were removed from the rental market. The removal of four (4) additional units will not result in a significant cumulative impact on the rental housing market.

The Advisory Agency determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-2 and CC-6. Those protections include: advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and Los Angeles Municipal Code (LAMC) Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

In addition, the residential structure on the site has been identified as part of Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District in Survey LA. The conversion of the property will allow for opportunities for new investment to preserve this potentially significant historic resource.

Although each tenant has been informed of the Applicant's plan to convert the units, none of the tenants have yet expressed a willingness to purchase their unit. Each tenant will have an opportunity to purchase their unit pursuant to LAMC 12.95.E.3, which requires the Applicant to offer the tenants an exclusive right. Four (4) units are proposed to be converted into condominiums which is also the number of units that existed in the building prior to the conversion.

Furthermore, none of the units are being eliminated through the conversion process to satisfy Municipal Code parking requirements. A certified parking plan dated December 12, 2015, shows that one more parking space is being added to the existing parking for a total of six parking spaces. The parking provided conforms with LAMC Section 12.95.2.H.1(a), of one and one-half parking spaces per dwelling unit having three or more habitable rooms for condominium conversion projects.

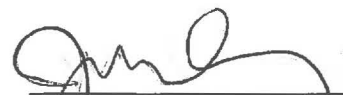
Therefore, the Advisory Agency has determined that it cannot make the findings set forth in Section 12.95.2-F.6, and therefore, the condominium conversion may be approved.

- (f) THE OFF-STREET RESIDENT PARKING SPACES AND GUEST PARKING SPACES REQUIRED FOR THE PROPOSED CONDOMINIUM CONVERSION ARE REASONABLE AND FEASIBLE AND SUBSTANTIALLY CONSISTENT WITH THE PURPOSES OF THE LAMC.

Because the subject building was identified as a contributor in the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District the Advisory Agency is waiving the parking requirements of the Residential Parking Policy for Division of Land (No. AA 2000-1) which require a minimum of two (2) covered off-street parking spaces per dwelling unit for condominium conversion projects where the building is more than five years old from a temporary issuance of its Certificate of Occupancy. However, the project conforms with LAMC Section 12.95.2.H.1(a), of one and one-half parking spaces per dwelling unit having three or more habitable rooms for condominium conversion projects.

These findings shall apply to both the tentative and final maps for Preliminary Parcel Map No. AA-2016-3648-PMLA-CC.

VINCENT P. BERTONI, AICP  
Advisory Agency

  
\_\_\_\_\_  
KEVIN S. GOLDEN  
Deputy Advisory Agency  
\_\_\_\_\_  
JANE J. CHOI, AICP  
Senior City Planner

VPB: (JC,KG,RV)

Note: If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission or Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 North Figueroa Street  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

West Los Angeles  
Development Services Center  
1828 Sawtelle Boulevard  
2nd Floor  
Los Angeles, CA 90025  
(310) 231-2901

**Forms are also available on-line at <http://cityplanning.lacity.org>**

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90<sup>th</sup> day following the date on which the City's decision becomes final.

(04-11-17) Residential Condo Conversions

**collaborate**

November 6, 2017

Central Area Planning Commission  
City of Los Angeles  
200 North Spring Street  
Los Angeles, CA 90012

**Re: 121 North Sycamore, AA-2016-3648-PMLA-CC-1A**

Dear Honorable Chair and Members:

We appreciate the opportunity to follow up with you regarding the property located at 121 North Sycamore after the hearing on October 10, 2017. At the hearing, you raised two key issues that we would like to take the time here to address. Each of these issues is itemized below.

**1. All existing tenants at 121 North Sycamore will be relocated consistent with the Ellis Act requirements under California Law.**

Under the City's Municipal Code, each tenant is required to be paid relocation assistance upon removal of a unit from the rental market consistent with the Ellis Act pursuant to LAMC section 151.09.G.

As shown on the attached documentation from the Housing and Community Investment Department, each tenant will be paid a relocation sum ranging from \$8,050 to \$20,050 no later than 15 days after service of the written notice of termination. The amount paid is based on each tenant's length of tenancy, existing income, and disabled status, and, as such, is not disclosed for each individual tenant in this letter. Details of the requirements of the City program are attached as **Exhibit A**. In addition, HCID provides relocation assistance for tenants funded by program fees paid to HCID landlords, and existing tenants will be eligible for this assistance, as well.

**2. A condominium conversion of four units will not result in a significant cumulative impact to the Wilshire Community Plan Area.**

As a reminder, the Los Angeles Municipal Code section 12.95.2 F 6 is clear that the following two findings must be made to support denial of a tentative map or preliminary parcel map:

After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, unless it makes both of the following findings:

(1) the vacancy rate of the planning area in which the property is located is five percent or less, and

(2) the cumulative effect of the rental housing market in the planning area of successive residential or residential to commercial/industrial conversion projects (past, present and future) is significant. A finding of significant cumulative effect shall be based on the following factors:

(a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building;

(b) the number of units in the existing residential building prior to conversion;

(c) the number of units which would be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements;

(d) the adequacy of the relocation assistance plan proposed by the subdivider; and

(e) any other factors pertinent to the determination.

"Vacancy rate" shall refer to the most current vacancy rate for multiple-family dwelling units as published by the Department of City Planning in its Semi-Annual Population Estimate and Housing Inventory, or other estimate or survey satisfactory to the Advisory Agency. "Planning area" shall refer to those areas established by the Director of Planning for purposes of community planning pursuant to Section 11.5.6 of the Municipal Code.

With respect to LAMC section 12.95.2 F6 (1), the Planning Department has confirmed that the vacancy rate in the Community Plan Area is less than 5%. Therefore, this element has been met.

With respect to LAMC section 12.95.2 F6 (2), however, this element is not met. Each of these sub-elements is discussed below:

*(a) The number of tenants who are willing and able to purchase a unit in the building.*

The applicant has confirmed that there are four units in the building, three of which are currently occupied with RSO tenants; the fourth is occupied with a family member. The applicant is not aware of any existing RSO tenant that wishes to purchase a unit. This further reduces the potential of any cumulative impact to the rental market, however, as only three RSO tenants will be displaced as a result of the proposed conversion; the applicant anticipates that the family member living in the fourth unit may wish to purchase.

*(b) the number of units in the existing residential building prior to conversion.*

There are currently four units in the building, and the conversion will result in four units. No units will be lost in order to satisfy Municipal Code parking requirements. This further reduces the potential of any cumulative impact to the rental market.

*(c) the number of units which would be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements.*

There are currently four units in the building, and the conversion will result in four units. No units will be lost in order to satisfy Municipal Code parking requirements. This further reduces the potential of any cumulative impact to the rental market.

*(d) the adequacy of the relocation assistance plan proposed by the subdivider.*

The relocation assistance plan is proscribed by LAMC section 151.09.G, which requires payment of relocation fees, application fees, and other fees. The applicant is required to comply with this section and compliance with the code is therefore legally adequate. This element is therefore met.

*(e) any other factors pertinent to the determination.*

After the hearing on October 10, 2017, we retained Allan D. Kotin and Associates, a real estate consulting firm, to analyze the market in the Wilshire Community Plan Area to determine whether the removal of four units from the rental housing market would have a significant, cumulative impact to the rental market in the area. The analysis is attached to this document as **Exhibit B**.

The Kotin Report is very clear as to many facts, including the fact that, "there have been, over the last 16 years, only 38 units subject to Ellis Act Eviction in the entire two Census tract areas that we have characterized as the expanded neighborhood for 121 North Sycamore." This results in slightly more than two Ellis Act conversions per year. Two to three Ellis Act Conversions is hardly the definition of "significant cumulative effect" to a Community Plan Area, which is far larger than the existing Census tract areas.

The Kotin Report is also clear that the proposed action will affect only 4 units out of 117,000 available in the Wilshire Community Plan Area. The project consists of 0.0034% of the housing available in the Wilshire Community Plan Area, which makes potential significant cumulative effect almost impossible. Even when one assesses the project within the smaller Census tract subsets, the project is only 0.129% of the available units in the market. Recall also that this project has one tenant who is not subject to the RSO. While the Kotin Report calculates a

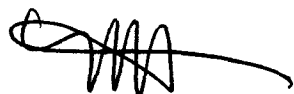
worst-case scenario that all four units would be removed from the rental market, only three units will be affected by the proposed conversion.

While the applicant is aware that removal of rental housing from the market always has the potential for a cumulative effect and will surely affect individuals who live in units subject to conversion, it is not possible for the Commission to make the requisite findings to determine a significant, cumulative impact under the Code. The analysis of the LAMC requirements shows that the impact will be even lesser than the four existing units three unit tenants will be possibly affected, no units will be lost due to parking, all relocation requirements will be met as required by the City, and the quantitative analysis does support a denial of the application.

### **Conclusion**

We request that the Central Los Angeles Area Planning Commission support the Administrative Agency's determination, as well as the Staff Recommendation, to uphold the granting of the Applicant's request to grant a tentative tract map for the site at 121 North Sycamore. While we understand that this is not a less than significant impact to the current tenants, there is no legal basis under the LAMC to make the findings required to deny the request. We appreciate your continued hard work and the continued hard work of the Planning Department Staff related to this request.

Very Truly Yours,



Nicole Kuklok-Waldman

Attachments



## Procedures for Withdrawing Rental Units from the Rental Housing Market

This packet provides information, regulations and required forms related to City of Los Angeles requirements regarding the withdrawal of rental units from the rental housing market. Please note that these regulations only pertain to rental units subject to the City's Rent Stabilization Ordinance (Los Angeles Municipal Code, Chapter XV). **Should you have further questions, please contact the Los Angeles Housing and Community Investment Department (HCIDLA) at (866) 557-7368. Must make an appointment for application submission. Please call (213) 808-8537.**

### Packet Contents

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### Application Forms

- E1 – Memorandum Summarizing Non-Confidential Provisions of a Notice of Intent to Withdraw Units from Rental Housing Use
- E2 – Notice of Intent to Withdraw Units from Rental Housing Use
- E3 – Notice to Tenant of Pending Withdrawal
- E4 – Notice of Interest in Renewing Tenancy
- E5 – Notice to City of Claims for Extended Tenancy
- E6 – Notice to City of Extended Dates of Withdrawal
- E7 – Notice of Intention to Re-Rent Withdrawn Accommodations



## SUMMARY OF ELLIS PROVISIONS OF THE RENT STABILIZATION ORDINANCE

California Government Code Section 7060 et seq., commonly known as the Ellis Act, establishes the right of landlords to withdraw existing housing accommodations, other than guestrooms or efficiency units within a residential hotel, from rent or lease. The Ellis Act does, however, allow local jurisdictions to adopt certain regulations controlling the withdrawal process, the return of withdrawn units to the rental market including penalties for return within two years, and the transfer of these constraints to successors in interest.

The City of Los Angeles (the City) has adopted regulations implementing certain Ellis Act provisions into the Rent Stabilization Ordinance (RSO) which are codified in Sections 151.22 through 151.28 of the Los Angeles Municipal Code. The key provisions of these regulations are summarized below.

### A. Withdrawal Process

- Call (213) 808-8537 to schedule an appointment for application submission.
- Landlords must file a *Notice of Intent to Withdraw Units from Rental Housing Use (Notice of Intent)* with HCIDLA. Appointments are required for submission.
- Landlords must record a memorandum with the County Recorder summarizing the non-confidential provisions of the *Notice of Intent* and provide HCIDLA with a copy of the recorded memorandum at the time the Notice of Intent is filed.
- Landlords must serve each tenant with a *Notice to Tenant of Pending Withdrawal* (Form E3) and the *Notice to Landlord of Interest in Renewing Tenancy* (Form E4) within five days of filing the *Notice of Intent*. The notice to tenants must include an advisement on specific tenant rights.
- All tenants being evicted under an Ellis Act withdrawal are entitled to a minimum of 120 days notice from the date the *Notice of Intent* was filed with HCIDLA.
- Senior (62+) and disabled tenants are entitled to an extension of their tenancies up to 1 year, provided they notify their landlord within 60 days of the filing date of the *Notice of Intent*.
- Landlords may elect to extend the tenancies of other tenants up to 1 year.
- Extended tenancies must continue under the same terms and conditions as existed on the filing date of the *Notice of Intent*.
- Tenants are entitled to relocation assistance payment from their landlord except for when the tenant has signed a relocation assistance waiver. Waivers must be in accordance with LAMC 151.09 G.4 (b or c). However, tenants who have resided in the unit for at least 1 year are still entitled to relocation services.

### B. Relocation Assistance Fees

- The landlord shall pay the relocation fees to the tenants within 15 days of service of the written notice of termination.
- The landlord may elect to pay the relocation fees directly to the tenant or through an escrow account.
- HCIDLA contracts with a Relocation Assistance Consultant. They are responsible for determining the amount of relocation fees the





# RELOCATION ASSISTANCE ESCROW ACCOUNTS

Rent Adjustment Commission Regulations • Section 960.00  
• Effective April 16, 2009

## Rent Adjustment Commission Regulations

### 960.00 RELOCATION ASSISTANCE ESCROW ACCOUNTS

### 961.00 DEFINITIONS

961.1 HUD - U.S. Department of Housing and Urban Development

961.2 LAMC - Los Angeles Municipal Code

961.3 HCIDLA - Los Angeles Housing and Community Investment Department

961.4 Pro-Rata Share - The amount each tenant receives from the total relocation assistance payment provided by the landlord in accordance with the following circumstances:

- a. The entire fee shall be paid to a tenant who is the only tenant in a rental unit;
- b. If a rental unit is occupied by two or more tenants then each tenant of the unit shall be paid an equal share of the fee.

961.5 RAC - Rent Adjustment Commission

961.6 RSO - Rent Stabilization Ordinance, Chapter XV of the LAMC

961.7 Subject Unit - Rental unit from which one or more tenants are being evicted for which the owner must pay a relocation fee pursuant to the RSO.

### 962.00 APPLICABILITY

962.1 The RSO provides that owners must pay tenant(s) a relocation fee in the following circumstances:

- a. Eviction of the tenant so that the owner, the owner's family or a resident manager may occupy the subject rental unit pursuant to LAMC Section 151.09.A.8;
- b. Election of the tenant to permanently relocate from the rental unit pursuant to a Tenant Habitability Plan (RAC Regulation 715.00 et seq.);
- c. Eviction of the tenant for permanent removal of the rental unit from the rental market pursuant to LAMC Section 151.09.A.10.a;

Central (Wilshire) Regional Office  
3550 WILSHIRE BLVD., 15<sup>TH</sup> Floor  
LOS ANGELES, CA 90010

East Regional Office  
2215 N. BROADWAY  
LOS ANGELES, CA 90031

South Regional Office  
690 KNOX ST., Suite 125  
LOS ANGELES, CA 90502



CO-8 Satellite Office  
847 S. VERMONT AVE., 2nd Floor  
LOS ANGELES, CA 90044

West Regional Office  
1645 CORINTH AVE., Suite 104  
LOS ANGELES, CA 90025

North (Valley) Regional Office  
6400 LAUREL CANYON BLVD., Suite 610  
NORTH HOLLYWOOD, CA 91606

Eric Garcetti, Mayor  
Rushmore D. Cervantes, General Manager

P.O. BOX 17280, LOS ANGELES, CA 90017-0280 – (866) 557-RENT – (866) 557-7368 – [HTTP://HCIDLA.LACITY.ORG](http://HCIDLA.LACITY.ORG)



## Required Documentation

**Please call the Landlord Declarations Section at (213) 808-8537 to schedule an appointment for application submission.**

The following documentation is required at the time of application submission:

- ☐ County Recorded Memorandum Summarizing Non-Confidential Provisions of a *Notice of Intent to Withdraw Units from Rental Housing Use* (Form E1)
- ☐ *Notice of Intent to Withdraw Units from Rental Housing Use* (Form E2)
- ☐ Copy of *Notice to Tenant of Pending Withdrawal* (Form E3) for each occupied unit.
- ☐ Copy of notice terminating tenancy to be served to tenants, as required by California State Law.
- ☐ Copy of Grant Deed
- ☐ Copy of Articles of Incorporation or Articles of Organization, if not owned by a natural person.
- ☐ For Demolition/Conversion: Copy of LADBS Notice of Intent to Demolish & Clearance Summary Worksheet.

The following documentation may be submitted after the application has been submission:

- ☐ *Notice of Interest in Renewing Tenancy* (Form E4) *Copy of Form E4 must be provided to Tenant. If tenant provides landlord with Form E4, owner must provide HCIDLA with a copy.*
- ☐ *Notice to City of Claims for Extended Tenancy* (Form E5) *If a tenant is entitled to an extended stay of one (1) year (applies if tenant is at least 62 years of age or is disabled and has lived in the unit for at least one year), the owner must complete Form E5 and submit it to HCIDLA.*
- ☐ *Notice to City of Extended Dates of Withdrawal* (Form E6) *Landlord may provide the one (1) year extension to other tenants. Landlord must submit Form E6 to HCIDLA if tenancy extensions are provided.*
- ☐ *Notice of Intention to Re-Rent Withdrawn Accommodations* (Form E7) *If landlord intends to re-rent withdrawn units, the landlord must submit Form E7 to HCIDLA.*

## Demolition or Conversion Clearance

Are you also requesting a demolition or conversion clearance? ☐ Yes ☐ No

How many units will be demolished?

Are all the units vacant? ☐ Yes ☐ No

*\*HCIDLA will need to verify that the units are vacant before providing the clearance. Verification may take three weeks.*

## Summary of Application Fees Effective 07/01/2017 through 06/30/2018 (Increases every July 1<sup>st</sup>)

	Fees x # of Units	Applicable Fees
<b>Qualified*</b> Unit – Relocation Services Provider Fee:	\$730 x	\$
<b>Eligible*</b> Unit – Relocation Services Provider Fee:	\$455 x	\$
Relocation Services Administrative Fee:	\$63 x	\$
Demolition Monitoring Administrative Fee (Use Demolition Monitoring Services Application):	\$45 x	\$
<i>*See Tenant Information section of this application (p. 3) to determine Qualified or Eligible status.</i>		
<b>Total Amount Due:</b>		<b>\$</b>

## Tenant Relocation Assistance Fees due to Tenants Effective 07/01/2017 through 06/30/2018 (Increases every July 1<sup>st</sup>)

Household Determination	Occupancy Less than 3 Years	Occupancy of 3 Years or More	Low (80%) Income (AMI)* (regardless of length of occupancy)
<b>Eligible</b>	\$8,050	\$10,550	\$10,550
<b>Qualified</b>	\$16,950	\$20,050	\$20,050

If the rental unit is occupied by two or more tenants, each tenant shall be paid a pro-rata share. In accordance with LAMC Sec. 151.09.G2, the landlord shall pay relocation assistance amount owed to the tenant, either directly or via an escrow account in the tenant's name, within 15 days of service of a written notice of tenancy termination.

## 2017 HUD Low (80%) Income Household Limits for Greater Los Angeles (AMI)\*

1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$50,500	\$57,700	\$64,900	\$72,100	\$77,900	\$83,650	\$89,450	\$95,200



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akotin@adkotin.com  
www.adkotin.com

## Memorandum

**TO:** Nicole Kuklok-Waldman  
**CC:** Sue Sturmer  
**FROM:** Allan D. Kotin  
**RE:** **SUMMARY OBSERVATIONS ON THE HOUSING AND DEMOGRAPHIC ANALYSIS  
CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

**DATE:** November 6, 2017

At your request, Allan D. Kotin & Associates (ADK&A) has prepared a housing and demographic analysis of the Wilshire Community Plan Area and, more specifically, Census tracts 2140 and 2141, which include the subject property. The background for this analysis is an appeal of a decision by the City Advisory Agency to approve the condominium conversion of a 4-unit multifamily rental property at the above address. As we understand it, the situation is as follows:

*The Commission became concerned that the conversion could be cumulatively significant. After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect of the rental housing market in the planning area of successive residential or residential to commercial/industrial conversion projects (past, present and future) is significant. A finding of significant cumulative effect shall be based on the following factors: (a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing residential building prior to conversion; (c) the number of units which would be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination.*

ADK&A was asked to provide a statistical analysis addressing some of the issues above. To that end, a detailed profile of the property's neighborhood in the context of the whole Wilshire Community Plan Area was prepared by Sue Sturmer, a subcontractor to ADK&A, and is attached to this memo.

