APPEAL OF: (PERMIT NUMBER(S) OF ALL APPLICABLE CASES)
Resolution No. HPC 19-137

PROPERTY INFORMATION:
Via Alegre LLC
NAME OF BUSINESS OR PROJECT
1251 N. Detroit Avenue, West Hollywood, CA 90046
STREET ADDRESS(es)

APPEALING THE DECISION OF THE (PLEASE CHECK):
☐ PLANNING COMMISSION
☒ HISTORIC PRESERVATION COMMISSION
☐ DIRECTOR OF COMMUNITY DEVELOPMENT

REASON FOR APPEAL: An appeal must be filed in compliance with Zoning Ordinance Chapter 19.76. All objections that will be raised at the hearing must be included in the appeal packet. Objections must fall into one or more of the following classifications (please check the appropriate categories):

☐ New information
☒ Inaccurate or unsupported findings and/or inadequate or excessive conditions by the decision making body, per Resolution(s):
Resolution No. HPC 19-137
(refer to Resolution number(s))

Technical errors; errors of fact

DIRECTIONS: Please use the following guidelines in preparing your appeal. Appeal forms that do not conform to the following instructions by 5:00 PM. on the tenth (10th) calendar day following the decision will not be accepted.

☐ State each objection clearly and specifically. FOR EXAMPLE, rather than stating "The project does not comply with the City's zoning ordinance," an application should state that "The project does not comply with Section 19.10.030 of the zoning ordinance regarding permitted uses in CN zones because dry cleaning plants are not listed as an allowable use in this zone." The latter is preferred because it is precise and illuminates relevant information.

☐ Include all relevant evidence and/or summary of why the evidence submitted is inadequate to support the decision.

☐ Appeals SHOULD NOT include:
• Inquiries concerning the project. Any questions should be directed to staff members.
• Complaints that are not related to the project.
• Items that are determined by another jurisdiction - such as the County Health Department

☐ Include the payment for the appeal unless an appeal petition form is completed and submitted.
SUMMARY OF APPEAL: (Attach any additional pages of your appeal statement to this sheet)

(SEE ATTACHED)

DECLARATION STATEMENT
I hereby declare and will testify in a court of law, that everything in this application is true and correct to the best of my knowledge. I admit to committing an act of perjury should this not be true.

[Signature]

DATE: Nov. 5, 19

Return To:
City of West Hollywood
Office of the City Clerk
8300 Santa Monica Blvd.
West Hollywood, CA 90069

Appellant Name: (print) Kathy Younessi
Address: 16458 Bolsa Chica #526
Huntington Beach, CA 92649
Phone: (714) 379-1111

City of West Hollywood • 8300 Santa Monica Boulevard • West Hollywood, CA • 90069-4314 • 323.848.6400 • www.weho.org
SUMMARY OF APPEAL

1. Findings for a Recommendation were not Clearly Defined - the Staff Report attempts to layout a rationale for recommending designation, but does not point to substantive evidence to support such a conclusion. It does not provide a rationale as to why its analysis sided with one Historic Resource Assessment (the HRA undertaken by a previous buyer authored by Leslie Heumann) over two other HRAs (subsequent HRA's conducted by Anne Marie Brooks and Kaplan Chen Kaplan) that came to a different conclusion. Instead, the City's analysis relied on a peer review by its Historic Preservation Consultant (Chattel, Inc) that was suspect in its material value for reasons outlined in #3. Additionally, the Staff Report does not outline why the evidence in the initial HRA is considered significant in the context of West Hollywood. No finding based on substantial evidence is provided in the staff report or contained in the public record. Evidence presented in the Staff Report is light at best or nonexistent at worst. Thus, there was limited data for which Historic Preservation Commission members could use in their deliberations and therefore they were unable to form a basis for a decision or express why they relied on one set of evidence over another to render a decision.

2. Staff's Conclusion was Unsupported/ Lacked Evidence - Planning Staff made two conclusions as to reason the Report had stipulated recommending a designation. One such conclusion was the argument that a craftsman duplex was important to the City's history. In the report conclusion, it framed this property/building as a "rare surviving example" in the City. Yet evidentiary material as to the importance to the City of this specific claim was not included in the report.

The City has never defined the duplex type as important to the City's architectural or development history. The City's Multi-Family Zone survey did not find the duplex property type significant enough to identify those buildings as a significant property type in its listing of properties surveyed. Under NRB 15, the fact that it is simply a duplex is not enough for the structure to be eligible. Further, a building typology (duplex vs single family dwelling, for example) cannot be a characteristic as defined in the City's Criteria #2. The subject property, as outlined in NRB15, stipulates that a subject property must have an important association with an event or trends and not for generic reasons.

The other conclusion made a claim that the building is highly representative of the Craftsman design and that it maintained a high degree of integrity, both are in dispute. The building is only a modest example of the style and has lost architectural integrity due to significant alterations including the clipping of character-defining rafter tails and modification of major porch elements.

3. The Process of Developing a Peer Review was Substantially Flawed - In an effort to gain certainty among conflicting reports, the City asked its Historic Preservation Consultant (Chattel, Inc) to peer review all three HRA's. In accepting such a request, the Consultant failed to disclose its ongoing working relationship with the author of the Initial HRA (Leslie Heumann). Ultimately, the peer review sided with Heumann HRA. Evidence of a long standing working relationship between Heumann and Chattel, Inc can be traced as far back as 2013 with various Staff Reports/ contracts from other local agencies listing Heumann as an agent for Chattel. It would have been improper for the City to knowingly hire a consultant to be an arbiter of conflicting evidence under the guise as a neutral third party when in fact a financial relationship existed between the Consultant and one of the HRA authors. In this case, there is no evidence that City had prior knowledge of that relationship.