



# DEPARTMENT OF CITY PLANNING APPEAL REPORT

## City Planning Commission

**Date:** May 13, 2021  
**Time:** After 8:30 a.m.\*  
**Place:** In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

**Public Hearing:** Required  
**Appeal Status:** Not Further Appealable  
**Expiration Date:** May 13, 2021

**Case No.:** ZA-2019-1744-CU-MCUP-  
SPR-TOC-1A  
**CEQA No.:** ENV-2019-1736-SCPE  
**Incidental Case:** None  
**Related Cases:** VTT-82618-CN-1A

**Council No.:** 4 - Nithya Raman  
**Plan Area:** Wilshire  
**Specific Plan:** None  
**Certified NC:** Mid City West  
**GPLU:** General Commercial  
**Zone:** C2-1

**Applicant:** Gidi Cohen, La Brea Bliss, LLC  
**Representative:** Dana Sayles, Three6ixty

**Appellant:** Alyssa Ashton Shah,  
Jaxon LLC, Design Mix  
Furniture

**Representative:** James O'Sullivan, Fix the City  
Inc.

**Appellant:** Margaret Flores, Maya  
Barron and UNITE HERE  
Local 11

**Representative:** Jordan Sisson, Law Offices of  
Gideon Kracov

**PROJECT LOCATION:** 623 – 671 South La Brea Avenue

**PROPOSED PROJECT:** The proposed project involves the demolition of the existing commercial buildings and the construction, use, and maintenance of a new eight-story, 201,123 square-foot mixed-use building with 121 residential dwelling units; 125 hotel guest rooms; 13,037 square feet of commercial space; and a total of 10,921 square feet of open space. The proposed project will include a total 18 dwelling units set aside for Extremely Low Income Households (or 15% of the proposed density) and one (1) unit set aside for Moderate Income Households. The building will be constructed with seven (7) residential and hotel levels above one (1) level of ground floor parking, residential and hotel lobbies and commercial uses, and two (2) levels of subterranean parking. The project will provide 185 vehicular parking spaces within one (1) level of ground floor and two (2) levels of subterranean parking.

**APPEAL ACTION:**

1. An appeal of the Zoning Administrator's determination, pursuant to LAMC Section 12.22-A,31, to approve an 80% increase in density consistent with the provisions of the Transit Oriented Communities Affordable Housing Incentive Program along with two (2) incentives for a Tier 4 project with a total of 121 dwelling units, including 14

units reserved for Extremely Low Income (ELI) Household occupancy for a period of 55 years with two (2) additional incentives:

- a. **Setback.** To permit the use of any or all the yard requirements for the RAS3 Zone in lieu of the C2-1, and
  - b. **Open Space.** To permit a 25% reduction in the required open space;
2. An appeal of the Zoning Administrator's determination, pursuant to LAMC Section 16.05, to conditionally approve a Site Plan Review for the construction, use and maintenance of a new, eight-story, mixed-use building with 121 dwelling units, 125 hotel guestrooms, and 13,037 square feet of commercial space in the C2-1 Zone;
  3. An appeal of the Zoning Administrator's determination, pursuant to LAMC Section 12.24-W,1, to approve a Master Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site and off-site consumption, and
  4. An appeal of the Zoning Administrator's determination, pursuant to LAMC Section 12.24-W, 24, to approve a Conditional Use to permit a hotel within 500 feet of a residential zone.

#### RECOMMENDED ACTIONS:

1. **Deny** the appeal and **sustain** the Zoning Administrator's determination, pursuant to LAMC Section 12.22-A,31, to approve an 80% increase in density consistent with the provisions of the Transit Oriented Communities Affordable Housing Incentive Program along with two (2) incentives for a Tier 4 project with a total of 121 dwelling units, including 14 units reserved for Extremely Low Income (ELI) Household occupancy for a period of 55 years with two (2) additional incentives:
  - a. **Setback.** To permit the use of any or all the yard requirements for the RAS3 Zone in lieu of the C2-1, and
  - b. **Open Space.** To permit a 25% reduction in the required open space;
2. **Deny** the appeal and **sustain** the Zoning Administrator's determination, pursuant to LAMC Section 16.05, to conditionally approve a Site Plan Review for the construction, use and maintenance of a new, eight-story, mixed-use building with 121 dwelling units, 125 hotel guestrooms, and 13,037 square feet of commercial space in the C2-1 Zone;
3. **Deny** the appeal and **sustain** the Zoning Administrator's determination, pursuant to LAMC Section 12.24-W,1, to approve a Master Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site and off-site consumption;
4. **Deny** the appeal and **sustain** the Zoning Administrator's determination, pursuant to LAMC Section 12.24-W,24, to approve a Conditional Use to permit a hotel within 500 feet of a residential zone, and
5. **Adopt** the Findings.