The specific characteristics examined in the profile include: (1) Comparative Demographics & Rental Markets; (2) Comparative Land Use; and (3) Comparative Ellis Act Evictions. Based on these analyses, we would offer the following observations:

### **Diversity within the Wilshire Community Plan Area (WCPA)**

The WCPA is a very heterogeneous part of Los Angeles and within that area, the western portion within which the subject property is located is characterized by higher income, higher rents, and a greater proportion of home ownership, all of which suggest that this is not a location in which the preservation of low market rate rental housing is a major priority.



## Memorandum

**Re: HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

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### **Land Use Patterns**

Loss of older moderately priced housing is most pronounced in areas with potential for redevelopment as high density multifamily. Within the WCPA, there are major differences in that regard. In the western area in which the subject is located, there is little if any high density residential zoning, except for a single older project built as La Brea Towers. Zoning patterns clearly show that it is only in the eastern portion of the WCPA that there is any pattern of high density zoning leading to the elimination of older lower cost housing to be replaced by high density higher cost new apartments.

### **Ellis Act Evictions as An Indicator of Displacement**

One useful indicator of the extent and seriousness of low-to-middle-income tenant displacement, which clearly is an appropriate focus for the Commission, is the number and location of Ellis Act Evictions. ADK&A has analyzed this indicator for both the WCPA as a whole and the neighborhood surrounding the subject site. The analysis shows that there is a strong correlation between zoning and properties withdrawn from the Ellis Act. The high density residential area in the eastern third of the Wilshire CPA, as noted above, also has the largest cluster of Ellis Act evictions. The center portion of the Wilshire CPA has very few Ellis Act evictions, again most likely due to the homogenous demographics of the residents and the historic preservation limitations on demolition. In fact, there have been, over the last 16 years, only 38 units subject to Ellis Act Eviction in the entire two Census tract areas that we have characterized as the expanded neighborhood for 121 North Sycamore.

Finally, ADK&A would first note the very small numerical effect of the action at 121 N. Sycamore. With only 4 units in question out of more than 117,000 in the planning area, this project is less than four thousandths of 1% (0.0034%). Considering only the neighborhood of the site defined for this analysis, i.e. two Census tracts containing a total of 3,100 units, the four units in question are just over one tenth of one percent (0.129%). Whatever really trivial effect this project will have on maintaining lower end market rate rentals is further reduced by observations on rents, land use and evictions provided above.





## Memorandum

**Re: HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

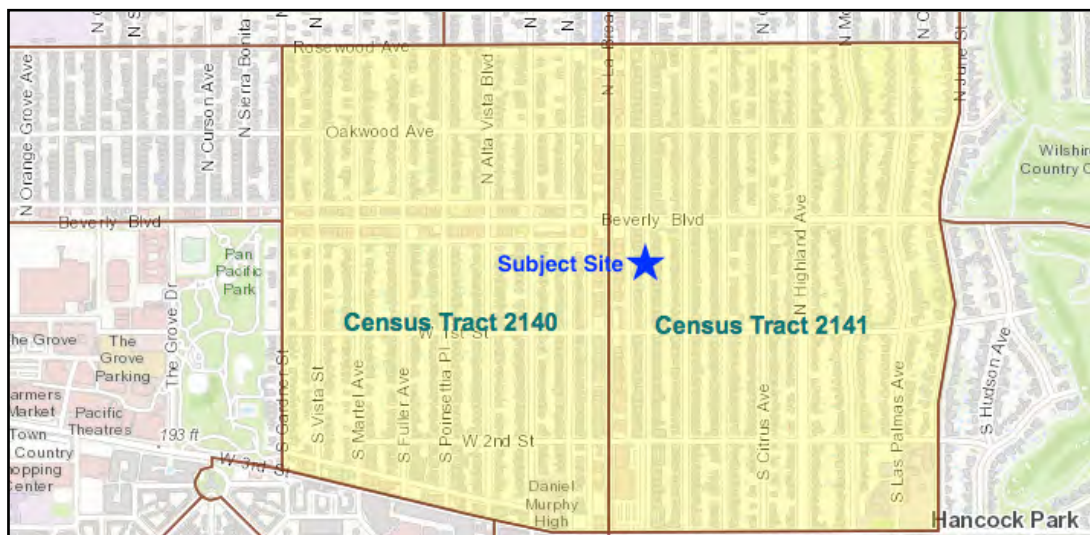
**Site Location: 121 N. Sycamore Avenue**  
**Community Plan Area: Wilshire**

### Residential Supply Analysis

The subject site, located at 121 N. Sycamore Avenue, is located in the northwestern portion of the Wilshire Community Plan Area (CPA). The Wilshire CPA is very diverse in terms of demographics and land use. However, this portion of the Wilshire CPA is very homogenous in both regards, and clearly is an affluent area that has a stable housing supply for both renters and owners. Median rents in the immediate area are the highest in the Wilshire CPA, and are at or above market. This analysis will show that the immediate area around the subject site is not in danger of cumulative displacement for a variety of factors: high median incomes for both renter and owner-occupied households; a high number of owner-occupied units; land use, lot size, and historic preservation constraints; and lack of proximity to major transportation corridors, current and future mass transit lines, and downtown Los Angeles. In order to conduct this analysis, the immediate neighborhoods around the site were examined using data from two Census tracts and then compared with Census data for the Wilshire CPA.<sup>1</sup>

### Subject Site Areas

The subject site, 121 N. Sycamore Avenue, is located just east of La Brea Avenue and south of Beverly Boulevard.



Neighborhood for Smaller Scale Analysis

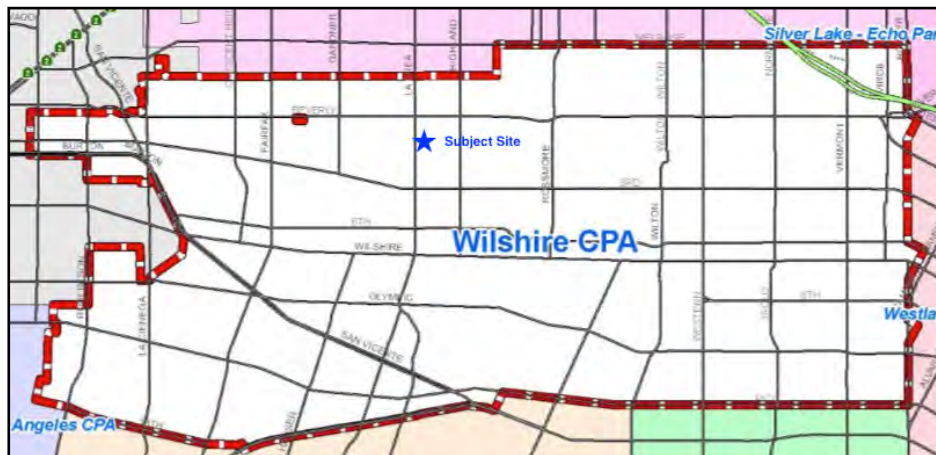
<sup>1</sup> All Census data is from the 2015 ACS 5-year Estimate



## Memorandum

Re: **HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

The eastern edge of the Wilshire CPA is approximately 6 miles west of downtown Los Angeles, while the western edge abuts the City of Beverly Hills. The plan area is bounded by Melrose Avenue and Rosewood Avenue to the north; Venice Boulevard and Pico Boulevard to the south; Hoover Street to the east; and the Cities of West Hollywood and Beverly Hills to the west.



Wilshire Community Plan Area

### Comparative Demographics & Rental Markets

The Wilshire Community Plan Area is a very heterogeneous part of Los Angeles. Its location between two divergent places—the City of Beverly Hills and the Westlake District near downtown—speaks loudly to the demographic and rental market changes that occur moving from west to east. These changes are most pronounced in terms of the number of renter households and household median income. As shown below, in the two Census tracts surrounding the subject site, 67% and 42%, respectively, of household are renter-occupied (the site itself is located in the tract with 42% renters). However, in the Wilshire CPA as a whole, the large majority of households (83%) are renter-occupied.

	Total Population	Household Size	# Renter-Occupied Units	# Owner-Occupied Units	Family Households	Nonfamily Households
CT 2140	3,845	2.85	563	784	790	557
CT 2141	4,257	2.44	1,170	576	927	819
Wilshire CAP	286,733	2.41	97,839	19,772	59,407	58,204





## Memorandum

**Re: HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

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The differences between the immediate area around the subject site and the Wilshire CPA are even more striking when examining median incomes and median rents, shown below.

	Median Income	Median Rent	Median Income-Renters	Median Income - Owners	% Below Poverty Level
<b>CT 2140</b>	\$79,968	\$1,905	\$71,969	\$103,148	5.3%
<b>CT 2141</b>	\$103,523	\$2,369	\$82,350	\$138,214	7.1%
<b>Wilshire CAP</b>	\$51,804	\$1,291	\$44,881	\$84,043	22.0%

As can be seen, the median incomes in the area surrounding the subject site are quite high compared to the Wilshire CPA. In fact, the median incomes for both Census tracts are well above the median for the City of Los Angeles, while the overall Wilshire CPA median is almost the same as that of the City (\$50,205 in 2015). All of the lowest median incomes found in the Wilshire CPA are in Census tracts that about the Westlake CPA (the lowest, at \$20,932, is in tract 2122.02).

The median income for renters is just as disparate. While renters in the Wilshire CPA as a whole have a median income well below the City's, renters in the two Census tracts surrounding the subject site have quite high median incomes—138% and 159% of the Wilshire CPA's median income, respectively. With incomes at this level, it is highly unlikely that renters in the two Census tracts could be termed at-risk low-income tenants.

Lastly, the same divergence seen in median incomes is repeated in terms of median rents. The median rent in the Census tract in which the subject site is actually located (CT 2141) is the highest in the entire Wilshire Community Plan Area, and 184% higher than the CPA's median rent. The rent in Census tract 2140 is the third highest in the Wilshire CPA.

### Comparative Land Use

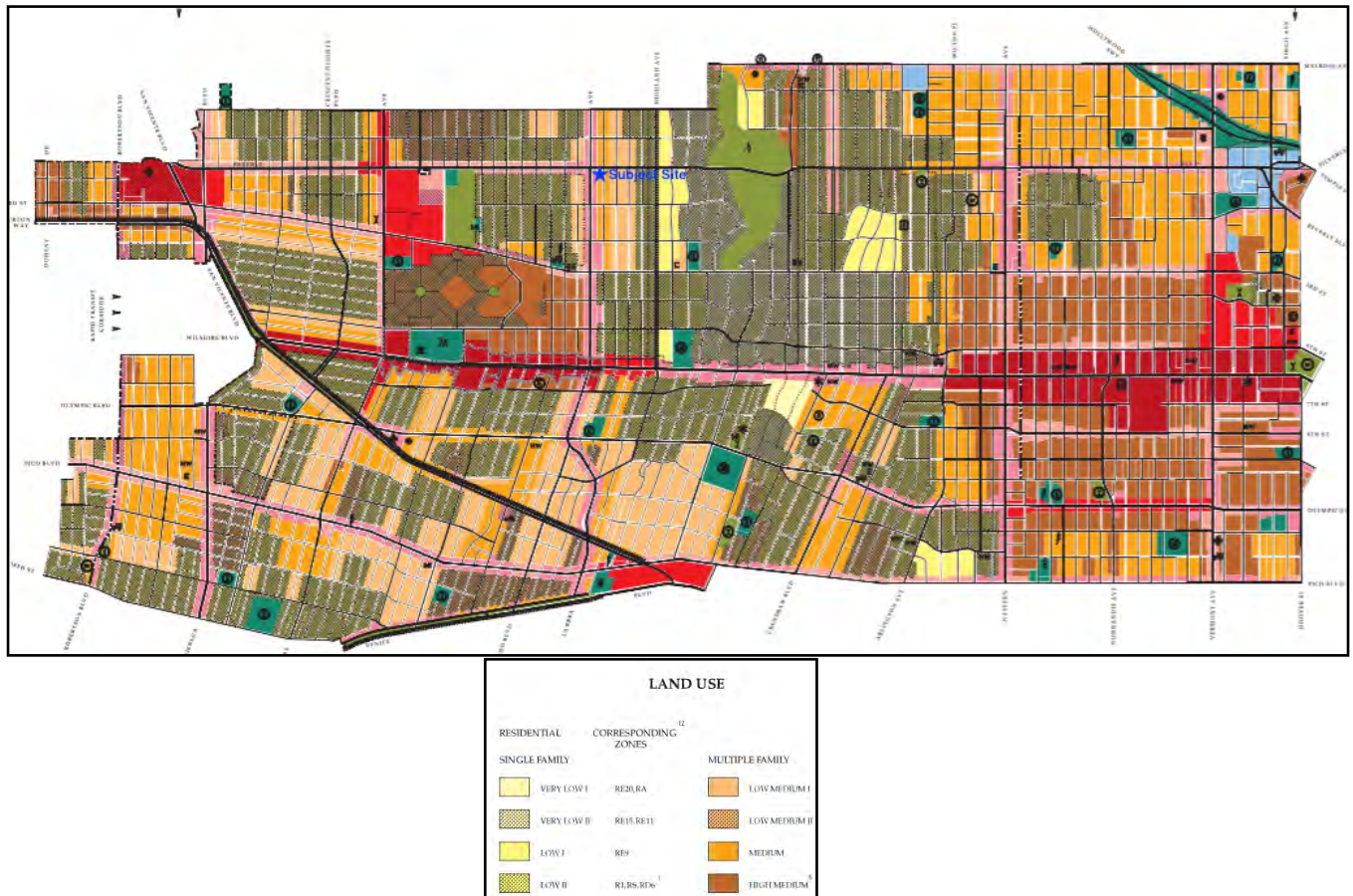
As shown below, the land use in the Wilshire Community Plan Area changes significantly with proximity to downtown Los Angeles. The general area around the subject site is zoned primarily for single family residential. Due to proximity to both the commercial corridor along La Brea Avenue and the Grove/Farmer's Market commercial center nearby to the west, the streets immediately to the east and west of La Brea are zoned for low and medium multifamily residential (R-2 and R-3). However, with the exception of the nearby historic La Brea Towers, the area does not have any high density multifamily residential land use. Almost all of the high density multifamily residential land use—and very little single family residential land use—is located in the eastern third of the Wilshire CPA, which is closer to downtown Los Angeles.



## Memorandum

Re: **HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

It also should be noted that the areas to the immediate east and west of the subject site have historic preservation overlays (Hancock Park and Miracle Mile North Historic Preservation Overlays). In fact, the immediate area around the subject site differs substantially from the Wilshire CPA in terms of the year in which structures were built. In the two Census tracts around the subject site, the vast majority of structures were built before 1939 (72% and 79%, respectively), as compared to only 40% in the Wilshire CPA as a whole. Thus, the housing inventory in the immediate area around the subject site, which was built in 1926, has remained very static given CEQA's historic preservation limitations on demolition or significant alteration of older structures.



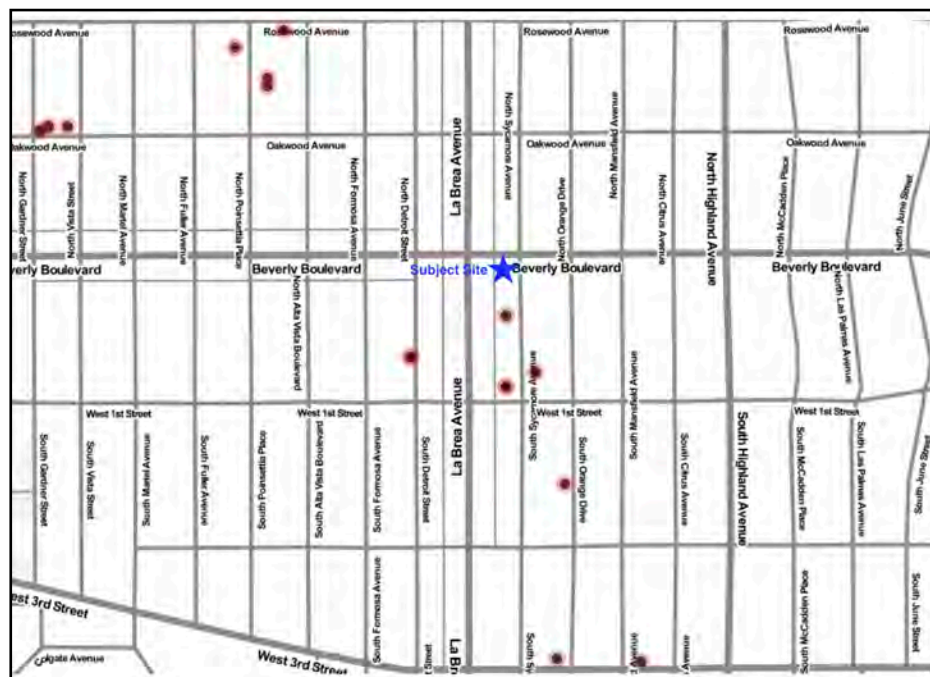


## Memorandum

Re: **HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

### Comparative Ellis Act Evictions

There have been 22,484 Ellis Act evictions in the City of Los Angeles between January 2001 and July 26, 2017. As shown below, of these, only 38—0.17%—have been located in the neighborhoods around the subject site over a 16.5 year period.



Ellis Act Evictions in Subject Site Area

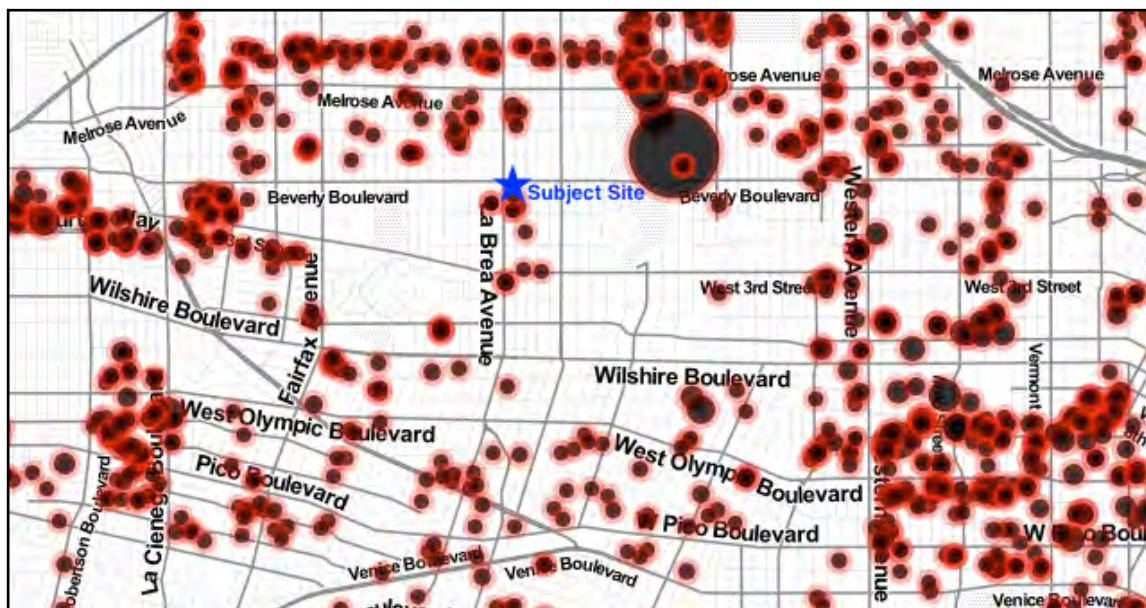
As can be seen in the map below, which takes in the whole Wilshire CPA, there is a strong correlation between zoning and properties withdrawn from the Ellis Act. The high density residential area in the eastern third of the Wilshire CPA, discussed in the land use section above, also has the largest cluster of Ellis Act evictions. The center portion of the Wilshire CPA has very few Ellis Act evictions, again most likely due to the homogenous demographics of the residents and the historic preservation limitations on demolition.



