

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
ALAURA R. McGUIRE
ISABEL TAHIR

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062
amarshall@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721
TEL: (916) 444-6201
FAX: (916) 444-6209

Of Counsel
DANIEL L. CARDOZO
MARC D. JOSEPH

September 11, 2025

Via Online Submission

City of Los Angeles Appeal Board
Online Portal: <https://plncts.lacity.org/oas>

Via Email

Erin Strelich, City Planning Associate
Email: erin.strelich@lacity.org

Kathleen King, City Planner
Email: kathleen.king@lacity.org

Re: Appeal of the Advisory Agency's Determinations Regarding the 6000 Hollywood Blvd Project (VTT-83987-VHCA; ENV-2022-6688-EIR; SCH No. 2023050659; Related Case No. ZA-2022-6687-CUB-DB-SPR-VHCA).

Dear Appeal Board Members, Ms. Strelich, and Ms. King:

On behalf of Coalition for Responsible Equitable Economic Development Los Angeles (“CREED LA”), we submit this appeal of the City of Los Angeles (“City”) Advisory Agency’s approvals of the 6000 Hollywood Blvd Project (VTT-83987-VHCA; ENV-2022-6688-EIR; SCH No. 2023050659) (“Project”).

The Advisory Agency issued a Letter of Determination (“LOD”) on September 2, 2025, approving a Vesting Tentative Tract Map pursuant to Los Angeles Municipal Code Sections 17.03 (Advisory Agency) and 17.15 (Vesting Tentative Maps). The Advisory Agency found that the Project was assessed in the Final Environmental Impact Report (“FEIR”) (SCH No. 2023050659) certified by the Zoning Administrator in a related determination on the same date (ZA-2022-6687-CUB-DB-SPR-VHCA).¹

CREED LA hereby appeals all actions taken by the Advisory Agency with regard to the Project as described in the September 2, 2025 LOD. The reasons for

¹ The Zoning Administrator issued a separate LOD certifying the Project’s EIR and adopting a Statement of Overriding Considerations and Mitigation Monitoring Program. The Zoning Administrator also approved a Conditional Use Permit (“CUP”), Site Plan Review, and Density Bonus Review. CREED LA is separately appealing the Zoning Administrator determination.

September 11, 2025

Page 2

this appeal are set forth herein and described in greater detail in the attached comments, which document the City's failure to comply with CEQA and land use laws. Attached are CREED LA's comments submitted on December 23, 2024² during the public review period of the Draft EIR, and CREED LA's comments on the FEIR, submitted on July 15, 2025.³ CREED LA's comments on the FEIR were submitted in advance of the Zoning Administrator and Advisory Agency hearing on July 16, 2025, and identify the issues which remained unresolved prior to Project approval. We incorporate by reference the attached comments and exhibits, which are in the City's record of proceedings for the Project.⁴

I. Standing to Appeal and Statement of Interest

CREED has standing to appeal the Project approvals. The Project's Vesting Tentative Map and environmental determination may be appealed to the Appeal Board⁵ by any interested person adversely affected by the proposed subdivision within ten 10 days of the mailing of the decision.⁶ Pursuant to LAMC Section 11.5.13, the Project's California Environmental Quality Act ("CEQA") determination is appealed with the underlying action.⁷

CREED LA and its members are interested persons who would be adversely affected by the Advisory Agency's determinations. CREED LA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The organization's members includes Los Angeles residents Thomas Brown, John Bustos, Gery Kennon, the Sheet Metal Workers Local 105, International Brotherhood of Electrical Workers Local 11, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of

² **Attachment A:** Letter from Adams Broadwell, Joseph & Cardozo ("ABJC") to City re: 6000 Hollywood Boulevard Project (SCH No. 2023050659; Environmental Case No. ENV-2022-6688-EIR) (December 23, 2024).

³ **Attachment B:** Letter from Adams Broadwell, Joseph & Cardozo to City re: Agenda Item 1 – 6000 Hollywood Boulevard Project (SCH No. 2023050659; Environmental Case No. ENV-2022-6688-EIR) (July 15, 2025).