VINCENT P. BERTONI, AICP  
Director of Planning



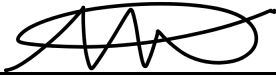
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Heather Bleemers, Senior City Planner



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Oliver Netburn, City Planner



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Michelle Carter, City Planning Associate  
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**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 City Planning Commission Secretariat, 200 North Spring Street, Room 272, 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 this 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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### Maps:

- Map 1 - Zoning Map
- Map 2 - Vicinity Map
- Map 3 - Radius Map

### Exhibits:

- Exhibit A: Appeal Application #1 (Alyssa Ashton Shah, Jaxon LLC, Design Mix Furniture)
- Exhibit B: Appeal Application #2 (Margaret Flores, Maya Barron and UNITE HERE Local 11)
- Exhibit C: Zoning Administrator's Determination (Case No. ZA-2019-1744-CU-MCUP-SPR-TOC)
- Exhibit D: Project Plans
- Exhibit E: Sustainable Communities Project Exemption (Case No. ENV-2019-1736-SCPE)
- Exhibit F: Public Comments

## PROJECT ANALYSIS

### PROJECT BACKGROUND

The subject property is comprised of 12 contiguous lots consisting of 47,323 net square feet of lot area having a frontage of 440 feet along La Brea Avenue and a frontage of 440 feet along the alley and a lot depth of 105 feet. A portion of the subject property (Lot 49) is currently controlled by MTA during the construction of the Wilshire/La Brea train station and will revert back to the control of the property owner at the completion of construction. The subject property is zoned C2-1 within the Wilshire Community Plan with a General Commercial land use designation and is located within Transit Oriented Communities (TOC), Tier 4 area.

The subject property is currently developed with commercial buildings and surface parking. The proposed project includes the demolition of the existing commercial buildings and the construction, use, and maintenance of a new eight-story, 201,123 square-foot mixed-use building with 121 residential dwelling units and 125 hotel guest rooms. The proposed project will include a total 18 dwelling units set aside for Extremely Low Income Households (or 15% of the proposed density) and one (1) unit set aside for Moderate Income Households as the applicant has volunteered to provide an additional four (4) units for Extremely Low Income Households and one (1) unit for Moderate Income Households. The building will be constructed with seven (7) residential and hotel levels above one (1) level of ground floor residential and hotel lobbies and commercial uses and two (2) levels of subterranean parking. The project includes six (6) three-bedroom units, 37 two-bedroom units, 78 one-bedroom units, 13,037 square feet of commercial space and a total of 10,921 square feet of open space. The proposed project includes 130,138 square feet of residential space and 70,985 square feet of hotel/commercial/retail space. As proposed the project includes a total of approximately 201,123 square feet of floor area, resulting in a FAR of 4.25:1.

The table below provides a breakdown of the project development potential using the base zone development standard, the TOC Guidelines Incentives and the project as proposed.

	By-right	TOC Permitted	Proposed
<b>Density</b>			
Dwelling Units	130	234	121 (-9 from by-right)
Guest Rooms	259	n/a	125 (-134 from by-right)
<b>Floor Area</b>			
Total Permitted	70,985 (1.5:1 FAR)	201,123 (4.25:1 FAR)	201,122 (4.25:1 FAR)
Residential (Dwelling Units)	70,985 (100% residential)	201,123 (100% residential)	130,138 (2.75:1 FAR)
Commercial (Hotel/Restaurant/Retail)	70,985 (100% residential)	70,985 (100% residential)	70,984 (1.5:1 FAR)
<b>Parking</b>			
Residential (129 Dwelling Units)	149	0	43 (-106 from by-right; +43 from TOC permitted)
Hotel (125 Guest Rooms)	67	67	67
Restaurant/Retail (13,037 sf)	136	82 (40% reduction)	82 (-54 from by-right)

			192 <i>(-160 from by-right; +43 from TOC permitted)</i>
Total	352	149	

**SURROUNDING PROPERTIES**

Surrounding uses are within multiple residential and commercial zones and are generally developed with a combination of commercial and residential multi-family structures. The property to the north abutting the site is zoned C2-1 and is developed with two-story commercial building and associated parking. The properties to east across La Brea Avenue are zoned C2-1 and are developed with commercial uses and associated parking. The property to the south across the alley is zoned [Q]C4-2-CDO and is currently being improved with the future Metro D (Purple) Line Wilshire/La Brea Station. The properties to the west across the alley are developed with multi-story multi-family residential building in the [Q]R4-1 zone.