## Memorandum

Re: **HOUSING AND DEMOGRAPHIC ANALYSIS CONDUCTED IN CONNECTION WITH 121 N. SYCAMORE CONDO CONVERSION**

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Ellis Act Evictions in Approximate Wilshire CPA – 2001 to July 29, 2017





## APPLICATIONS:

## APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

## 1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☒ Area Planning Commission      ☐ City Planning Commission      ☐ City Council      ☐ Director of Planning

Regarding Case Number: AA-2016-3648-PMLA-CC/ ENV-2016-3649-CE

Project Address: 121 North Sycamore Avenue

Final Date to Appeal: 09/01/17

Type of Appeal:      ☐ Appeal by Applicant/Owner  
☒ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved  
☐ Appeal from a determination made by the Department of Building and Safety

## 2. APPELLANT INFORMATION

Appellant's name (print): Sylvie Shain

Company: \_\_\_\_\_

Mailing Address: PO Box 995

City: Los Angeles

State: CA

Zip: 90078

Telephone: (302) 983-8136

E-mail: sylvie@sylvieshain.com

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

☒ Self

☐ Other: \_\_\_\_\_

- Is the appeal being filed to support the original applicant's position?

☐ Yes

☒ No

## 3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

#### 4. JUSTIFICATION/REASON FOR APPEAL

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

Are specific conditions of approval being appealed? ☐ Yes ☒ No

If Yes, list the condition number(s) here: \_\_\_\_\_

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

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

#### 5. APPLICANT'S AFFIDAVIT

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

Appellant Signature: \_\_\_\_\_

Date: 09/01/17

#### 6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
  - Appeal Application (form CP-7769)
  - Justification/Reason for Appeal
  - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
  - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: \$89.00	Reviewed & Accepted by (DSC Planner): ARIEL B. MORENO	Date: 9/1/2017
Receipt No: 0104784258	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

## **JUSTIFICATION OF APPEAL TO CENTRAL AREA PLANNING COMMISSION**

**Appellant: Sylvie Shain**  
**Case Numbers: AA-2016-3648-PMLA-CC / ENV 2016-3649-CE**  
**Project Address: 121 North Sycamore Avenue**

This appeal is filed by Sylvie Shain, herein referred to as ("Appellant"). The appeal is based on the grounds that the Department of City Planning and its Deputy Advisory Agency ("DAA") erred and abused its discretion by approving this condominium conversion and related parcel map for 121 North Sycamore Avenue and granting a Categorical Exemption ("CE") as the environmental review for the proposed project.

Appellant is a resident and taxpayer of the city of Los Angeles and is aggrieved by this decision because she is a displaced and rent-burdened tenant in the city of Los Angeles, who lost her own rent-stabilized home of 10 years for a hotel conversion project. The burden she is experiencing is the direct result of the City's failure to protect its existing affordable rent-stabilized housing stock. Appellant is also a housing rights advocate who opposes the destruction of rent-stabilized housing and active member of the Los Angeles Tenants Union, a citywide member-led housing rights group that advocates for the protection of renters through the enforcement and improvement of existing housing and land use laws. Appellant is thereby entitled to the full enforcement by the City of its local zoning and planning laws, the California Environmental Quality Act, and other state and local laws pertaining to this project.

The DAA abused its discretion because:

1. The project violates the City's zoning code;
2. The project violates the City's subdivision ordinance;
3. The project violates the City's condominium conversion ordinance;
4. The project violates the City's rent stabilization ordinance;
5. The project violates the General Plan of the City of Los Angeles;
6. The project violates the Wilshire Community Plan;
7. Under the California Environmental Quality Act (CEQA) an Environmental Impact Report or Mitigated Negative Declaration should have been prepared for the project instead of a Categorical Exemption;
8. The conditions of approval are not sufficient to mitigate impacts of the project below a level of significance under CEQA;
9. The conditions of approval do not mitigate impacts of the project;
10. The approval of the project is not supported by adequate findings; and
11. The findings in support of the approval of the project are not supported by substantial evidence in the record.
12. The project violates the state's Ellis Act (Government Code section 7060-7060.7).

**Appellant will submit additional correspondence and support for her appeal before the Central Area Planning Commission meets to consider the appeal.**



November 4, 2017

Central Area Planning Commission  
Room 532, 200 N. Spring St., Los Angeles, CA 90012

**Re: Case # AA-2016-3648-PMLA-CC-1A/ ENV-2016-3649-CE (121 N Sycamore) (Hearing Date: 11/14/17)**

Dear Honorable Members of the Central Area Planning Commission,

I wanted to thank you for taking the time to carefully consider the arguments and evidence presented at the first hearing on October 10<sup>th</sup>. You recognized the significance of the concerns raised by the Appellants and the 22 members of the public that came to provide testimony in opposition to the condominium conversion of 121 N. Sycamore and to the importance of establishing clear, objective guidelines in the determination of significant cumulative effect-something the Department of City Planning should have done a long time ago.

There were a number of misrepresentations made by the City Planning Department and the Applicant's representatives at the last hearing for which I wanted to provide further clarification in a manner in which you will have available for reference at the continuation hearing. To that end, on behalf of myself and the other appellants, I am submitting binders with exhibits and explanations that I hope you will find helpful.

I ask that you please re-open public comment when the matter comes back before the Commission on Nov. 14<sup>th</sup> in order to provide a fair hearing and an opportunity to address whatever new information the Department of City Planning will be providing. It is in fact DCP's decision that we are challenging and therefore should have an opportunity to rebut as the department had made many misstatements to the record in an effort to support its original conclusion. At the very least, if there is concern over re-opening public comment and therefore having a long hearing, I'd ask that you at least call upon me, as I can represent all the Appellants when I speak and am very knowledgeable on condo conversions, the Ellis Act, and the specific failures in this case.

I listened to the hearing audio in order to prepare this response. Quotations are used to denote actual words/phrases used by representatives.

### **THE CONDO CONVERSION APPLICATION WAS NOT COMPLETE**

During the hearing, Commissioner Chemerinsky asked Kevin Golden, from City Planning to respond to the contention that the application for this condo conversion was not complete when it was processed. Mr. Golden's response was simply a conclusory statement that, "The application was deemed complete." He offered no evidence to refute the evidence I provided and am including to support this contention in Exhibits 1 & 2.

**EXHIBIT 1** is the Preliminary Parcel Map Instructions & Checklist-page 5 (Re: Condominium Conversions). The highlighted items were missing from the file when it was processed.

- a. The Applicant submitted a parking schematic but it does not meet the specifications to be a “Certified Parking Plan”, as it does not have all required measurements, which require it to be to scale and show all widths nor does it have the required stamp by an engineer. The applicant simply shows the existing 5-car garage as a 6-car garage with no indication as to how he will account for the additional parking spot.
- b. There was no sales information provided in accordance with Section 12.95 (D)(3) of LAMC
- c. There was no certified statement provided by the tenants
- d. The list of pending and approved condo conversions was limited to the last 10 years, when this was in fact a lull in the market. The instructions ask for a list of “**all**”, not partial.
- e. There was no list of vacant and available comparable rental units within 1 ½ mile that was submitted prior to approving this application.

**EXHIBIT 2** are the DCP Guidelines that were implemented by the Department and introduced to Council at the height of the last condo conversion craze in 2008 and has since vanished. I found it on the City Clerk website but the department has failed to maintain its own policies, meant to responsibly and diligently consider all pertinent factors in these approvals. “Exhibit B” very clearly outlines a series of questions, some of which closely resemble the above-mentioned checklist. The highlighted information is missing from the file, including critical information necessary to make the cumulative impact finding, such as “no of tenants who are able to purchase a unit”.

### **THE PARKING PLAN IS INADEQUATE and IS NOT CERTIFIED**

**EXHIBIT 3:** Applicant failed to submit a Certified Parking Plan, according to the specifications outlined in Exhibit 1. Additionally, Applicant’s representative testified at the first appeal hearing that the existing 5-car garage was not being touched and that they were planning to accommodate the extra space on the side. Except that is not possible because the side-yards are much too small and already non-conforming (see photos in **EXHIBIT 4**).

The rep then said the following:

*“It was being submitted here that we have a 5-car garage. Also it shows in the original certificate of occupancy and building department that it is actually a 5- car garage. And we we are not touching it- it’s still going to be a 5-car garage but then we are adding an open space - there is an open space that we submitted in the certified parking plan that shows that its going to be the 6<sup>th</sup> as for the guest usage. So literally we are not touching the the garage and it was on the building and safety side they will approve it because everything is all original as it was like on other condo conversion.”*

## **LIST OF COMPARABLE UNITS WERE NOT SUBMITTED WITH THE APPLICATION AS REQUIRED FOR THE RELOCATION PLAN**

There was much discussion at the hearing as to a relocation plan but per the DCP guidelines, comparable units must be submitted to provide critical information in determining the satisfactory nature of the Relocation Plan. The department used a regional HUD number of \$1500 to make its determination. The Applicant's rep incorrectly asserted that the loss of these units were insignificant because they were above the 80%AMI on HCID's Schedule 1. Actually, by comparing the rents on the Tenant Info Chart (**EXHIBIT 5**) to that same Schedule 1, which is **EXHIBIT 6**, it shows that the rents in effect are all below moderate income levels and far below market rates...See comps in **EXHIBIT 7**.

With respect to the Relocation Plan, there is a distinction to be made between mandatory minimum relocation assistance mandated by the city, and the determination that the "Plan" is adequate. In fact, the condominium conversion ordinance itself already allows for more than the minimum notice under the Ellis Act, requiring a full 180 days minimum notice so the assumption that the minimum statutory benefits required is adequate in every and all cases, disregards the fact that the plan may actually warrant adjustment based on the circumstances and is why it is one of the factors required for consideration under the cumulative impact finding.

Kevin Golden incorrectly asserted that relocation assistance amounts are set by state law. They are in fact, under the purview and authority of the city. The State Law mandates that the Ellis follow a certain process, but does not set the amounts for relocation benefits. Please see excerpt of the Ellis Act in **EXHIBIT 8**.

## **CONVERSION GOES AGAINST STATED OBJECTIVES OF THE WILSHIRE COMMUNITY PLAN**

This condominium conversion is taking units that are affordable for those of us now living there and converting them to luxury for-sale units that none of us can afford. The building across the street was converted a couple of years ago and three of the four units sold for over \$1,000,000.00. This goes against stated objectives in the Wilshire Community Plan, including the number one stated goal of the plan, which is to "Provide A Safe, Secure, And High Quality Residential Environment For All Economic, Age, And Ethnic Segments Of The Wilshire Community."

Additionally it contradicts Objective: 1-4: "Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens". Senior citizens are actually being displaced from here and when I canvassed my neighborhood I met a woman, a senior on a fixed income living on the next block in an under-market unit, who was also concerned that her building was also purchased for the purpose of converting it.

**EXHIBIT 9:** And last, but certainly not least, this conversion goes against a stated Policy: 1.4-2 “Ensure that new housing opportunities minimize displacement of residents”. This couldn’t be more clear. It doesn’t say ‘new housing construction’...it purposefully states new housing opportunities. This condo conversion is not minimizing but instead maximizing the displacement of all of its residents.

**THIS PROJECT IS NOT EXEMPT FROM CEQA BECAUSE IT HAS A SIGNIFICANT CUMULATIVE IMPACT THAT HAS NOT BEEN MITIGATED**

There was much talk about cumulative effect as it pertains to the finding in the condominium conversion ordinance but irrespective of that, under CEQA, the effect of all loss of rent-stabilized units is pertinent and must be mitigated. There are 5 exceptions to categorically exempt CEQA classes (see **EXHIBIT 10**) and this one meets the criteria under CEQA for being a significant cumulative effect in terms of the overall loss of rent-stabilized housing in the Wilshire Plan Area and throughout the city, as indicated in the Ellis Map in **EXHIBIT 11**. The continuous purge of rent-stabilized housing is directly related to our homelessness and affordability crisis with more than 50% of LA renters cost-burdened, and a third, severely cost-burdened.

Projects like these only accelerate that loss of affordability as property owners seek to cash in by taking their RSO units off the market.

**THE FINDING HAS BEEN MET THAT THIS PROJECT WILL HAVE A SIGNIFICANT SUCCESSIVE CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE WILSHIRE PLAN AREA**

The Condominium Conversion ordinance (**EXHIBIT 12**) states that one of its main purposes is to "protect the existing rental housing stock by reducing conversions." A finding that the vacancy rate in the Plan area is below 5% indicates that the rental housing market is under strain and requires a careful review of the project to determine if there will be any cumulative effects and if so, the conversion must be denied.

The relevant criteria for review of the cumulative effects enumerated in the code has language aimed at identifying whether the project will reduce or increase the supply of available housing and subsequently increase or reduce demand, by turning tenants into owners.

The following factors for consideration in this project yield an impact that is cumulatively significant:

Factor 1: in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building.

None of the tenants will be able to afford to purchase a unit in the building, as comparable units in the building across the street that were converted to condos sold well over a million dollars.

Factor 2: the adequacy of the relocation assistance plan proposed by the subdivider.

There is no Relocation Assistance Plan as required. Per the Department Guidelines (submitted) a Relocation Plan is supposed to be offered to tenants who do not purchase units and outline both of the following:

- a. Amounts of relocation assistance to be provided to each tenant
- b. Applicant's plan to assist tenants in finding comparable housing

No comps were even provided and no “plan” was proposed. The Owner testified that he had offered all the tenants \$30-40k but they contend that this is false and are submitting statements to the record to that effect.

Factor 5: While the department limits its interpretation of the cumulative impact finding to mean that it only need consider conversion projects, the last factor requires the department to consider: **ANY** other factors pertinent to the determination.

This allows for all the lost RSO units in the Plan Area to be considered. Out of the 22,000 RSO units lost throughout the city since 2001, 3,014 of them (nearly 14%) have been in the Wilshire Plan Area and 9% of units lost were to condo conversions. This is a significant cumulative impact.

**EXHIBIT 13**: Even if you were to consider only the succession of conversion projects within 1000 feet of the proposed project, you would find a proliferation of this project type, especially on the 100-block of Sycamore. This would be the fourth condo conversion on the block, including a conversion across the street that may be connected to the same Applicant. And the fifth is 900ft away. This represents a cumulative loss of almost 49 RSO units in less than 1000 ft. Even the city’s own CEQA thresholds require a loss of 25 units or more to be significant and require mitigation. This is a significant cumulative impact.

In the analysis of cumulative effects, it is critical to analyze it within a context. Blake Lamb testified to the effect that there were only a “small number” of units lost to condo conversion but the question has to be weighed in a context of a city in crisis that is unable to build the 30,000 low to moderate income units that it needs. That is the point of these findings so as to not allow these conversions when they do not turn renters into owners and when they contribute to more loss of affordability.

The question is not whether this is individually significant but whether it is cumulatively significant. Within the context of escalating homelessness, rents, and rent burden, there is no other possible conclusion than to recognize every loss of a unit that is under-market as a

quantifiable cumulative impact that is not being mitigated and that is only exacerbating the crisis. If the context were a healthy market, then the loss of a unit might not have an impact because it would be absorbed into the market without resulting in a cumulative effect, but this is not the case.

You have the discretion to make the findings necessary to deny this project and protect our rental housing stock. Please vote to uphold this appeal. Thank you.

Respectfully yours,

Sylvie Shain  
Housing Rights Advocate



## **EXHIBIT LIST FOR 121 N SYCAMORE APPEAL**

Prepared by Sylvie Shain

1. PRELIMINARY PARCEL MAP INSTRUCTIONS & CHECKLIST-page 5 (Re: Condominium Conversions)
2. DCP CONDO CONVERSION GUIDELINES (2007) from City Clerk file
3. SUBMITTED "PARKING PLAN" IS NOT A "CERTIFIED PARKING PLAN"
4. PHOTOS OF EXISTING 5-CAR GARAGE AND SIDEYARDS
5. TENANT INFO CHART
6. HCID LAND-USE AND RENT SCHEDULE 1
7. COMPARABLE RENTAL LISTINGS
8. EXCERPT FROM THE ELLIS ACT
9. EXCERPT FROM THE WILSHIRE COMMUNITY PLAN
10. CEQA EXEMPTION EXCEPTIONS
11. ELLIS EVICTION MAP IN WILSHIRE PLAN AREA
12. CONDOMINIUM CONVERSION ORDINANCE
13. RSO UNITS LOST TO CONDOS

RELATED INFORMATION

CONDOMINIUM CONVERSIONS:

- 1 ☒ CERTIFIED PARKING PLAN: **four copies** (to scale-shows existing and new parking spaces, columns and driveway and aisle widths). Please identify parking type: tandem, covered, subterranean, compact, standard.
- 2 ☒ Certificate of occupancy: **one copy** (issued by Building and Safety Department)
- 3 ☒ Tenant Mailing List: **four sets** (two on gummed labels)
- 4 ☒ Building (typical floor plans) and site plans: one set (shows building features - number of units, habitable rooms per unit, trash storage and common areas)
- 5 ☒ Tenant questionnaire: (name; age; address each tenant; number minor children each unit; total number project occupants and number of Qualified Tenants and Eligible Tenants; rent schedule 18-month preceding) must be for entire 18-month period, not just a current rent schedule (CP-6345), and a relocation assistance plan (residential only)
- 6 ☒ Sales information: (anticipated range of sales; anticipated terms to tenants; whether sales will be permitted to families with minor children). Attach separate sheet, if necessary.
- 7 ☒ Certified statement from each tenant that they have received a written notification of the intention to convert at least 60 days prior to filing the tentative map in accordance with Section 66452.9 of the State Subdivision Map Act.
- 8 ☒ Certified statement that all rental applicants during and after 60-day period prior to filing will be given notice of the pending application in accordance with Section 66452.8 of the Subdivision Map Act
- 9 ☒ Certified statement that all rental applicants during and after 60-day period prior to filing will be given a written copy of relocation assistance provisions of sections 47.06 and 47.07 of and LAMC
- 10 ☒ A list of all pending and approved condominium conversion applications within vicinity of 1½ mile radius. The list must be consistent with the radius map at the time of submittal.
- 11 ☐ Current list of vacant and available comparable rental units within 1½ mile radius of building being converted.

NEW CONDOMINIUMS:

- ☐ Submit a set of complete plans with application.

HILLSIDE AREAS:

- ☐ Show existing contours on the preliminary parcel map at intervals of not more than 5 feet.
- ☐ Submit four copies of soils and geologic report to the Department of Building and Safety, Grading.
- ☐ State the average slope density if slope is greater than 15%.
- ☐ Check the Community Plan for slope density restrictions.

May 20, 2008

PLANNING AND LAND USE MANAGEMENT COMMITTEE

**WEEKLY STATUS REPORT ON CONDOMINIUM CONVERSION**

Since May 2007 to April 2008, the Planning Department took in 427 Tentative and Vesting Tentative Tract Maps with 377 decisions made. The number of cases which were condominium conversions, 68 cases was filed with 108 decisions made. Of the 108 decisions made, 12 requests were denied and 6 were withdrawn. These are summarized as follows:

**AS OF MAY 1, 2007 TO APRIL 30, 2008**

Total Filings	427
Total Decisions	377
Total Condominium Conversions filed	68
Total Condominium Conversions decisions	108
Approvals	90
Denials	12
Withdrawn	6

**AS OF MAY 1, 2006 TO APRIL 30, 2007**

Total Filings	717
Total Decisions	586
Total Condominium Conversions filed	231
Total Condominium Conversions decisions	163
Approvals	106
Denials	3
Withdrawn	0

**NOTE:** Prior to May 2007, the Expediting Section of the Department and a Strike Team of outside consultants hired by the Department addressed condominium conversions as well as other subdivision cases filed with the Department. Since May 1, 2007, only the Division of Land within the Department addressed condominium conversion filings.

**Department of City Planning Web site (DCP Internet)**

Condominium Conversion case filing information is now available on the Department's web site. In order to retrieve this information once you are in the Department's web site, go to the "Case Information", then to "Condo Conversion Reports."

Date: 5-20-08  
Submitted in PLUM Committee  
Council File No: 16-1325-S1  
Item No.: 11  
Deputy: B. FRANKS

The Condominium Conversion Report includes the following information: (1) Case Number, (2) Address, (3) Council District, (4) Units per Certificate of Occupancy (C of O), (5) Units Applied for, (6) Community Plan Area, and (7) File Date

Additional "*Case Information*" provided on the Department's web site include: (1) Bi-Weekly Case Filing, (2) Quarterly Case Activity and (3) Summary Case Information.