⁴ We reserve the right to supplement these comments at later hearings and proceedings on the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; *see Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

⁵ Los Angeles Charter, Section 552 ("Each Area Planning Commission... shall have and exercise the power to ... hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator").

⁶ Los Angeles Municipal Code ("LAMC") Section 17.06(A)(3).

⁷ LAMC 11.5.13(C)(1), (D).

September 11, 2025

Page 3

California, along with their members, their families, and other individuals who live and work in the City of Los Angeles and Los Angeles County.

Individual members of CREED LA and its member organizations live, work, recreate, and raise their families in the City of Los Angeles and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

CREED LA seeks to ensure a sustainable construction industry over the long-term by supporting projects that have positive impacts for the community, and which minimize adverse environmental and public health impacts. CREED LA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CREED LA's appeal is timely filed within 10 days from the mailing date of the Advisory Agency's LOD. Therefore, CREED LA has standing to appeal the Advisory Agency's determinations.

II. Reasons for Appeal

A. Approval of the Vesting Tentative Tract Map Was Unsupported by the Record

The Subdivision Map Act requires agencies to deny approval of a map if the project would result in significant environmental or public health impacts. Government Code, section 66474, provides:

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

September 11, 2025

Page 4

- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

LAMC Section 17.15(c)(2), “Vesting Tentative Maps,” provides that “a permit, approval, extension or entitlement may be conditioned or denied if the Advisory Agency, or the City Planning Commission or the City Council on appeal determines:

- (a) A failure to do so would place the occupants of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; or
- (b) The condition or denial is required in order to comply with state or federal law.

Here, CREED LA’s July 15, 2025 comments to the Zoning Administrator and Advisory Agency demonstrate that approval of the vesting tentative tract map

would place the community in a condition dangerous to its health and safety. As detailed in Attachment B, the FEIR's conclusions that impacts would be less than significant are not supported by substantial evidence, and evidence in the record demonstrates that the Project may result in significant geotechnical, hazardous materials, air quality, health risk, energy, noise and cumulative impacts.

Specifically, CREED LA's air quality consultant, Dr. Clark, demonstrated that the FEIR's health risk analysis contains errors that underestimate the Project's impacts, and that when these errors are corrected, the cancer risk for the most sensitive population would be 22.3 in 1,000,000, a significant impact.⁸ The FEIR also fails to address the Project's combined impacts with other nearby construction projects, which would impact a community ranking in the 99.3 percentile in the State for pollution-burdened communities.⁹ The FEIR also fails to acknowledge greenhouse gas and energy impacts associated with the large amount of parking proposed by the Project. The FEIR also fails to resolve significant noise impacts demonstrated by CREED LA's noise consultant, Mr. Faner.

The Project's excavation may also expose workers and residents to harmful levels of volatile organic compounds ("VOCs"). Attachment B shows that, after circulation of the Draft EIR, changes were made to the Project that would result in new significant environmental effects.¹⁰ The original Project design required 40 feet of below ground surface ("bgs") excavation for the building foundations. The Project design was subsequently revised, and is now described in the FEIR to require excavation of 48 feet bgs, which will result in deeper excavation into contaminated soil than was analyzed in the DEIR. The DEIR's Phase II ESA found significant contamination from VOCs at 40 feet bgs at boring 9, and identified PCE contamination levels increasing in severity with increased depth at borings 9 and 10.¹¹ However, neither the DEIR or the FEIR examined Project excavation at 48 feet, and therefore lacks analysis or mitigation for the increased VOC releases that would occur at greater soil depths, resulting in potentially significant, unmitigated risks to public health and safety. CREED LA's expert found that the Project's increased excavation depth creates a new potential for exposure to soil contamination that was not analyzed in the DEIR or FEIR, and is not adequately addressed by the measures in the Project's Mitigation Monitoring and Reporting Program ("MMRP"). The increased excavation would also result in increased air quality and public health impacts that were not disclosed in the FEIR.