Schedules of the Public Hearings for the condominium conversion cases can also be accessed from this site.

## **Applications**

On April 23, 2007, the Planning Department, adopted new application procedures for residential condominium conversions to require Subdividers filing conversions to provide the following new requirements as indicated in *Attachment B* to allow the Advisory Agency to evaluate the factors contained in Section 12.95.2-F,6 pertaining to the Findings on Vacancy Rate and Cumulative Impacts.

### Vacancy Rate Procedure

In order to address the Findings on the Vacancy Rate, utility usage data received from the Department of Water and Power within the Plan areas are utilized. The vacancy rate for Plan areas may change from month to month

### Cumulative Impact Procedure

In order to address the Findings on the Cumulative Impacts, the public counter now instructs all applicants filling residential condominium conversions to provide a list of all pending and approved condominium conversion applications within the vicinity of a building proposed for conversion as determined by the Planning Department. This information is available to the public through the ZIMAS public web site. From ZIMAS, a report can be generated to identify all pending and approved condominium conversion cases. Cases with a suffix beginning with Tentative Tract (TT), Preliminary Parcel (PMLA), followed by a Condominium Conversion (CC) suffix can be obtained using the ZIMAS site. Once a list is generated, a matrix key is prepared by the applicant to determine all pending and approved condominium conversion cases within a 500' radius of the proposed residential conversion project. With this information, the Planning Department, Advisory Agency, can quantify cumulative impacts to the surrounding neighborhood and determine whether or not a proliferation of residential conversions has result in the neighborhood where the project is proposed.

In order to address the Findings on the Adequacy of the Relocation Plan, applicants are now required to submit a current list of vacant and available comparable rental units within 1 ½ mile radius of the proposed project site. Obtaining this information is



beneficial for the decision maker because it provides the solid ground work for making good findings to support a discretionary approval or denial of a project where the vacancy rate is either above 5% or below 5%. This information is also useful because it makes available to each tenant, at no cost, a reasonably complete and current list of vacant and available rental units which are comparable as to cost, size and amenities to the unit occupied by the tenant of a building undergoing condominium conversion.

In order to address the Findings on the number of tenants willing and able to purchase their units or units being combined, the subdivider is required to provide copies to the Division of Land with the filing of the Applications of the offers to the tenants with any incentives provided or offered and tenants responses to the offers.

### **Conditions of Approval**

The Condominium Conversion Conditions of Approval requires the subdivider to:

1. Record a Covenant and Agreement binding the applicant and any successor in interest to provide *relocation assistance* in a manner consistent with the Los Angeles Municipal Code (LAMC) and any additional ordinances that may provide greater relocation assistance for tenants being evicted. The covenant and agreement shall be executed and recorded within 10 days after expiration of appeal period (and final action thereon) and a copy provided to each tenant within five days of recordation of the covenant and agreement. **Failure to meet the requirement of this condition – including time limits – may be grounds to disapprove the final map**
2. Pay a fee of \$ 1,492.00 for each unit in lieu of the previous required amount of \$ 500.00 per unit prior to conversion to the Rental Housing Production Account of the Housing Department per Section 12.95.2-K of the LAMC

### **Neighborhood Council Packet Procedure**

On June 11, 2007, the Department of City Planning, in collaboration with the Certified Neighborhood Councils (CNC), introduced a new procedure requiring all applicants to provide a duplicate copy of a newly created case file to the Certified Neighborhood Council for the area in which the project is located, postage affixed, and the applicants address as the return address. If the project is in an area served by more than one CNC, applicant must provide a file for each CNC. Certified Neighborhood Council names and addresses can be obtained from ZIMAS. The success of this procedure has empowered the Certified Neighborhood Councils in providing them with accurate case information to their respective offices so that they in turn, can relay these projects to their respective communities informing them of any pending residential condominium conversion cases in their immediate Certified Neighborhood Council area.

## **Summary**

The Advisory Agency, Subdivision Public Counter has effectively implemented the new procedures and the results have been positive from both Planning staff, the applicant and surrounding neighborhood. Since the adoption of the new procedures, counter staff has noticed a reduction in the number of residential condominium conversion filings. The exact number is uncertain. However, a query of the data would reveal a reduction in the number of residential condominium conversion filings from the prior year.

Case filings are readily available on the Department's web site for any interested party. Schedule of the Hearings on these cases are also available on the web site. The Letters of Determinations on all cases are available on the Department's Plan Case Tracking System (PCTS).

Tenants are assured they are informed of a condominium request 60 days prior to filing of the application per the Subdivision Map Act Section 66452.9 and the LAMC Section 12.95.2-D,3. Requests have been denied when this requirement have not been satisfied.

Tenants are assured they are given a 180 day notice of the intention to convert prior to the termination of tenancy due to the conversion or proposed conversion per Section 12.95.2-E, 1 and 2 of the LAMC.

Emphasizes are made in the Conditions of Approval and in the Findings to assure: (1) Tenants are given an exclusive right to purchase their units, (2) Adequacy of a Relocation Plan and (3) Relocation Assistance is provided to the affected tenants.

Communities are informed of the condominium conversion case filings through the distribution of the case filing information to the Neighborhood Councils.



## ATTACHMENT B

Revise application procedures for residential condominium conversions to require that Subdividers provide the following information to allow the Advisory Agency to evaluate the factors contained in Section 12.95.2, on a case by case basis:

- 1) Proof of 60-Day Notice prior to filing application.
- 2) No. of existing units and parking spaces per C of O
- 3) No. of proposed units and proposed parking
- 4) Profile of all tenants:
  - a. No. of Qualified Tenants
  - b. No. of Eligible Tenants
  - c. Current Rent Schedules for last 18 months;
- 5) Current list of vacant and available comparable rental units within 1 ½ mile radius of building being converted.
- 6) List of all pending and approved condo conversion applications within vicinity of building proposed for conversion as determined by the Planning Department.
- 7) Incentives offered, if any, to tenants for the purchase of the units including but not limited to:
  - a. Discounted Sales Prices
  - b. Favorable Financing Terms
  - c. Tenant Improvements
- 8) Provide Copies of all tenants responses to any incentives offered.
- 9) No. of tenants who are able to purchase the units;
- 10) Relocation Plan offered to tenants who do not purchase units
  - a. Amounts of relocation assistance to be provided to each tenant
  - b. Applicant's plan to assist tenant's in finding comparable housing
- 11) Other Factors for Consideration -
  - a. Set-aside affordable units
  - b. First Time Buyer Incentives
  - c. Other proposals by applicant



240000

BOUNDARIES WERE ESTABLISHED FROM CITY  
ENGINEER MONUMENTED STREETS.

THIS SURVEY DID NOT LOCATE ABOVE OR UNDER  
GROUND UTILITIES EXCEPT AS SHOWN HEREON.

BENCH MARK ELEVATION = 236.511 FT, BM NO. 13-14250,  
NAVD 1988, ADJ 2000 WIRE SPIKE IN W CURB SYCAMORE AVE,  
19 FT N OF BEVERLY BLVD. S END CURB.

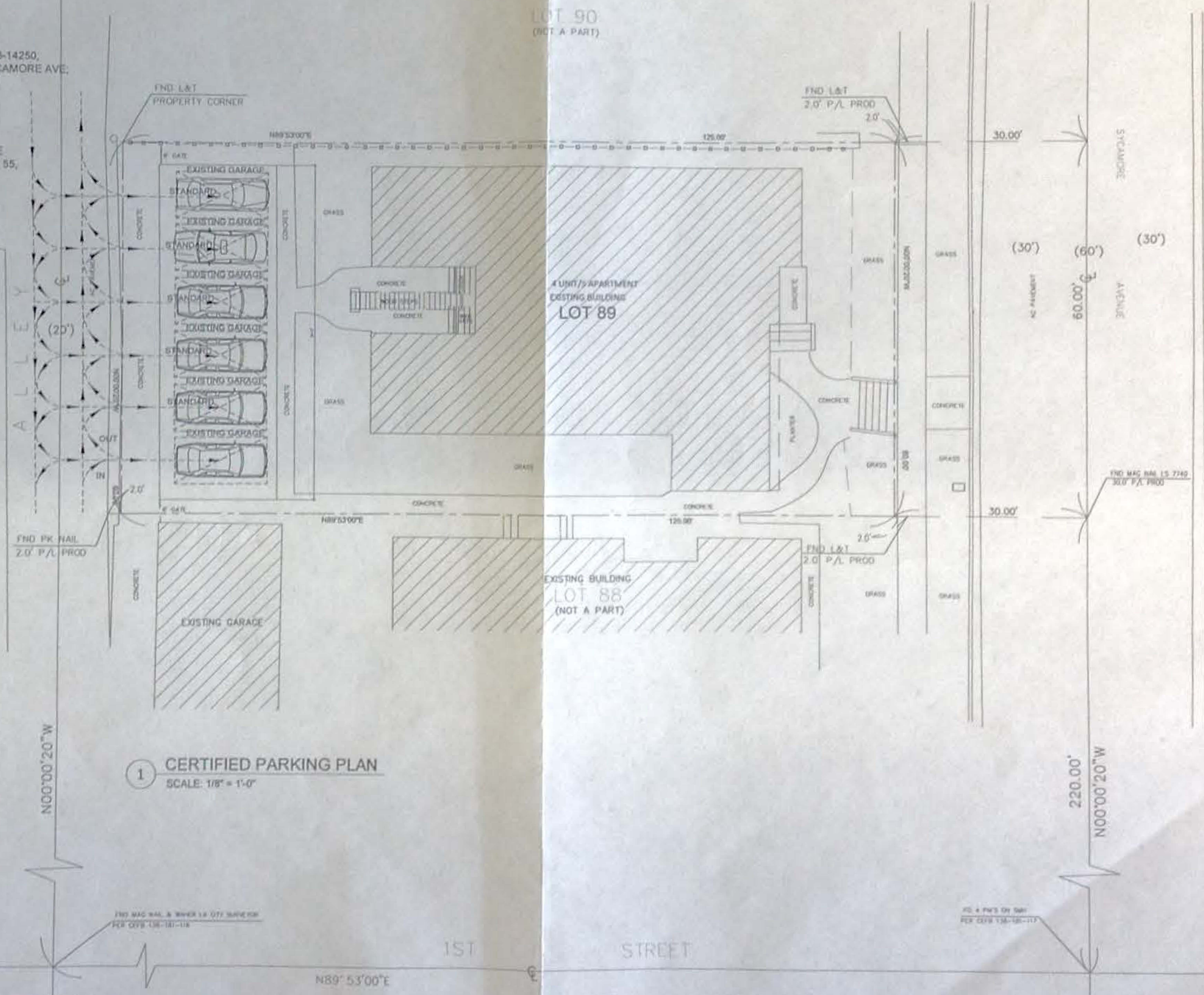
THE N00°00'20"W ALONG CENTERLINE SYCAMORE  
AVENUE TRACT 8498, MAP BOOK 95 PAGES 53 TO 55,  
CITY OF LOS ANGELES, STATE OF CALIFORNIA,  
TAKEN AS THE BEARING FOR THIS SURVEY.

TRACT NO. 8498, LOT 89  
M.B. 95-53/55

## 5513-003-019



1 CERTIFIED PARKING PLAN  
SCALE: 1/8" = 1'-0"



REVISIONS
1

PLAN AND PERMIT SURVEY INC.

177 Silver Spur Road, Suite 133  
Wooding Hills Estate, California 90274  
Tel: 310-354-9900 Email: [conductor@earthlink.com](mailto:conductor@earthlink.com)

PROJECT: CERTIF

OWNER:

1121 N SYCAMORE AVENUE LOS ANGELES, CA 90036

DATE	13-13
SCALE	AS NOTED

DATE	
TIME	

[illegible]

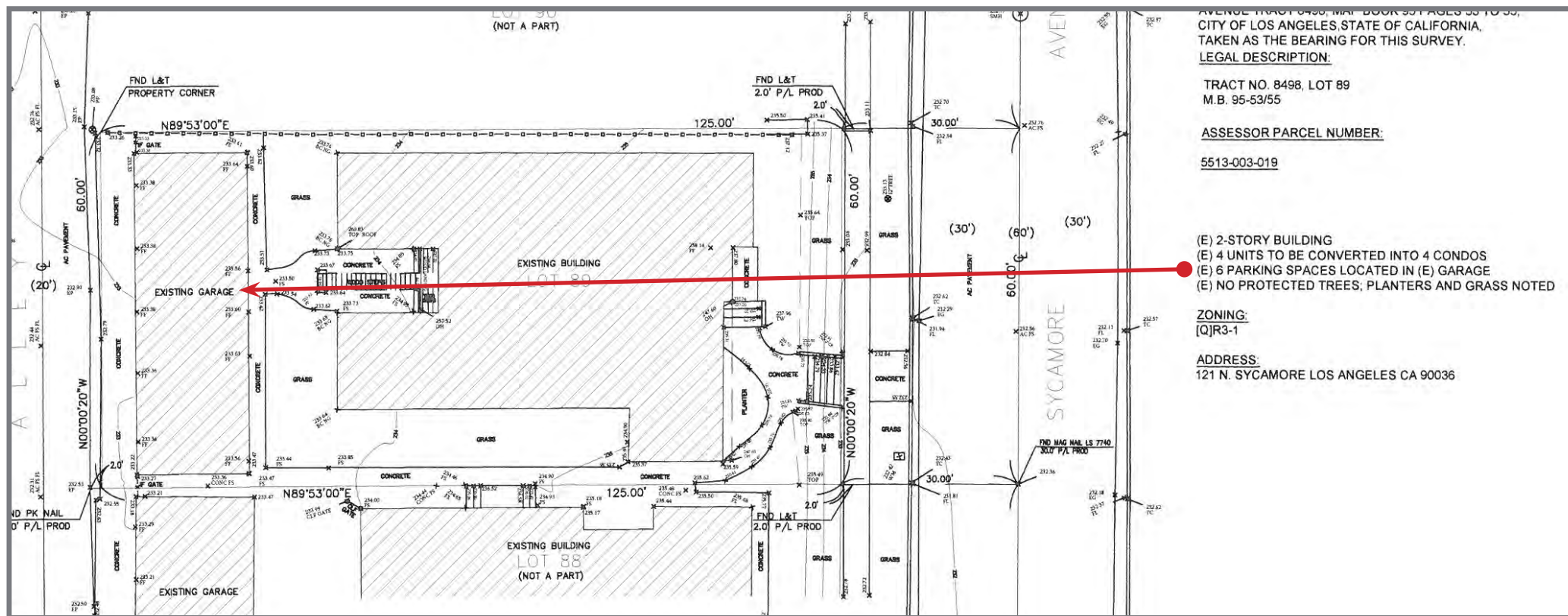
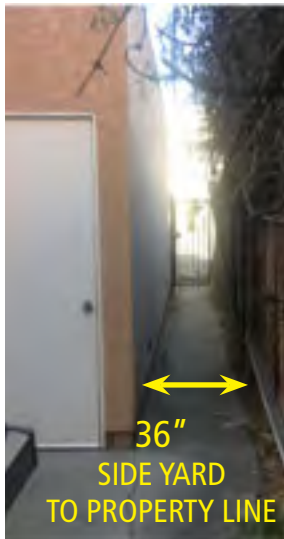
CDA

CPN

CPV



# 121 N Sycamore Ave Garages. FIVE single car spaces.







\*Address of Project 121 N. SYCAMORE

Tract No. TR 8498

Date \_\_\_\_\_ Prepared by \_\_\_\_\_

**FOR CONDOMINIUM CONVERSION  
AND COASTAL TRACTS ONLY**

\*If multiple addresses use separate sheets for each address.

## LOS ANGELES HOUSING & COMMUNITY INVESTMENT DEPARTMENT

### 2017 Income and Rent Limit - Land Use Schedule I

Effective Date: August 1, 2017

2016 Median	\$62,400	AMI Change from 2016
2017 Median	\$64,300	3.04%

Table I: Qualifying Maximum Income Levels Based on Family Size

Income Level	Family Size							
	One	Two	Three	Four	Five	Six	Seven	Eight
Extremely Low (30%)	\$18,950	\$21,650	\$24,350	\$27,050	\$29,250	\$31,400	\$33,550	\$35,750
Extremely Low (35%)	\$22,100	\$25,250	\$28,400	\$31,550	\$34,100	\$36,600	\$39,150	\$41,650
Very Low (45%)	\$28,400	\$32,450	\$36,500	\$40,550	\$43,850	\$47,050	\$50,300	\$53,550
Very Low (50%)	\$31,550	\$36,050	\$40,550	\$45,050	\$48,700	\$52,300	\$55,900	\$59,500
Low (60%)	\$37,860	\$43,260	\$48,660	\$54,060	\$58,440	\$62,760	\$67,080	\$71,400
Low (80%)	\$50,500	\$57,700	\$64,900	\$72,100	\$77,900	\$83,650	\$89,450	\$95,200
Moderate (120%)	\$75,700	\$86,500	\$97,300	\$108,100	\$116,900	\$125,500	\$134,150	\$142,800
Workforce (150%)	\$94,650	\$108,150	\$121,650	\$135,150	\$146,100	\$156,900	\$167,700	\$178,500

Table II: Maximum Allowable Rent Levels

Rent Level	Extremely Low		Very Low		Low		Moderate	Workforce
Bedroom Size	30%	35%	45%	50%	60%	80%	120%	150%
Single	\$473	\$552	\$710	\$788	\$946	\$1,262	\$1,892	\$2,365
One	\$541	\$631	\$811	\$901	\$1,081	\$1,442	\$2,162	\$2,703
Two	\$608	\$710	\$912	\$1,013	\$1,216	\$1,622	\$2,432	\$3,041
Three	\$676	\$788	\$1,013	\$1,126	\$1,351	\$1,802	\$2,702	\$3,378
Four	\$731	\$852	\$1,096	\$1,217	\$1,461	\$1,947	\$2,922	\$3,652
Five	\$785	\$915	\$1,176	\$1,307	\$1,569	\$2,091	\$3,137	\$3,922
Six	\$838	\$978	\$1,257	\$1,397	\$1,677	\$2,236	\$3,353	\$4,192
Seven	\$893	\$1,041	\$1,338	\$1,487	\$1,785	\$2,380	\$3,570	\$4,462
Eight	\$946	\$1,103	\$1,418	\$1,576	\$1,892	\$2,523	\$3,783	\$4,730

The annual allowable automatic rent adjustment rate for rental units subject to the Rent Stabilization Ordinance is currently 3%





### COMPARABLE AVAILABLE 2 BEDROOM APARTMENT LISTINGS IN THE NEIGHBORHOOD FROM APARTMENTS.COM

Address	Square Footage	Bedrooms	Bathrooms	Rental Price	Parking	Laundry
121 N Sycamore Ave	1500	2	1	\$2,288.37	Yes	yes
141 S Sycamore	N/A	2	1.5	\$3,295.00	N/A	N/A
314 N Sycamore	1300	2	1	\$3,500.00	Yes	Yes
129 N Orange	2500	2	1.25	\$3,250.00	Yes	Yes
751 S Detroit St	N/A	2	1	\$2,695.00	Yes	Yes
521 N Gardner St	1400	2	1	\$2,795.00	Yes	Yes
622 S Dunsmuir Ave	1000	2	1	\$2,999.00	Yes	No
W 2nd St	1000	2	1	\$2,900.00	N/A	N/A
412 1/2 N Orange Grove	1100	2	1	\$3,095.00	Yes	Yes
409 1/2 Genesee Ave	N/A	2	1	\$3,350.00	Yes	Yes
7922 Rosewood	N/A	2	1	\$2,795.00	Yes	No Full Size
361 N Curson Ave	1300	2	1	\$3,250.00	Yes	Yes
6200 W 3rd Street	917	2	1	\$2,737.00	extra fee	Yes
5555 W 3d Street	1032	2	2	\$5,480.00	Yes	Yes
5555 W 3d Street	1300	2	2	\$6,364.00	Yes	Yes
7660 Beverly Blvd	991	2	2	\$5,343.00	Yes	No
348 Hauser Blvd	1248	2	2	\$6,994.00	Yes	Yes
630 S Masselin Ave	1180	2	2	\$4,221.00	Yes	No
5520 Wilshire Blvd	1244	2	2	\$4,375.00	Yes	No
600 S Curson	1148	2	2	\$4,696.00	Yes	No
740 S Burnside Ave	1145	2	2	\$3,295.00	Yes	No
340 N Hayworth	1150	2	2	\$3,250.00	Yes	No
739 S Ogden Dr	1200	2	2	\$3,795.00	Yes	Yes
		AVERAGE RENT		\$3,772.28		
Smaller 4 and 6-Plex Buildings						
Larger Apartment Buildings						

Location or Point of Interest

Rent Range

2 Beds x 1+ Baths

Filter

Alerts

0

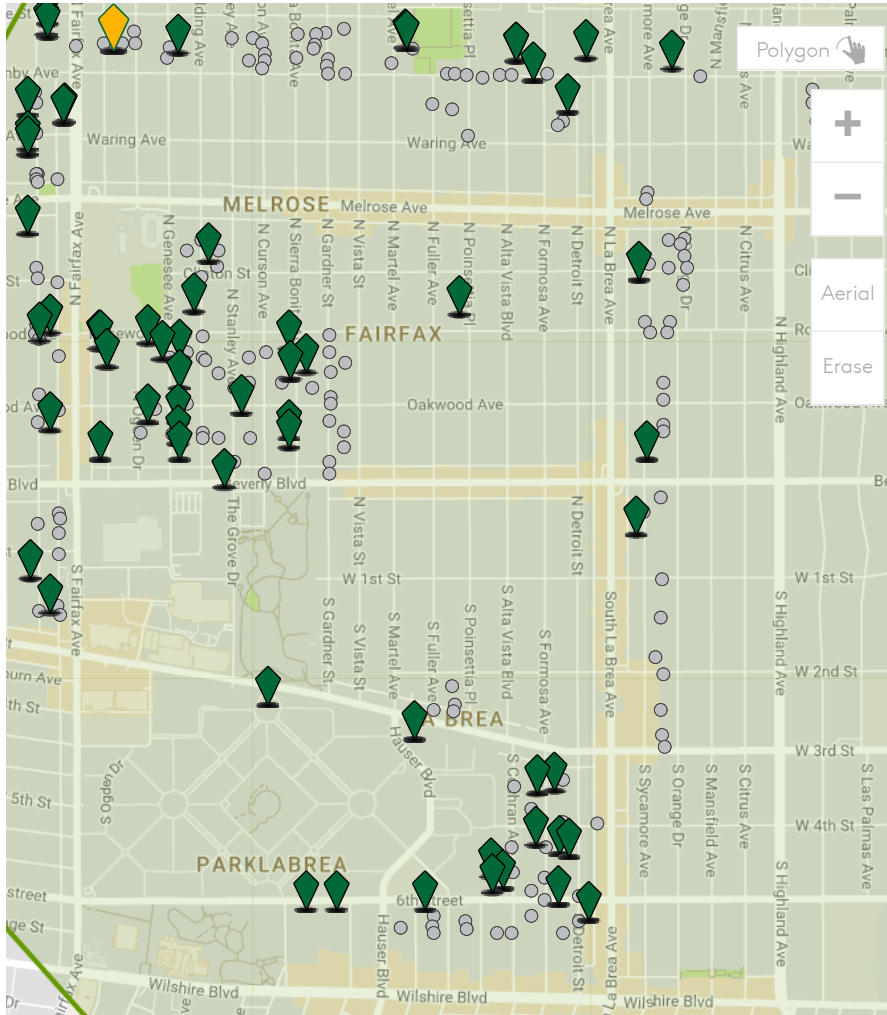
New 15

Home

204 Rentals Available

3 HRS

Email Property | 844-837-8943

Listing by **WestsideRentals**   
337 N Sierra Bonita Ave, Los Angeles, CA 90...

\$3,150 | 2 Bed Available Now

3 HRS

Email Property | 855-290-3574

Listing by **WestsideRentals**   
137 N Sycamore Ave, Los Angeles, CA 90036

\$3,850 | 2 Bed Available Now

NEW

Email Property | 424-274-0667

Listing by **WestsideRentals**   
360 N Stanley Ave, Los Angeles, CA 90036

\$3,600 | 2 Bed Available Now

3 HRS

Email Property | 844-315-2897

Listing by **WestsideRentals**   
350 N Genesee Ave, Los Angeles, CA 90036

\$2,800 | 2 Bed Available Now

NEW

Email Property | 855-538-7840

Listing by **WestsideRentals**   
7223 Willoughby Ave, West Hollywood, CA 9...

\$2,900 | 2 Bed Available Now

3 HRS

Email Property | 855-479-2834

Listing by **WestsideRentals**   
600 S Ridgeley Dr, Los Angeles, CA 90036

\$3,600 | Condo for Rent Avail...

3 HRS

Email Property | 858-924-0082

Listing by **WestsideRentals**   
449 N Sierra Bonita Ave, Los Angeles, CA 90...

\$3,000 | Condo for Rent Avail...

3 HRS

Email Property | 805-409-3885

## State of California

### GOVERNMENT CODE

#### Section 7060.1

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7060.1. Notwithstanding Section 7060, nothing in this chapter does any of the following:

(a) Prevents a public entity from enforcing any contract or agreement by which an owner of residential real property has agreed to offer the accommodations for rent or lease in consideration for a direct financial contribution or, with respect to written contracts or agreements entered into prior to July 1, 1986, for any consideration. Any contract or agreement specified in this subdivision is not enforceable against a person who acquires title to the accommodations as a bona fide purchaser for value (or successors in interest thereof), unless (1) the purchaser at the time of acquiring title to the accommodations has actual knowledge of the contract or agreement, or (2) a written memorandum of the contract or agreement which specifically describes the terms thereof and the affected real property, and which identifies the owner of the property, has been recorded with the county recorder prior to July 1, 1986, or not less than 30 days prior to transfer of title to the property to the purchaser. The county recorder shall index such a written memorandum in the grantor-grantee index.

As used in this subdivision, “direct financial contribution” includes contributions specified in Section 65916 and any form of interest rate subsidy or tax abatement provided to facilitate the acquisition or development of real property.

(b) Diminishes or enhances, except as specifically provided in Section 7060.2, any power which currently exists or which may hereafter exist in any public entity to grant or deny any entitlement to the use of real property, including, but not limited to, planning, zoning, and subdivision map approvals.

(c) **Diminishes or enhances any power in any public entity to mitigate any adverse impact on persons displaced by reason of the withdrawal from rent or lease of any accommodations.**

(d) Supersedes any provision of Chapter 16 (commencing with Section 7260) of this division, Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of this code, Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code, Part 2 (commencing with Section 43) of Division 1 of the Civil Code, Title 5 (commencing with Section 1925) of Part 4 of Division 3 of the Civil Code, Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of the Code of Civil Procedure, or Division 24 (commencing with Section 33000) of the Health and Safety Code.

(e) Relieves any party to a lease or rental agreement of the duty to perform any obligation under that lease or rental agreement.

(Amended by Stats. 2003, Ch. 766, Sec. 2. Effective January 1, 2004.)



## Policies

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

**Program:** The plan promotes greater individual choice by allocating adequate lands in the Plan Area for a variety of residential densities, and for the promotion of housing in mixed-use projects.

- 1.4-2 Ensure that new housing opportunities minimize displacement of residents.

**Program:** Decision-makers should adopt displacement findings in any decision relating to the construction of new housing.

- 1.4-3 Encourage multiple family residential and mixed use development in commercial zones.

**Program:** The community plan identifies areas for mixed use development in commercial zones, as illustrated on the General Plan Framework Map.

**Program:** Create and implement mixed-use districts along boulevards as designated in the General Plan Framework.

## COMMERCIAL

Commercial land uses designated in the Wilshire Community Plan consist of 1,129 acres or 12 percent of the total plan acreage. In 1996, the Wilshire area contained approximately 40,004,300 million square feet of commercial development. Approximately 20,520,100 million square feet (51 percent) was devoted to office use and 19,484,200 million (49 percent) to retail use.

Most of the commercial development can be categorized within four concentrations based on the general orientation of uses: Regional, Community, General, and Neighborhood. The General Plan Framework Element identifies and sets forth criteria of these designations.

## REGIONAL COMMERCIAL

Four major areas designated in the Plan as Regional Commercial include:

Wilshire Center Regional Commercial Center; the Miracle Mile Regional Commercial Center; the Beverly Center-Cedars Sinai Regional Commercial Center; and the Koreatown Regional Commercial Center. They total approximately 270 acres.

### Wilshire Center Regional Commercial Center

The Wilshire Center Regional Commercial Center is approximately 100 acres in size. It includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high-rise and low-rise apartment buildings.

mentioned, the project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. The Project will not result in significant impacts related to air quality because it falls below interim air thresholds established by DCP staff. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

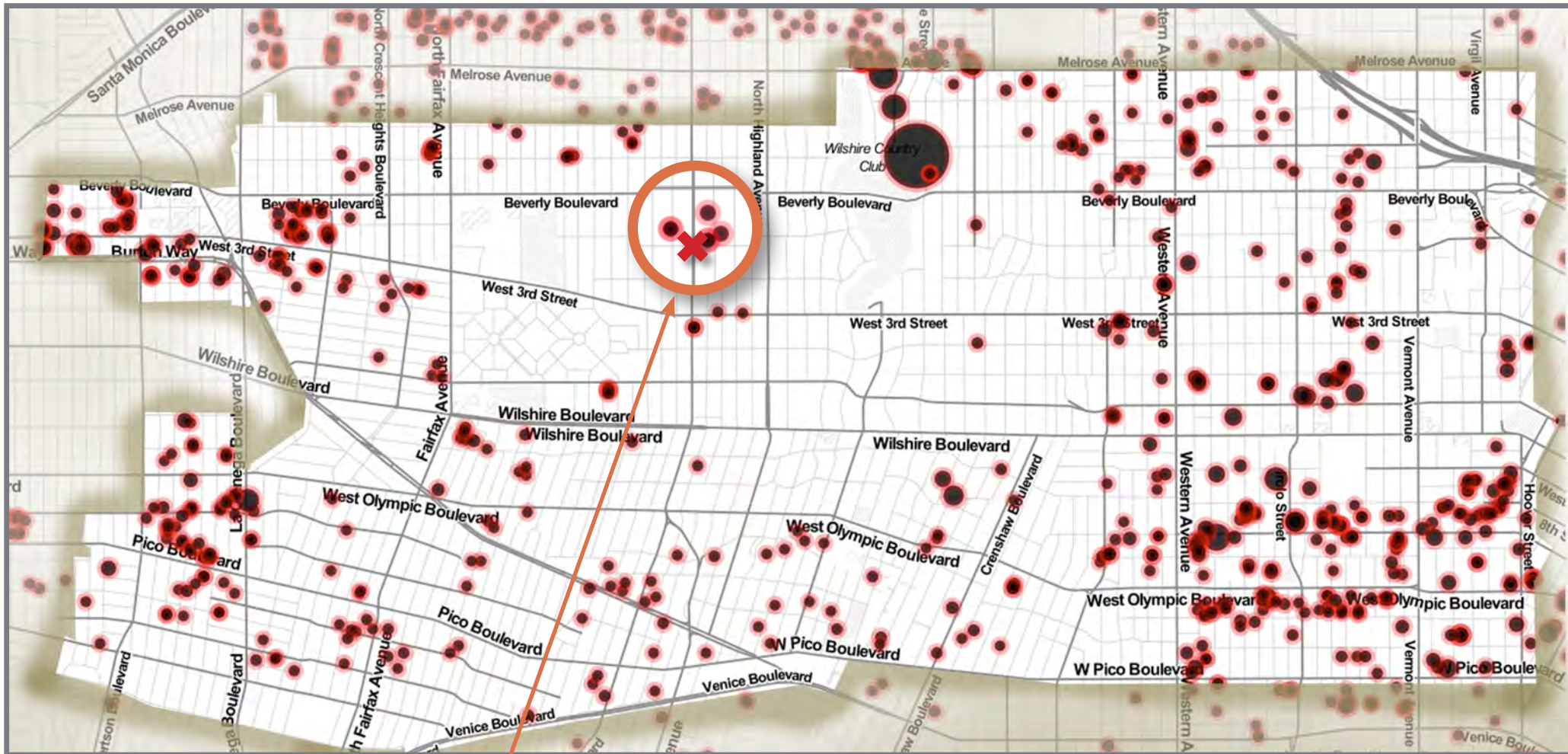
The Project site will be adequately served by all public utilities and services given that the conversion from apartment to residential condominium will be on a site which has been previously developed and is consistent with the General Plan. Therefore, based on the facts herein, it can be found that the Project meets the qualifications of the Class 32 Exemption.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32 and 15332: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. The City has had 19 applications for condominium conversion cases in the past five years. In the past 10 years, there have been three other condominium conversion projects within 1,000 feet of the project site, resulting in 20 units that were removed from the rental market. As mentioned, the project proposed is a preliminary parcel map for the condominium conversion of a 4-unit apartment building into a 4-unit condominium, in an area zoned and designated for such development. All adjacent lots are developed with the following urban uses: multi-family dwellings and retail businesses abutting the subject property to the north and west, and multi-family dwellings abutting the site to the south and east, and the subject site is of a similar size and slope to nearby properties. The project proposes no changes to the Floor Area Ratio (FAR) and the existing improvements are consistent in size, bulk, and massing to other developments in the vicinity. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

The subject site is not designated as a state scenic highway, nor are there any designated state scenic highways located near the project site. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The proposed condominium conversion is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument. However, the Los Angeles Office of Historic Resources has identified the subject property as a contributor to the Sycamore Avenue-Citrus Avenue North Multi-Family Residential Historic District. No exterior work is proposed for the project, therefore, there will be no impact to the identified contributor as no changes will occur to the exterior of the building.

## Wilshire Community Plan Area



### Ellis evictions 1/1/2001 to 6/29/2017

● = Ellised building

✕ = 121 N. Sycamore Ave. – The Subject Building

508 Buildings have been ellised.

3014 Families have been evicted from RSO units.

266 RSO units have been lost to Condominiums conversions .

41 RSO units 100 North Block of Sycamore Ave. have been converted to Condominiums.



**SEC. 12.95.2. CONVERSION PROJECTS: RESIDENTIAL; RESIDENTIAL TO COMMERCIAL/INDUSTRIAL.**

**(Title and Section Amended by Ord. No. 154,960, Eff. 4/3/81.) (Section Renumbered by Ord. No. 162,832, Eff. 10/26/87.)**

**A. Purpose:** The purpose of these provisions is to promote greater individual choice in type, quality, price and location of housing; to provide for the housing needs of all segments of the population; to provide increased homeownership opportunities for all segments of the population; to **mitigate the hardship caused by displacement of tenants, particularly those in low to moderate cost housing** and those who are elderly, families with minor dependent children, the handicapped and the disabled; to promote the safety of conversion projects and correction of Building Code violations in such projects; to provide adequate off-street parking; to encourage construction of new rental units to replace units lost due to conversions; **to protect the existing rental housing stock by reducing conversions**; to provide increased opportunities for the ownership of commercial or industrial real property in the form of condominiums or stock cooperatives; to assure that the continued use of buildings for commercial or industrial purposes is substantially consistent with applicable general and specific plans; and to generally regulate projects in accordance with applicable general and specific plans and with the public health, safety and welfare.

**B. Applicability:** The provisions of this section shall apply to all tentative maps and preliminary parcel maps as to which the Advisory Agency has not rendered a decision on the date this section becomes effective. The provisions of this amendment to this section shall only apply to all tentative maps and preliminary parcel maps as to which the Advisory Agency has not rendered a decision on the date the amendment becomes effective, except as otherwise expressly stated in this section. For purposes of this subsection, a decision is rendered on the date of the Advisory Agency's public hearing and announced decision, or where no such decision is announced, the date of mailing of the Advisory Agency's letter of decision and findings to the applicant.

**C. Definitions:** The terms used in this section are defined in Sections 12.03 and 17.02 of the Municipal Code.

**D. Application Requirements:**

**1. Residential Conversion Projects:**

a. A residential conversion project shall comply with the Division of Land regulations in Article 7 of this chapter, the provisions of this section and other applicable state laws and local ordinances.

b. In addition to the information required by other applicable sections of this Code, the following information shall be submitted at the time of filing.

(1) Building plans or other documents containing the following information pertaining to the project as proposed, certified as to accuracy by a licensed engineer.

(a) Description of the features of the type of building and project, including age, type of construction, number of dwelling units, number of habitable rooms per dwelling unit; and

(b) Site plan, including buildings, structures, yards, open spaces, and accessory storage areas and buildings including trash storage areas; and

(c) Parking plan, including the total number of spaces actually provided and the total number required if different from that actually provided; dimensions of stalls, aisles and driveways; locations of columns, walls and other obstructions; total number of covered and uncovered parking spaces and location and number of guest parking spaces.

(2) **Tenant Information.** Name and address of each tenant; total number of project occupants; length of tenancy; rent schedule for 18 months preceding the application; relocation assistance plan. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

(3) **Sales Information.** Anticipated range of sales prices of individual dwelling units or shares based on information known at the time of application; anticipated terms of sale to existing tenants; statement as to



whether sales will be permitted to families with minor children; incentives to tenants for the purchase of the dwelling units; written notice to the tenants of an exclusive right to purchase the dwelling unit occupied by the tenant; and the number of tenants that have expressed interest in purchasing their dwelling unit. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

- (4) Floor and elevation plans, including indications of common and private areas, and required exits.
- (c) The following additional information may be required by the Advisory Agency as a condition of approval:
  - (1) Certificate of Housing Compliance Inspection Report as provided by Section 91.0318 of the Municipal Code, or equivalent report satisfactory to the Advisory Agency, which report shall detail any violations of provisions of Chapter IX enacted after such permit was issued and which are explicitly made applicable to existing structures.
  - (2) Building inspection reports (if any such report has already been submitted to the California Department of Real Estate, a copy of such report shall be furnished to the City):
    - (a) Building component reports indicating conditions and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, other mechanical and structural systems, prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect;
    - (b) Structural pest control report, prepared by a licensed pest control contractor;
    - (c) Acoustical report, indicating (1) the type of construction between dwelling units and the general sound attenuation characteristics of such construction, or indicating the level of sound attenuation between dwelling units, and (2) the feasibility of various levels of improvement, prepared by a licensed acoustical engineer; and
    - (d) Utility metering reports, if the units of the building are not individually metered, indicating the feasibility of individual or submetering, prepared by qualified engineers.
  - (3) Any other information, including conditions, covenants and restrictions, articles of incorporation and by-laws, which the Advisory Agency deems necessary to determine if the proposed project is consistent with the Municipal Code.

## 2. Residential to Commercial/Industrial Conversion Projects.

- a. A residential to commercial/industrial conversion project shall comply with the Division of Land regulations in Article 7 of this chapter, the provisions of this section and other applicable state laws and local ordinances.
- b. In addition to the information required by other applicable sections of this Code, the following information shall be submitted at the time of filing.
  - (1) **Tenant Information:** Name and address of each tenant in the existing residential building; rent schedule for eighteen (18) months preceding the application and relocation assistance plan if any;
  - (2) Building plans or other documents containing the following information pertaining to the project as proposed, certified as to accuracy by a licensed engineer.
    - (a) Description of the features of the type of building and project, including age, type of construction, the number of separate units proposed, the square footage of each such unit and of the entire building.
    - (b) Parking plan, including the total number of spaces actually provided and the total number required if different from that actually provided, dimensions of stalls, aisles, and driveways, locations of columns, walls, and other obstructions, and location and number of guest parking spaces.

(c) The following additional information may be required by the Advisory Agency as a condition of approval.

(1) Building component reports indicating condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, other mechanical and structural systems, prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect.

(2) Site plan, including, buildings, structures, yards, open spaces, and accessory storage areas and buildings including trash storage areas.

(3) Floor and elevation plans, including indication of common and private areas, and required exists.