⁸ Attachment B, Clark Comments, pg. 3.

⁹ DEIR, Appendix B, PDF pg. 54.

¹⁰ Cal. Code Regs. Tit. 14, § 15088.5.

¹¹ DEIR, Appendix F, PDF pg. 1583, 1587; DEIR, pg. IV.F-26.

These public health and safety impacts provided substantial evidence demonstrating that the Advisory Agency should have denied the vesting map pursuant to Government Code Section 66474. The Advisory Agency's approval of the Vesting Tentative Tract Map was an abuse of discretion that was unsupported by the record and contrary to law. The Appeal Board should vacate the Advisory Agency's approval and remand the Project to City staff to correct the errors in the EIR and adopt adequate mitigation measures to reduce the Project's significant public health and safety impacts to less than significant levels before the City can approve the Vesting Tentative Tract Map.

B. The Director's Reliance on CEQA's Subsequent Review Standards Violates CEQA

CREED LA appeals the Advisory Agency's findings which incorrectly found that, based on the administrative record, the Project was assessed and adopted by the Zoning Administrator on September 2, 2025.¹² This finding violates CEQA's procedural mandates and is invalid as a matter of law.

First, under CEQA, the Advisory Agency could not find that the Project's FEIR had been properly assessed and certified by the Zoning Administrator because CEQA also required the Advisory Agency to independently review the FEIR in conjunction with approving Project entitlements. Courts have explained that “[a] decision on both matters must be made by the same decision-making body because ‘... CEQA is violated when the authority to approve or disapprove the project is separated from the responsibility to complete the environmental review.’”¹³ In *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731, the court explained:

¹² City of Los Angeles, LOD for Vesting Tentative Tract Map No.: 83987 (September 2, 2025), pg. 1 (“Based on the independent judgement of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the previously certified Environmental Impact Report (EIR) No. ENV-2022-6688-EIR, certified on September 2, 2025, and pursuant to CEQA Guideline, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project”)

¹³ *Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 360, citing *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731; *see Clews Land & Livestock, LLC v. City of San Diego* (2017) 19 Cal.App.5th 161, 188 (“for an environmental review document to serve CEQA's basic purpose of informing governmental decision makers about environmental issues, that document must be reviewed and considered by the same person or group of persons who make the decision to approve or disapprove the project at issue”); *California Clean Energy Committee v. City of San Jose* (2013) 220 Cal.App.4th 1325, 1341 (project approval “skirt[red] the purpose of CEQA by segregating environmental review of the EIR from the project approval”).

For an environmental review document to serve CEQA's basic purpose of informing governmental decision makers about environmental issues, that document must be reviewed and considered by the same person or group of persons who make the decision to approve or disapprove the project at issue. In other words, the separation of the approval function from the review and consideration of the environmental assessment is inconsistent with the purpose served by an environmental assessment as it insulates the person or group approving the project 'from public awareness and the possible reaction to the individual members' environmental and economic values.

CEQA mandates that agencies refrain from certifying and adopting an EIR prior to full consideration of all aspects of a project.¹⁴ Here, the Project's underlying entitlements were approved in separate actions by the Zoning Administrator and Advisory Agency. The CUP, Site Plan Review, and Density Bonus Review were approved by the Zoning Administrator, whereas the Project's Vesting Tentative Tract Map was approved by the Advisory Agency. The City's split entitlement approval process resulted in premature certification of the FEIR by the Zoning Administrator before the Project's underlying entitlements were approved. This process violates the above-referenced caselaw because the agency responsible for approval of the Vesting Tentative Tract Map did not independently review the adequacy of the FEIR—the Advisory Agency only determined that the Project was previously certified. This violates CEQA's basic purpose of informing governmental decision makers about environmental issues before approving a project.