(4) Building inspection reports (if any such report has already been submitted to the California Department of Real Estate, a copy of such report shall be furnished to the City)

(5) Any other information, including conditions, covenants and restrictions, articles of incorporation and by-laws, which the Advisory Agency deems necessary to determine if the proposed project is consistent with the Municipal Code.

3. **All Projects.** No application for tentative or preliminary parcel map approval of a residential conversion project or a residential to commercial/ industrial conversion project shall be accepted without adequate evidence from the applicant that each tenant of the project has received: written notice of intention to file a tentative or preliminary parcel map application at least 60 days prior to the filing of the application and a written copy of the relocation assistance provisions of Sections 47.06 and 47.07 of this Code. Any person who becomes a tenant of a residential rental unit proposed for conversion to a residential or commercial/industrial condominium, stock cooperative or community apartment project after the date of the filing of the application shall be given written notice of the pendency of the application prior to entering into any written or oral rental agreement. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

#### **E. Tenant Notification:**

1. **Notification of hearing on tentative map or preliminary parcel map.** **(Amended by Ord. No. 178,632, Eff. 5/26/07.)** In addition to other notification requirements of this Code, the Department of City Planning shall give notice of any public hearing on a tentative map or preliminary parcel map to each tenant in each dwelling unit of the building or buildings proposed for conversion.

This notice shall be in writing and mailed no less than ten days prior to the public hearing on the tentative map or preliminary parcel map.

The notice may include a questionnaire, to be completed at the option of each tenant, regarding the approximate ages and disabilities or handicaps, if any, of the household members, comments concerning the physical condition of the building and its various components and characteristics as outlined in Subparagraph (2) of Paragraph c. of Subdivision 1. of Subsection D. of this section, and any other information as may be pertinent to the pending proceedings.

2. **Notification of proposed conversion prior to termination of tenancy due to the conversion.** Each tenant of a conversion project subject to this section shall be given 180 days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. Each person who becomes a tenant of the conversion project after the date of the 180 days written notice shall be given a copy of the notice of intention to convert before entering into any written or oral rental agreement, but shall not be entitled to 180 days written notice prior to termination of tenancy due to the conversion or proposed conversion. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

3. **Residential Conversion Project - Notification of exclusive right to purchase.** The applicant shall give each tenant of any proposed residential conversion project written notice of an exclusive right to contract for the purchase of the dwelling unit occupied by the tenant or purchase of a share in the corporation entitling the shareholder to enjoy exclusive occupancy of the unit upon the same or more favorable terms and conditions than those on which such unit or share will be initially offered to the general public. The right shall run for a period of not less than 90 days from the issuance of the

subdivision public report pursuant to Section 11018.2 of the California Business and Professions Code, unless the applicant receives prior written notice of the tenant's intention not to exercise the right.

Where two or more units are combined pursuant to conditions of tentative map or preliminary parcel map approval, the notice required by this Subdivision 3 shall be given to the tenants of the combined units and priority among tenants shall be determined in an equitable manner. A tenant who is prevented from purchasing his unit due to combination of units shall be given a right of first refusal with respect to the comparable unit in the same residential conversion project, to the extent possible.

#### **F. Tentative Map And Preliminary Parcel Map Approval:**

1. All tentative maps and preliminary parcel maps filed in connection with residential or residential to commercial/industrial conversion projects shall be subject to the Division of Land Regulations contained in Article 7 of this chapter, except as herein otherwise provided. All such maps shall be subject to the General Plan and any applicable specific plan only to the extent that such plan contains a definite statement of policies and objectives explicitly applicable to conversion projects, except as otherwise provided in this subsection.

2. The Advisory Agency shall disapprove a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, if it finds (a) that the map is not substantially consistent with the applicable density provisions of the General Plan or specific plans in effect at the time the original building permit was issued, and (b) the application for map approval is filed less than five years from the date the original certificate of occupancy for the building was issued. The Advisory Agency shall disapprove a tentative map or preliminary parcel map for a residential to commercial/industrial conversion project where the conversion would be inconsistent with either the existing zoning pattern or applicable general or specific plan, unless it finds that there are special circumstances which justify approval of the map. Such circumstances may exist only with respect to the following facts (1) the prevailing pattern of residential and commercial/industrial land use in the vicinity of the project site; and (2) the existing and anticipated need for commercial/industrial development in the planning area in which the project is located.

**EXCEPTION:** This provision shall not apply to any residential or residential to commercial/industrial conversion project involving buildings for which a building permit was applied for prior to July 1, 1978.

3. The Advisory Agency shall disapprove a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project if it finds that any applicable general plan or specific plan provision contains a definite statement of policies and objectives explicitly applicable to conversion projects and the proposed map is not substantially consistent with such provision.

4. The Advisory Agency shall disapprove a tentative map or preliminary parcel map for a residential or a residential to commercial/industrial conversion project if it finds that there are uncorrected violations of Chapter IX of the Municipal Code, and that an adequate plan to correct such violations has not been developed or accomplished. For purposes of this provision, Chapter IX of the Municipal Code means the Code in effect when the building permit was issued and other subsequently enacted regulations explicitly made applicable to existing structures.

5. The Advisory Agency shall disapprove a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, if it finds that (a) the building permit for the building was issued prior to October 1, 1933, and the building is of unreinforced masonry construction, or (b) the building is more than three stories in height without an elevator. This provision may be waived where the Advisory Agency finds that any such condition has been corrected in conformity with Municipal Code standards.

6. After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect of the rental housing market in the planning area of successive residential or residential to commercial/industrial conversion projects (past, present and future) is significant. A finding of significant cumulative effect shall be based on the following factors: (a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing residential building prior to conversion; (c) the number of units which would be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination. "Vacancy rate"

shall refer to the most current vacancy rate for multiple-family dwelling units as published by the Department of City Planning in its Semi-Annual Population Estimate and Housing Inventory, or other estimate or survey satisfactory to the Advisory Agency. "Planning area" shall refer to those areas established by the Director of Planning for purposes of community planning pursuant to Section 11.5.6 of the Municipal Code.

#### **G. Relocation Assistance:**

1. **Requirement.** The Advisory Agency shall require, as a condition of map approval, that the applicant execute and record a covenant and agreement, in a form satisfactory to the Advisory Agency, binding the applicant and any successor-in-interest to provide relocation assistance in a manner consistent with Section 47.06 of this Code. The covenant and agreement shall be executed and recorded within ten days after the expiration of the appeal period, or final approval, whichever is later, for tentative map or preliminary parcel map approval and a copy provided to each tenant within five days of recordation. The covenant and agreement shall run to the benefit of any eligible tenant, as defined in Subdivision 2. of this section and shall be enforceable by any eligible tenant or by the City. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

2. **Eligible Tenant.** As used in this Subsection G., the term "eligible tenant" means any tenant who was resident of the property both on the date of tentative or preliminary parcel map application and the date of approval of such map and who does not intend to purchase a unit in the conversion project.

3. **Special Protection.** An eligible tenant is entitled to "special protection", as defined in this subsection, if the tenant meets the definition of "Qualified Tenant" in Section 47.06 of this Code. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

4. **Dispute Resolution.** The covenant and agreement specified in Subdivision 1. of this subsection shall establish an expeditious mechanism to resolve any disputes among tenants, the applicant and the City concerning the interpretation or application of the covenant and agreement. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

5. **(Deleted by Ord. No. 178,632, Eff. 5/26/07.)**

6. **Continued Tenancy Pending Relocation; Eviction; Review Procedure.** Until each eligible tenant is successfully relocated pursuant to the provisions of this subsection, the tenant shall be permitted to reside in the unit presently occupied in the conversion project. There shall be no time limit for such continued tenancy for each tenant qualified for "special protection," as defined in Subdivision 3. of this Subsection G. In all other cases, the subdivider is not required to consent to continued tenancy beyond twelve months from the date of tentative map or preliminary parcel map approval or the date on which the 120-day notice of intent to convert is given to all tenants, whichever is the later.

A eligible tenant may be evicted, notwithstanding the paragraph above, for the following reasons only:

- a. The tenant has failed to pay the rent to which the landlord is entitled.
- b. The tenant has violated an obligation or covenant of the tenancy, other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord.
- c. The tenant is committing or permitting to exist a nuisance in or is causing damage to, the rental unit or to the appurtenances thereof, or to the common areas of the property containing the rent unit, or is creating an unreasonable interference with the comfort, safety, or enjoyment of any of the other residents of the same or adjacent building.
- d. The tenant is using or permitting a rental unit to be used for any illegal purpose.
- e. The tenant who had a written lease or rental agreement which terminated on or after November 10, 1979, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term or like duration with similar provisions and in such terms as are not inconsistent with or violative of any provision of this subsection.
- f. The tenant has refused the landlord reasonable access to the unit for the purpose of making repairs or improvements, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee.



g. The person in possession of the rental unit at the end of the lease term is a subtenant not approved by the landlord.

Any dispute regarding an eligible tenant's right to continue tenancy pursuant to this Subdivision 5. may be heard by the Advisory Agency when application for such review is made by the subdivider or an eligible tenant. The Advisory Agency may release the applicant from further compliance with a relocation assistance plan with respect to any eligible tenant where it finds that the tenant is not entitled to continued tenancy pursuant to the provisions of this Subdivision 6.

7. **(Deleted by Ord. No. 178,632, Eff. 5/26/07.)**

8. **(Deleted by Ord. No. 178,632, Eff. 5/26/07.)**

9. **(Renumbered as Subd. 4 by Ord. No. 178,632, Eff. 5/26/07.)**

10. **(Deleted by Ord. No. 178,632, Eff. 5/26/07.)**

## **H. Parking:**

### **1. Residential Conversion Projects.**

a. The minimum number of resident parking spaces per dwelling unit shall be one and one-quarter parking spaces per dwelling unit having three or less habitable rooms and one and one-half parking spaces per each dwelling unit having more than three habitable rooms. The Advisory Agency may increase or decrease the required number of parking spaces up to and including three-quarters of a space per dwelling unit, where it finds that such modification is consistent with the purposes of this section.

b. The minimum number of guest parking spaces shall be one quarter space per dwelling unit for projects containing 50 or fewer units and one-half space per dwelling unit for projects containing more than 50 units. The Advisory Agency may modify the guest parking requirement up to and including one-half space per unit where it finds such modification consistent with the purposes of this section.

c. The Advisory Agency may require up to one of the required resident parking spaces per dwelling unit to be provided in a private garage or carport where it finds that such is reasonable and feasible and consistent with the purposes of this section.

d. Where the number of parking spaces required by other provisions of this code in existence on the date of map application exceeds the minimum numbers established by this section, the number of parking spaces shall not be diminished.

e. In the Central City Area as described in Section 12.21 A.4.(p) of the Municipal Code, the required parking ratio shall be no less than therein provided.

f. Where the total number of required spaces includes a fraction, the provision of Section 12.21 A.4.(k) of the Municipal Code shall govern.

g. The design and improvement of parking facilities and areas shall substantially conform to the provisions of Section 21.21 A.5. and 6. of the Municipal Code.

### **2. Residential to Commercial/Industrial Conversion Projects.**

a. The required minimum number of parking spaces to be provided in a residential to commercial/industrial conversion project shall be one parking space for each 200 square feet of that portion of the total floor area of a building to be used as a medical office, clinic or other medical service facility and one parking space for each 500 square feet of that portion of the total floor area in a building to be used for other commercial or for industrial purposes. "Total floor area", as used herein, shall exclude floor area used for automobile parking or driveways, for

basement storage or for rooms housing mechanical equipment incidental to the operation of buildings.

b. The Advisory Agency may increase the required minimum number of parking spaces by not more than seventy five percent (75%), including any allowance for guest parking, where it finds that such modification is consistent with the purposes of this section.

c. Where the number of parking spaces required by other provisions of this Code in existence on the date of map application exceeds the minimum numbers established by this section, the number of parking spaces shall not be diminished.

d. In the Central City Area as described in Section 12.21 A.4.(p) of the Municipal Code, the required parking ratio shall be no less than therein provided.

e. Where the total number of required parking spaces includes a fraction, the provisions of Section 12.21 A.4.(k) of the Municipal Code shall govern.

f. The design and improvement of parking facilities and areas shall substantially conform to the provisions of Section 12.21 A.5. and 6. of the Municipal Code.

**I. Building Reports - Residential Conversion Projects.** The Advisory Agency may require, as a condition of approval, that the applicant notify such person who communicates an interest in purchasing a unit or share that the following reports are available for inspection during normal business hours, and shall take all reasonable steps to assure that such reports fully, fairly and accurately describe the conditions reported:

1. Any report submitted pursuant to Subsection D of this section.

2. A report concerning compliance with the sound transmission control standards established by Section 91.4903(h) of the Municipal Code.

3. Report concerning compliance with the residential energy conservation standards established by Article 1, Part 6, Title 24 of the California Administrative Code.

4. A report concerning compliance with the elevator safety standards established by Title 8 of the California Administrative Code.

5. A report concerning compliance with any provision of Chapter IX of the Municipal Code which the Advisory Agency and the Superintendent of Building find appropriate for such reporting purpose.

**J. Low And Moderate Income Housing - Residential Conversion Projects:** Each residential conversion project shall comply with Section 12.39\* of the Municipal Code relating to low and moderate income housing.

\* Section 12.39 was repealed by Ord. No. 180,308 Eff. 12/7/08.

**K. Rental Housing Production:**

1. As a condition of tentative map or preliminary parcel map approval, the Advisory Agency shall require that the applicant or his successor-in-interest pay to the City a fee of \$1,492 for each unit in a residential or residential to commercial/industrial conversion project, based on the number of units in the project prior to conversion. For the year beginning July 1, 2008, and all subsequent years, the fee amount shall be adjusted on an annual basis pursuant to the formula set forth in Section 151.06 D. of this Code. The adjusted amount shall be rounded to the nearest \$50 increment. This fee shall be paid prior to approval of the final map by the City Engineer. **(Amended by Ord. No. 178,632, Eff. 5/26/07.)**

2. All fees collected pursuant to this Subsection K shall be deposited and held in the Rental Housing Production Account of the Housing and Community Investment Department, which account is hereby established to be administered by the Housing and Community Investment Department separately from all other money expended by the Department. Money in this account shall be used exclusively for the development of low and moderate income rental housing in the City, pursuant to guidelines carrying out this purpose prepared by the Department and approved by resolution of the City Council. **(Amended by Ord.**



CONDO CONVERSIONS AND CONSTRUCTION					
Case Number	Address	Year of Approval	# RSO Units Lost	Number of Condo Units	
VTT-67071-C	100 N Sycamore Ave 90036	2012	12	12	
010E Condo Conversion	101 N Sycamore Ave 90036		25	25	
VTT-70510-CC-1A	114 N Sycamore Ave 90036	2009	4	4	
VTT-66057	260 S Sycamore Ave 90036	2006	32	18	
VTT-74258-SL	507 N Sycamore Ave 90036	2016	2	6	
VTT-70499-CN-2A	323 N Oakhurst Dr 90048	2016	51	37	
VTT-73929-CN	255 S Mariposa Ave 90004	2016	5	122	
VTT-62676-CC-M1	141 S Clark Dr 90048	2009	105	105	
VTT-67382-CC-1A	115 N Wetherly	2008	18	14	
VTT-73902-SL	117 N Mahattan Pl 90004	2016	4	8	
VTT-67965-DB	118 N Kings Road 90048	2011	8	19	
010E Condo Conversion	525 N Sycamore Ave 90036		100	100	
010E Condo Conversion	308 N Sycamore Ave 90036		20	20	
		RSO Units Lost	386		
	RSO Lost to Condo Conversions		266		
	RSO Lost to Demos for Condos		120		
	RSO Lost to Condo Conversions on our 1 Block Area		<b>41</b>		
*These are Wilshire Area RSO Sub-Divisions Only					
*Does not include close Hollywood Area RSO Sub-Divisions					



ORIGINAL



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☒ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning

Regarding Case Number: AA-2016-3648-PMLA-CC

Project Address: 121 N. SYCAMORE AVE.

Final Date to Appeal: SEPT. 1, 2017

Type of Appeal: ☐ Appeal by Applicant/Owner  
☒ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved  
☐ Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Stormy Sacks & Christopher Cloutier

Company: \_\_\_\_\_

Mailing Address: 121 N Sycamore Ave

City: Los Angeles State: CA Zip: 90036

Telephone: 310-403-4404 E-mail: ssrsstormy1@mac.com

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

☒ Self ☐ Other: \_\_\_\_\_

- Is the appeal being filed to support the original applicant's position? ☐ Yes ☒ No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

4. **JUSTIFICATION/REASON FOR APPEAL**

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

Are specific conditions of approval being appealed? ☐ Yes ☒ No

If Yes, list the condition number(s) here: \_\_\_\_\_

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

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

5. **APPLICANT'S AFFIDAVIT**

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

Appellant Signature: \_\_\_\_\_

Date: 8/30/17

6. **FILING REQUIREMENTS/ADDITIONAL INFORMATION**

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
  - Appeal Application (form CP-7769)
  - Justification/Reason for Appeal
  - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
  - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: <u>\$89.00</u>	Reviewed & Accepted by (DSC Planner): <u>Sarah Goldman</u>	Date: <u>9/1/2017</u>
Receipt No: <u>0101784146</u>	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

JUSTIFICATION OF APPEAL  
PARCEL MAP No. AA-2016-3648-PMLA-CC  
CEQA: ENV-2016-3649-CE

We, Stormy Sacks and Christopher Cloutier, tenants residing in the property whose owner is seeking approval for condo-conversion, are appealing the decision of the Planning Commission's approval of parcel map No. AA-2016-3648-PMLA-CC and CEQA: ENV-2016-3649-CE.

We are tenants residing in this rent-controlled building, and are terribly aggrieved and particularly disturbed by the fact that the laws pertaining to tenant protection were not given proper consideration.

We have lived in this building for eleven years and although one of us is senior citizen, Mr. Sacks continues to teach and is contributing to society. Mr. Sacks works in both downtown and Beverly Hills, and this location, where we live, is midway between. If we are displaced from this building it will be virtually impossible to find comparable housing anywhere in this area that is affordable. Furthermore, it is totally impossible for us to be able to purchase the unit in which we live considering the current prices of real estate in this area.

Some of the information used on which the findings were based was false. Embellishing the amount of rent we pay must be viewed as a malicious intent to try to show that we, the tenants, can afford comparable housing. The true fact is that our current rent is \$2,288.37 each month (See Attachment C) and not \$3000 as stated in the report. You can see in Attachment B that units in this area that are considerably smaller are renting for a substantial amount higher than our current rent.

Although the Mayor and City Council talk about preserving RSO units, by allowing conversions of units like ours the City Planning department is abusing its discretion in granting this approval by allowing the destruction of rent-stabilized units, and depleting affordable housing from the city.

Additionally, in reference to FINDINGS OF FACT (CEQA) beginning on page 11:

This project should not have been exempted under the California Environmental Quality Act ("CEQA") because a fair argument exists that potentially significant impacts have not been identified and/or mitigated, as required and therefore environmental review is required to comply with state law.

We will submit further evidence and justification to support this prior to the Area Planning Commission's hearing of this matter.

Attachments

- A. Department of City Planning Original Determination Letter
- B. Rental Listings
- C. Current Rent Document

Stormy Sacks & Christopher Cloutier  
121 N Sycamore Ave  
Los Angeles, CA 90036

Central Area Planning Commission  
Los Angeles City Hall  
200 N Spring Street, Room 1070  
Los Angeles, CA 90012

November 3, 2017

Case Number: AA-2016-3648-PMLA-CC-1A

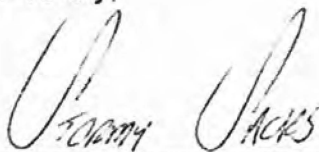
Honorable Commission Members:

In the hearing held on October 10, 2017 statements were made by Mr. Silber with regard to substantial payments being offered to the tenants of 121 N Sycamore Avenue for them to vacate the building. With regard to me this is totally and unequivocally false!

The truth is the following:

A few months ago Mark Silber was in his car, after attending to something at the building. I was parking and walking on my way home. I said hello to him. He told me that his actions were merely business. I told him that I understood that it was merely business for him. I told him that it was more personal for us because of the fact that it is our home. However, I understood that it was business for him. He started talking about how there isn't that much money necessary to pay when having to leave the building. I told him that I was a "qualified" tenant and I knew how much was due me. He said that he could offer me \$1000 more than I would be getting. I told him that I was not ready to discuss any such matter at that time. That is the only time that he offered anything to me; and, that is substantially less than the \$40,000.00 that he claimed that he offered at our October 10<sup>th</sup> hearing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stormy Sacks". The signature is written in dark ink and is positioned above a horizontal line.

Stormy Sacks



## APPEAL APPLICATION

## 1. APPELLANT BODY/CASE INFORMATION

☒ Area Planning Commission      ☐ City Planning Commission      ☐ City Council      ☐ Director of Planning

Project Address: 121 N. SYCAMORE AVE.

Type of Appeal:

☐ Appeal by Applicant/Owner

☒ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved

☐ Appeal from a determination made by the Department of Building and Safety

Appellant's name (print): Gideon Lockspeiser & Lisa Amsterdam

Mailing Address: 123 N. Sycamore Ave.

City: Los Angeles State: CA Zip: 90036

Telephone: 323 696-5195 E-mail: lea100@mac.com

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

☒ Self      ☐ Other:

- Is the appeal being filed to support the original applicant's position? ☐ Yes ☒ No

Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### 4. JUSTIFICATION/REASON FOR APPEAL

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

Are specific conditions of approval being appealed? ☐ Yes ☒ No

If Yes, list the condition number(s) here: \_\_\_\_\_

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

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

## 5. APPLICANT'S AFFIDAVIT

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

Appellant Signature:

Date: 8/30/17

## 6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
  - Appeal Application (form CP-7769)
  - Justification/Reason for Appeal
  - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
  - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
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- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: \$ 89.00	Reviewed & Accepted by (DSC Planner): Sarah Goldman	Date: 9/1/2017
Receipt No: 0101784142	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

## **JUSTIFICATION OF APPEAL**

No. AA-2016-3648-PMLA-CC

CEQA: ENV-2016-3649-CE

**Appellants: Gideon Lockspeiser and Lisa Amsterdam**

We, Gideon Lockspeiser and Lisa Amsterdam, tenants residing at 121 N. Sycamore, whose owner is seeking approval for condo-conversion, are appealing the decision of the Department of City Planning and its deputy advisory agency's approval of parcel map No. AA-2016-3648-PMLA-CC and its associated CEQA case: ENV-2016-3649-CE

We are tax-paying residents of the City of Los Angeles and we are terribly aggrieved by the department's decision to approve this conversion. We have resided in this rent stabilized building for eight years. This is our home. To allow the conversion of our homes to high-priced condominium units will effectively deny us the right to continue to live in the community; a community that we know and amongst neighbors that we rely on and who rely on us. We will not be able to afford comparable replacement housing. This is more than distressing. We feel it is an abuse of the process as well as city laws and policies. And tenants' rights are not being taken into consideration.

We currently pay \$2441.36 (not \$3,000 as the building owner's representative stated) for our apartment while currently average rental amounts for apartment listings in the area are well over \$3,000. Meanwhile condo units just down the street have been selling for around one million dollars. At this amount, we cannot afford to even purchase the apartment we live in. While the Mayor and the City Council continue to talk about the need to preserve RSO units, by allowing these projects, the City Planning department is abusing its discretion in granting this approval by allowing the destruction of rent-stabilized units, and feeding our affordable housing crisis without mitigation, at a time when vacancy rates throughout the city are at historic lows.

While the agency did in fact find that the vacancy rate was under 5%, we believe that it erred in its discretion by determining that the project does not have a cumulative impact on the rental market.

We believe that the deputy advisory agency also abused its discretion by allowing this project to be exempt from CEQA analysis because the conditions of approval do not mitigate direct and indirect impacts of the project, either individually or cumulatively. There are a number of impacts that have not been identified because it was not subject to review.

We also believe the project violates the municipal and zoning code, the intent of the city's General Plan and the Wilshire Community Plan, as well as the city's

subdivision and condominium ordinances and project approval is not substantiated by necessary and/or adequate findings to warrant approval.

We will submit further justification and evidence to support this appeal prior to the Area Planning Commission's hearing of this matter.

Gideon Lockspeiser and Lisa Amsterdam  
123 N. Sycamore Avenue  
Los Angeles, CA 90036

Central Area Planning Commission  
Los Angeles City Hall  
200 N. Spring Street, Room 1070  
Los Angeles, CA 90012

November 3, 2017

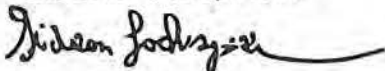
RE: Case Number AA-2016-3648-PMLA-CC-1A

Dear Commission Members:

In our hearing dated October 10, 2017, Mark Silber stated that he offered the tenants \$40,000 to leave our residences. This is a completely untrue and false statement. He never offered us \$40,000. It is important to us that no misrepresentations or false statements are given to the commission by our landlord and his representatives with respect to these hearings. For them it is just about trying to make money on a building with no regard to those living in that building. For us these hearings are much more important as the outcome will have a huge impact on our lives.

Sincerely,

Gideon Lockspeiser



Lisa Amsterdam





# ORIGINAL



## APPLICATIONS:

### APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

#### 1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☒ Area Planning Commission    ☐ City Planning Commission    ☐ City Council    ☐ Director of Planning

Regarding Case Number: AA-2016-3648-PMLA-CC

Project Address: 121 NORTH SYCAMORE AVE LOS ANGELES CALIFORNIA 90036

Final Date to Appeal: SEPTEMBER 1ST, 2017

Type of Appeal:    ☐ Appeal by Applicant/Owner  
                              ☒ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved  
                              ☐ Appeal from a determination made by the Department of Building and Safety

#### 2. APPELLANT INFORMATION

Appellant's name (print): FRANCISCO VARGAS

Company: \_\_\_\_\_

Mailing Address: 125 1/2 NORTH SYCAMORE AVE

City: LOS ANGELES    State: CALIFORNIA    Zip: 90036

Telephone: 323-209-8374    E-mail: FRANCISCOVARGAS80@ME.COM

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

☒ Self    ☐ Other: \_\_\_\_\_

- Is the appeal being filed to support the original applicant's position?    ☐ Yes    ☒ No

#### 3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_    State: \_\_\_\_\_    Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_    E-mail: \_\_\_\_\_

#### 4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed?

☒ Entire

☐ Part

Are specific conditions of approval being appealed?

Yes

☒ No

If Yes, list the condition number(s) here: \_\_\_\_\_

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

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

#### 5. APPLICANT'S AFFIDAVIT

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

Appellant Signature: \_\_\_\_\_

Date: 08/28/2017

#### 6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

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  - Justification/Reason for Appeal
  - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
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This Section for City Planning Staff Use Only		
Base Fee: \$89.00	Reviewed & Accepted by (DSC Planner): Sarah Goldman	Date: 9/1/2017
Receipt No: 0101784139	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

JUSTIFICATION OF APPEAL  
No. AA-2016-3648-PMLA-CC  
CEQA: ENV-2016-3649-CE

I, Francisco Vargas, a tenant residing in the property whose owner is seeking approval for condo-conversion, have been aggrieved by and am appealing the decision for approval of parcel map No. AA-2016-3648-PMLA-CC and CEQA: ENV-2016-3649-CE

As A current tenant residing in this rent-controlled building, I have lived here for 7 years. Being forced to move out of here would be an incredible hardship for me. Not only am I trying to support myself, but also my mother. I have made this my home. And now someone is telling me I have to leave.

Specifically the points at issue can be found on page 19 (e)

In reference to sub-section (a), none of the tenants are able to afford to purchase their respective units.

It is extremely difficult to find a parking space near by building because of the already overwhelmingly amount of people vs. available spaces. After a long day at work I have to drive around for 15-20 minutes trying to find a parking spot.

In reference to sub-section (e) Other factors include the following:

- Paragraph one on page 20 states that our current rents for these (4) units is \$3,000. This is completely false. And furthermore, this false information was given to the committee by a representative of the landlord. The true fact is that my current rent is \$1950.15 a month.
- That same paragraph on page 20 states that the fair market rent for a 2 bedroom in our area is \$1545. This number comes from the U.S. Department of Housing and Urban Development and covers an area that includes Long Beach and Glendale. As evidenced in Attachment B, comparable housing in our area is well over \$3,000 and in no way can be deemed affordable for us.

The facts having been stated prove that there is no validity in approving a preliminary parcel map for a condo conversion in an area where the vacancy rate is 4.39% - well below the 5% threshold required by law.

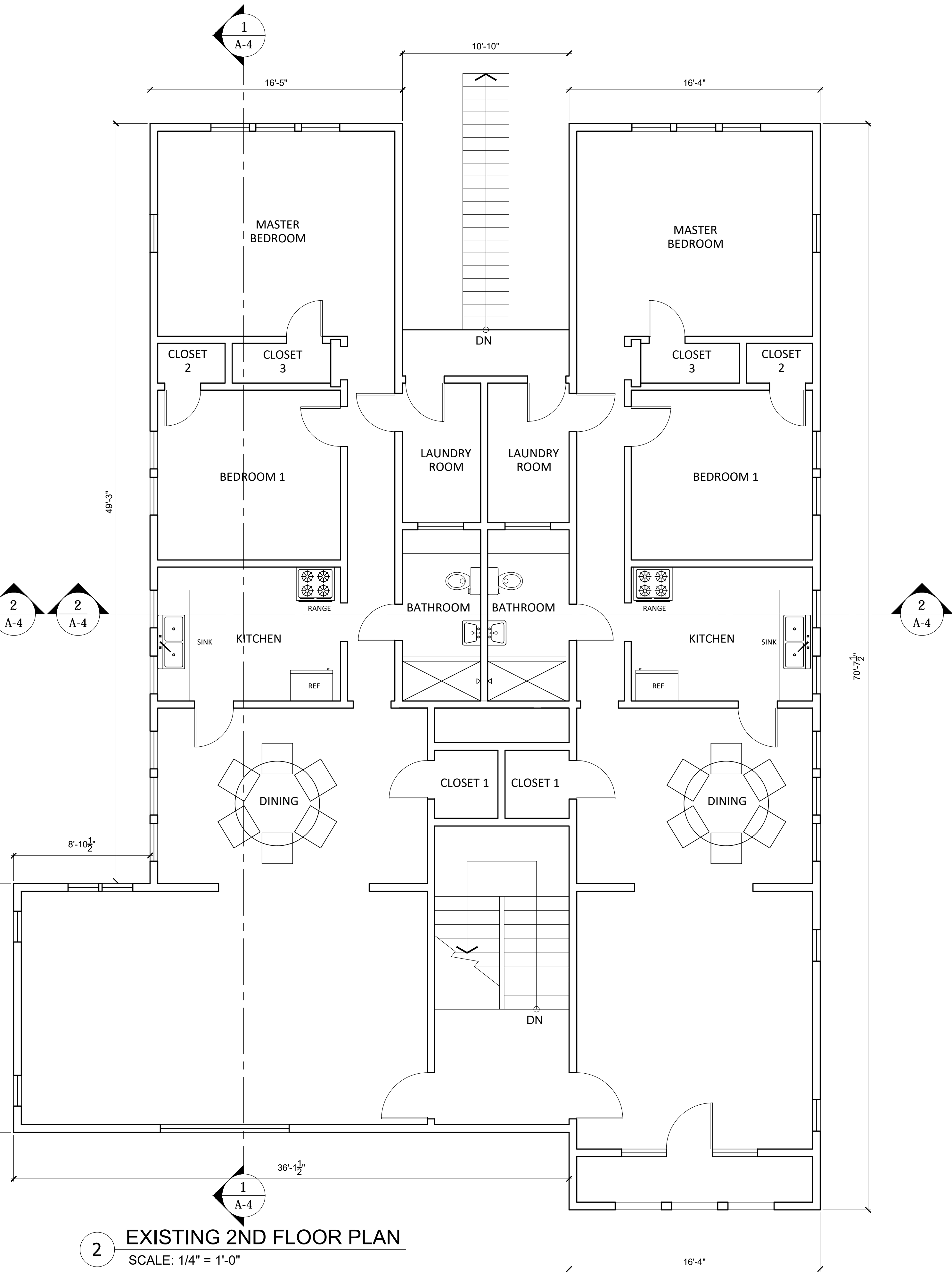
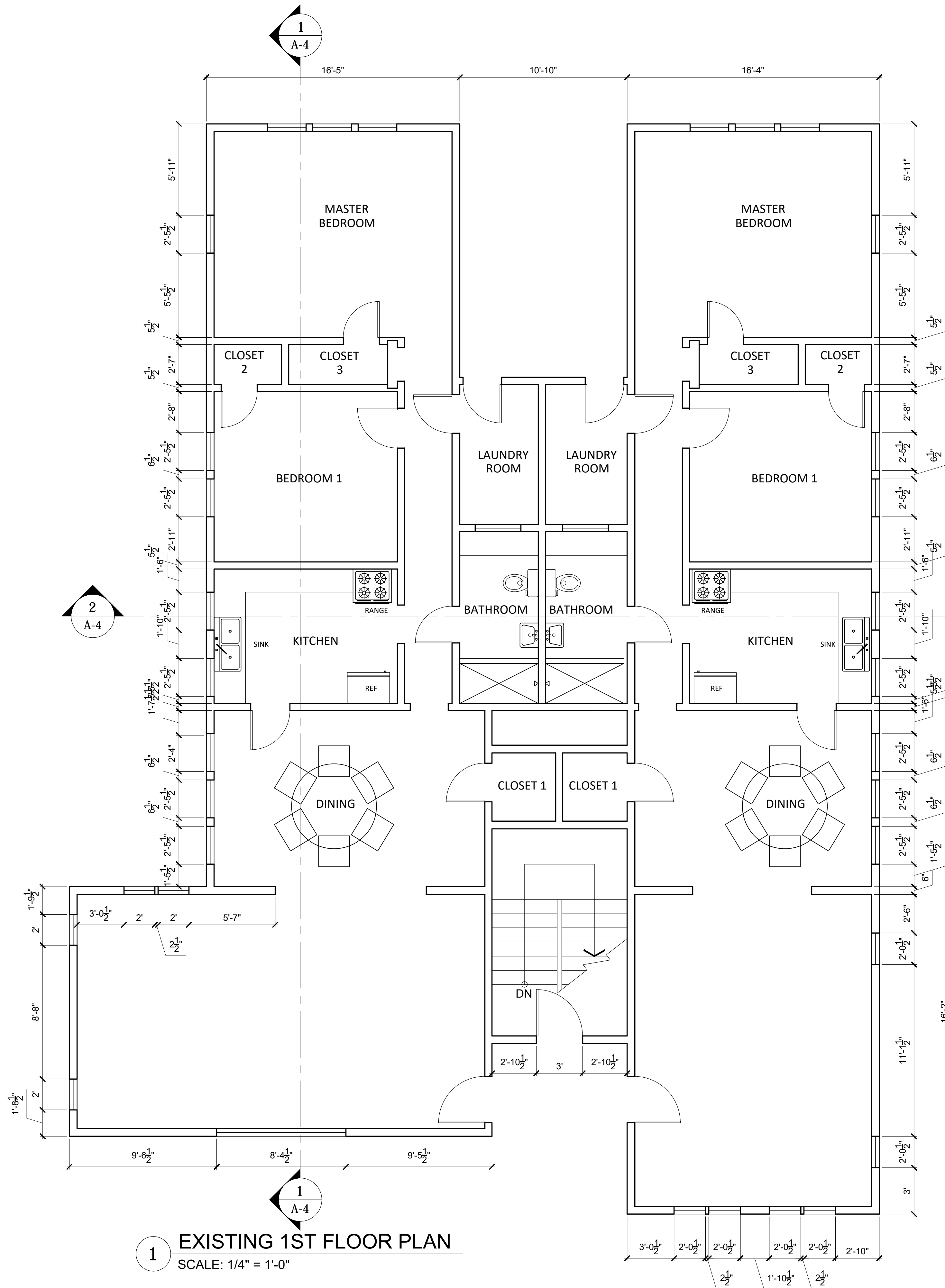
Also, please see attachment D, a petition which I had signed by numerous neighbors in support of our opposition of this condo-conversion. They are all renters in this area's rent controlled buildings who are very aware of the cumulative effect these subdivisions are having on the area.

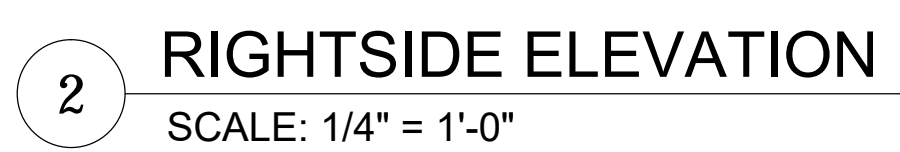
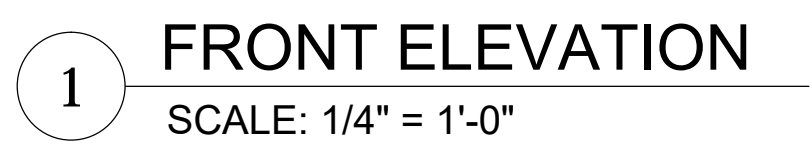
#### Attachments

- A. Department of City Planning Original Determination Letter
- B. Rental Listings
- C. Current Rent Document
- D. Petition









REVISIONS	BY
1 08-06-2013	
2 08-12-2013	



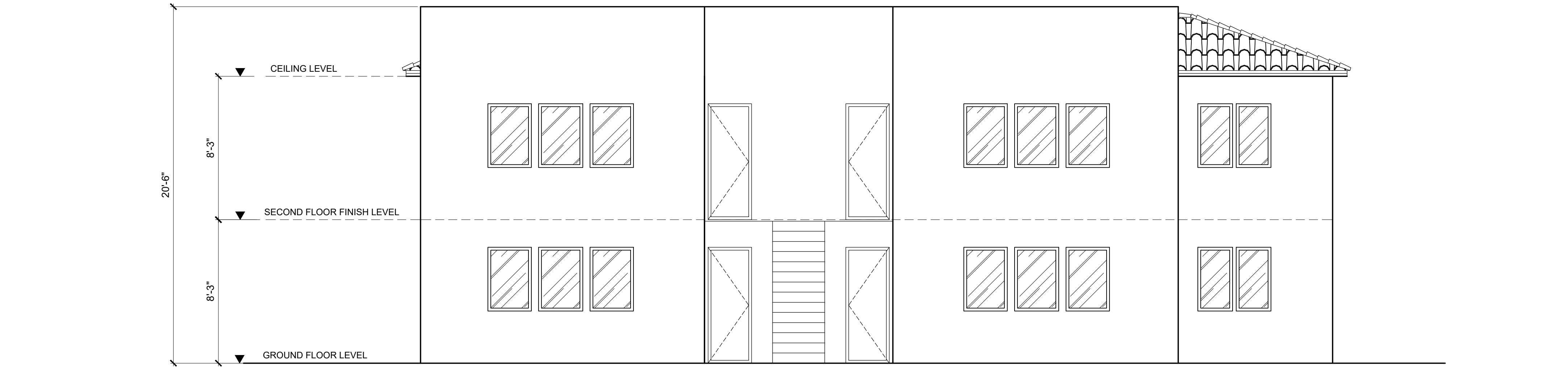
**PLAN AND PERMIT**  
*inc*

777 Silver Spur Road, Suite 133  
Rolling Hills Estates, California 90274  
Tel: 424-254-9906  
Email: [planandpermit@gmail.com](mailto:planandpermit@gmail.com)