Second, the Advisory Agency's reliance on CEQA's subsequent review standards also violated CEQA and land use laws.¹⁵ Rather than certifying the FEIR, the Advisory Agency merely found that the Project was previously in the FEIR already approved by the Zoning Administrator. CEQA's subsequent review standards do not apply to initial approval of a project. CEQA's subsequent review standards apply to subsequent modifications to projects which were previously approved and for which an EIR was previously certified or an MND/Negative Declaration previously adopted.¹⁶ These legal standards do not apply to projects which have not yet received their initial entitlement approvals. As a result, the Advisory Agency's finding that the Project is not subject to further CEQA review under CEQA's subsequent review standards was invalid as a matter of law.

¹⁴ See, e.g., *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 963; *Coalition for an Equitable Westlake/Macarthur Park v. City of Los Angeles* (2020) 47 Cal.App.5th 368, 379; *Stockton Citizens for Sensible Planning v. City of Stockton*, 48 Cal. 4th 481, 489; *Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 418-25.

¹⁵ CEQA Guidelines Sections 15162 and 15164.

¹⁶ Pub. Res. Code, § 21166; CEQA Guidelines Sections 15162-15164.

The Advisory Agency failed to proceed in the manner required by law relying on a CEQA document which had been prematurely adopted to support approval of the Project's underlying entitlements. The Advisory Agency's decision also violated the Municipal Code's mandate not to approve the Project's entitlements unless "an appropriate environmental review clearance has been prepared in accordance with the requirements of CEQA."¹⁷

CREED LA respectfully requests that the Appeal Board vacate the Advisory Agency determination approving the Project on this basis.

III. CONCLUSION

CREED LA respectfully requests that the City set a hearing on this appeal, and that the Appeal Board uphold this appeal and vacate the Advisory Agency's approval of the Project. The EIR must then be revised and recirculated to comply with CEQA before the Project's Vesting Map and other entitlements are considered for approval.

Sincerely,



Aidan P. Marshall

Attachments
APM:acp

¹⁷ LAMC Section 16.05(E)(4).



PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals, use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals, use form [CP13-7854](#).

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- Area Planning Commission (APC) City Planning Commission (CPC) City Council
 Zoning Administrator (ZA)

CASE INFORMATION

Case Number: VTT-83987

APN: 5545-006-029; 005-005; 005-022

Project Address: 5950 - 6048 West Hollywood Boulevard, 6037 West Carlton Way Los Angeles, CA 90028

Final Date to Appeal: September 12, 2025

APPELLANT

Check all that apply.

- Person, other than the Applicant, Owner or Operator claiming to be aggrieved
 Representative Property Owner Applicant Operator of the Use/Site

APPELLANT INFORMATION

Appellant Name: CREED LA c/o Aidan P. Marshall

Company/Organization: Adams, Broadwell, Joseph & Cardozo

Mailing Address: 601 Gateway Blvd. Ste. 1000

City: South San Francisco State: CA Zip Code: 94080

Telephone: (650) 589-1660 E-mail: amarshall@adamsbroadwell.com

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

Self Other: CREED LA

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

YES NO

REPRESENTATIVE / AGENT INFORMATION

Name: Aidan P. Marshall

Company/Organization: Adams, Broadwell, Joseph & Cardozo

Mailing Address: 601 Gateway Blvd. Ste. 1000

City: South San Francisco State: CA Zip Code: 94080

Telephone: (650) 589-1660 E-mail: amarshall@adamsbroadwell.com

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?

Entire Part

Are specific Conditions of Approval being appealed?

YES NO

If Yes, list the Condition Number(s) here: All conditions

On a separate sheet provide the following:

Reason(s) for the appeal

Specific points at issue

How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Andrea Marshall Date: 9/11/2025

GENERAL NOTES

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.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: _____

Reviewed & Accepted by (DSC Planner): _____

Receipt No.: _____ Date: _____

Determination authority notified Receipt Number

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our [Online Application System \(OAS\)](#).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- Appeal Application
- Justification/Reason for Appeal