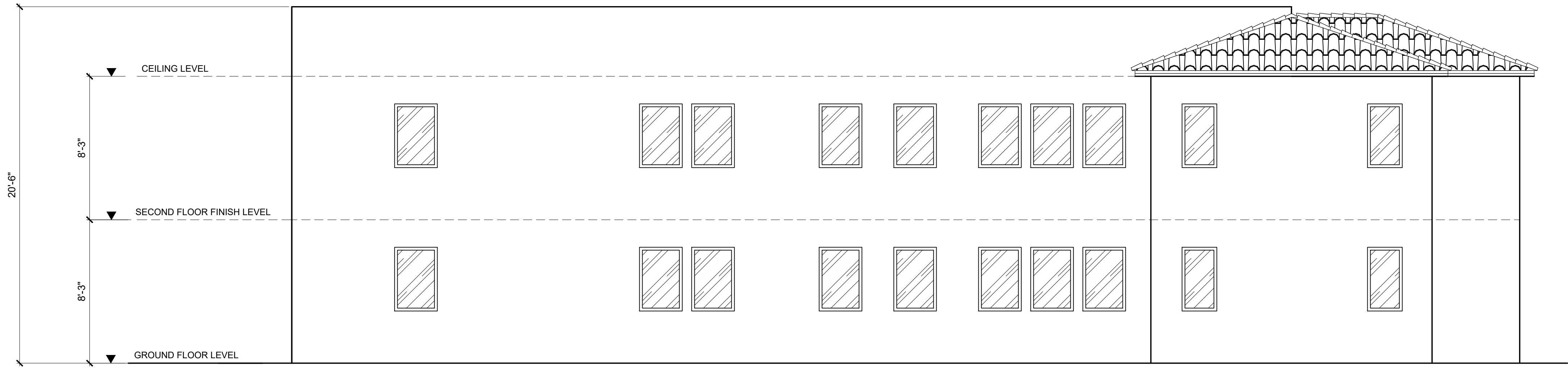
PROJECT:

OWNER: **MARK SILBER**  
121 N SYCAMORE AVE. LOS ANGELES, CA 90036

DATE	04-19-16
SCALE	AS NOTED
DRAWN	
JOB	
SHEET	
<b>A-2</b>	
OF SHEET	



1 REAR ELEVATION  
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2 LEFTSIDE ELEVATION  
SCALE: 1/4" = 1'-0"

REVISIONS		BY
	-	



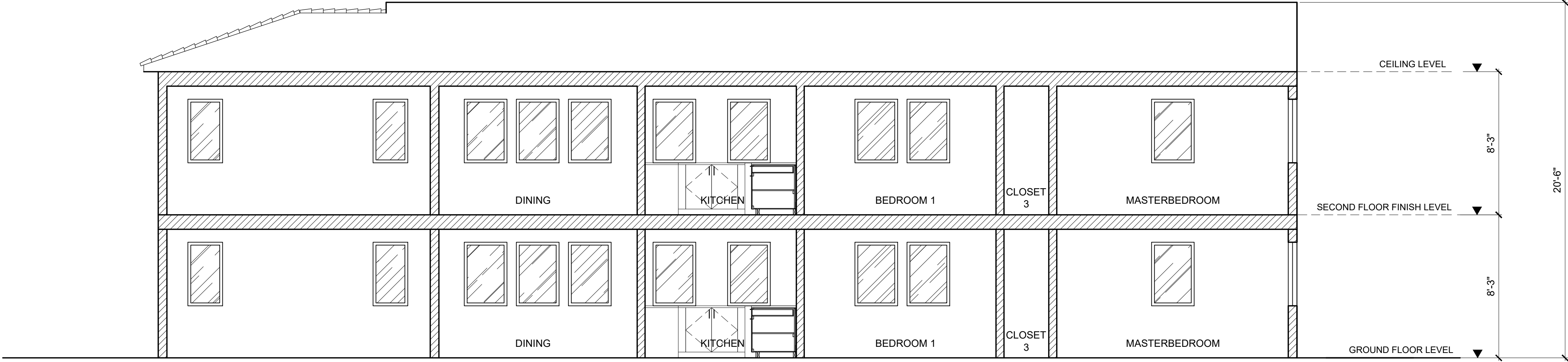
PLAN AND PERMIT

777 Silver Spur Road, Suite 133  
Rolling Hills Estates, California 90274  
Tel: 424-354-9906  
Email: planandpermit@gmail.com

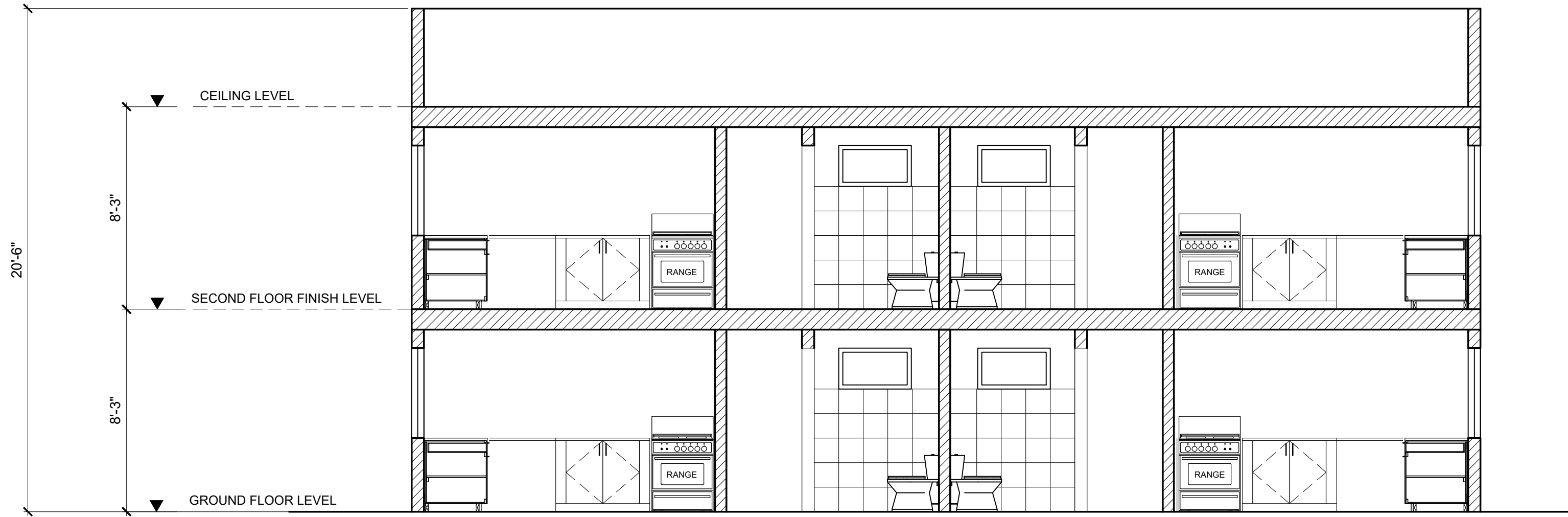
OWNER:  
**MARK SILBER**  
121 N SYCAMORE AVE. LOS ANGELES, CA 90036

PROJECT:  
-

DATE	04-19-16
SCALE	AS NOTED
DRAWN	
JOB	
SHEET	<b>A-3</b> OF SHEET



1 SECTION THRU A - A  
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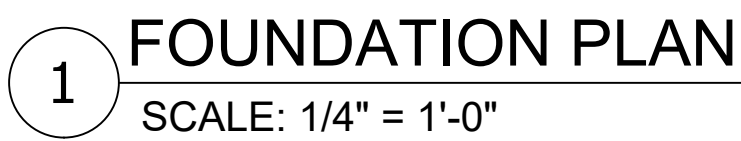


2 SECTION THRU B - B  
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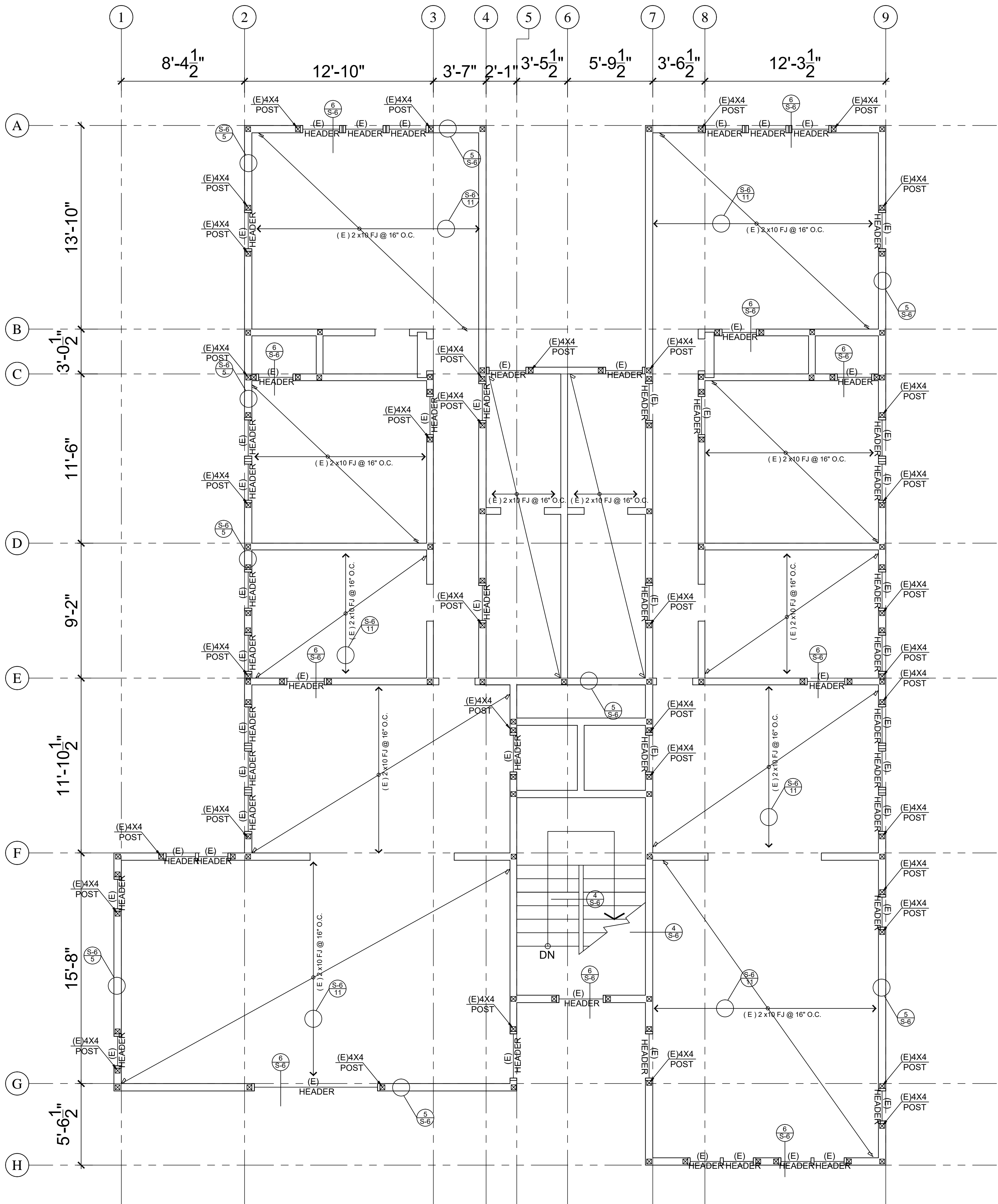






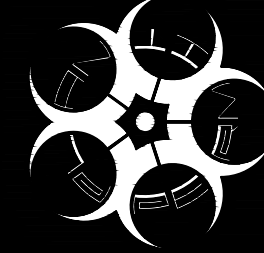


DATE	12-03-15
SCALE	AS NOTED
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JOB	
SHEET	
S-2	
OF SHEET	



1 FIRST FLOOR FRAMING PLAN  
SCALE: 1/4" = 1'-0"

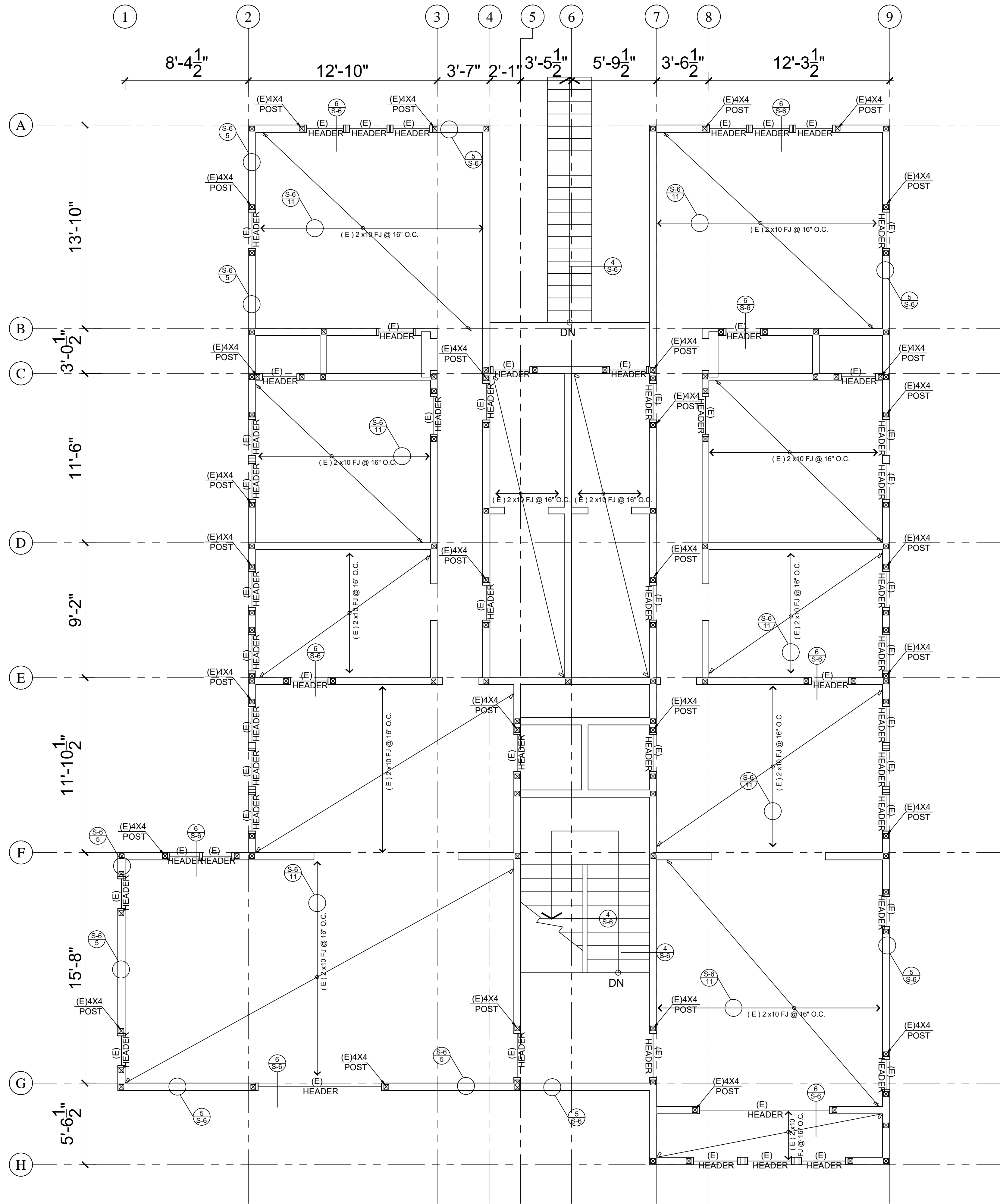
REVISIONS	BY
1 -	

**PLAN AND PERMIT INC.**  
8222 Melrose Avenue, Suite 401  
Los Angeles, California 90046  
Tel: 310-619-1977 Email: planandpermit@gmail.com

PROJECT:  
**EXISTING 4 UNITS APARTMENT TO NEW  
4 UNITS CONDO**

OWNER:  
**MOSHE SILBER**  
121 N. SYCAMORE AVENUE, LOS ANGELES, CA 90036

DATE 12-03-15  
SCALE AS NOTED  
DRAWN  
JOB  
SHEET  
**S-3**  
OF SHEET



1 SECOND FLOOR FRAMING PLAN  
SCALE: 1/4" = 1'-0"

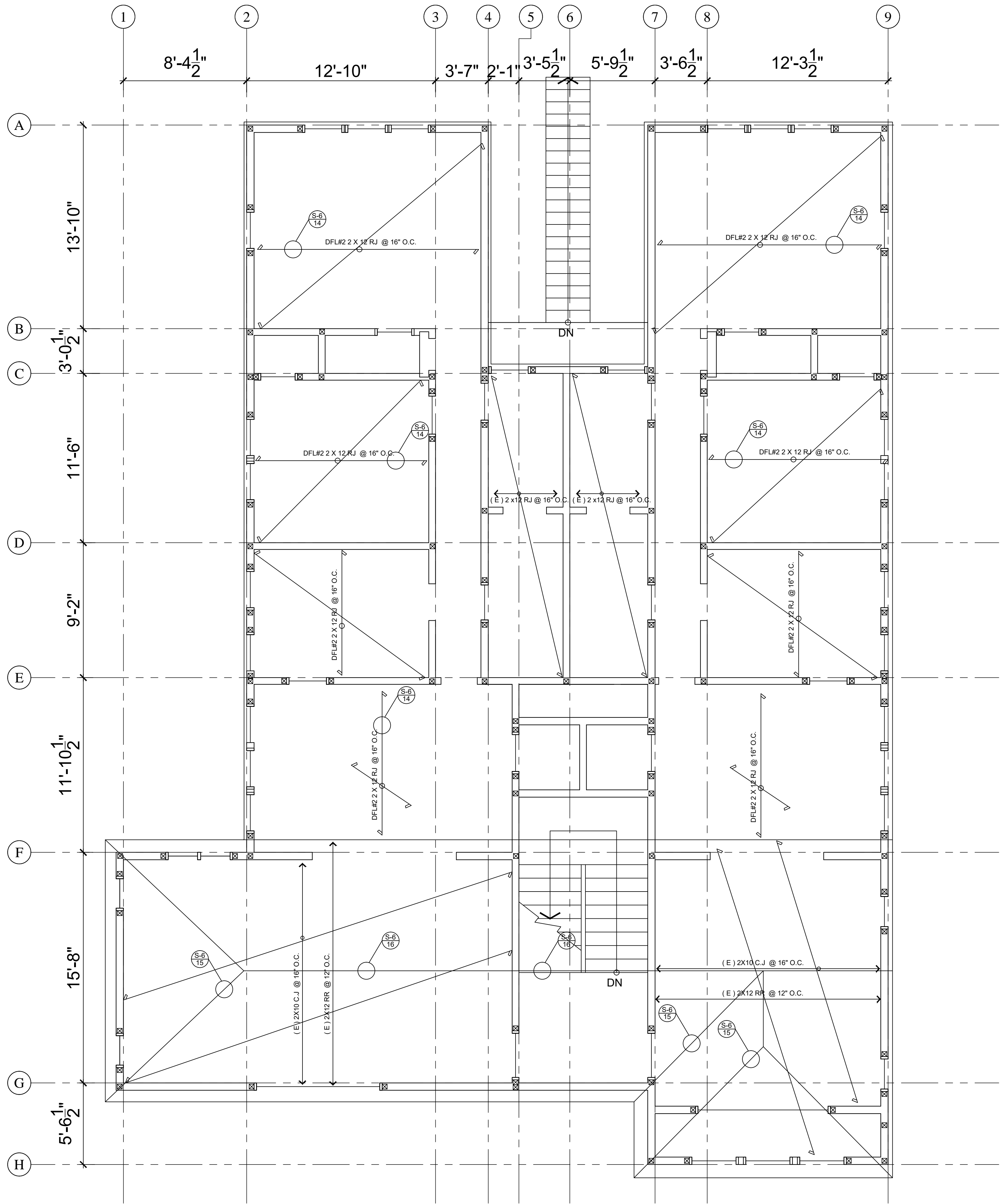
REVISIONS	BY
1 -	

**PLAN AND PERMIT INC.**  
8222 Melrose Avenue, Suite 401  
Los Angeles, California 90046  
Tel: 310-619-1977 Email: planandpermit@gmail.com

PROJECT:  
**EXISTING 4 UNITS APARTMENT TO NEW  
4 UNITS CONDO**

OWNER:  
**MOSHE SILBER**  
121 N. SYCAMORE AVENUE, LOS ANGELES, CA 90036

DATE 12-03-15  
SCALE AS NOTED  
DRAWN  
JOB  
SHEET  
**S-4**  
OF SHEET



1 ROOF FRAMING PLAN  
SCALE: 1/4" = 1'-0"



[illegible]