**STREETS AND CIRCULATION**

La Brea Avenue, abutting the property to the east, is designated as an Avenue I dedicated to a width of 100 feet, and is improved with asphalt roadway, curb, gutter, and concrete sidewalks.

A public alley, abutting the property to the west, is dedication to 15 feet and improved with asphalt roadway.

**SUSTAINABLE COMMUNITIES PROJECT EXEMPTION**

Pursuant to Senate Bill (SB) 375 and Public Resources Code (PRC) Section 21155.1, a project that qualifies as a Transit Priority Project and is declared by a legislative body to be a Sustainable Communities Project is statutorily exempt from the California Environmental Quality Act (CEQA). These SB 375 clearances are intended to meet the goals of the Sustainable Communities Strategy to encourage higher density, infill development located near transit.

In order to qualify as a Transit Priority Project, the project must be consistent with general land use policies of an adopted Sustainable Communities Strategy per PRC Section 21155(a) and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor. In order to qualify as a Sustainable Communities Project, the project must meet all environmental criteria in PRC Section 21155.1(a), all land use criteria in PRC Section 21155.1(b), and one public benefit criteria in PRC Section 21155.1(c). A public hearing must be held by City Council prior to declaring a project to be a Sustainable Communities Project and the City Council is required to find the necessary criteria are met in Subsections (a), (b) and (c) of PRC Section 21155.1. Unlike other CEQA clearances, the SCP Exemption must be approved by the City Council, even if the initial decisionmaker or appellate body is a lower decision-making body or officer. The City Council determined at its October 14, 2020, hearing that the project is exempt from CEQA pursuant to PRC 21155.1 as a Transit Priority Project and Sustainable Communities Project.

**TRANSIT ORIENTED COMMUNITIES**

Pursuant to the voter-approved Measure JJJ, Los Angeles Municipal Code (LAMC) 12.22-A,31 was added to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program (TOC Program). The Measure requires the Department of City Planning to create TOC Affordable Housing Incentive Program Guidelines (TOC Guidelines) for all Housing Developments located within a ½-mile (or 2,640-foot) radius of a Major Transit Stop. These

Guidelines provide the eligibility standards, incentives, and other necessary components of the TOC Program consistent with LAMC 12.22-A,31.

A qualifying TOC Project shall be granted Base Incentives with regard to increased residential density, increased floor area ratio, and reduced automobile parking requirements. In addition to these Base Incentives, an eligible project may be granted Additional Incentives with regard to yards and setbacks, open space, lot coverage, lot width, averaging, density calculation, height, and developments in public facilities zones. Up to three (3) Additional Incentives may be granted in exchange for providing the requisite set aside of affordable housing as enumerated in the TOC Guidelines.

The proposed project is located less than a ½ mile from the future Wilshire Boulevard/La Brea Avenue Los Angeles Metro D (Purple) Line Rail station and is therefore defined as a Major Transit Stop. Furthermore, as the project will set aside 11% of the total number of units for Extremely Low Income Households and meets all other eligibility requirements of the TOC Affordable Housing Incentive Program, the project is entitled to the Base Incentives including an 80 percent increase in density, increase in FAR, and reduction in parking.

In addition, as the Wilshire Boulevard and La Brea Avenue intersection which contains the Los Angeles Metro D (Purple) Line Rail station is approximately 250 feet from the subject property the project is located within Tier 4 of the TOC Guidelines. Therefore, as the project will set aside 11% of the base number of units for Extremely Low Income Households, the project is entitled to three (3) Additional Incentives. The applicant is requesting two (2) Additional Incentives.

Given the above, the proposed project includes the following Base and Additional Incentives for a qualifying Tier 4 Project:

**Tier 4 Base Incentives:**

- a. **Density:** The subject property is zoned C2-1 and limited to a maximum residential density of one (1) dwelling unit per 400 square feet of lot area. Additionally, the zone allows for a guest room density of one (1) guest room per 200 square feet of lot area. At a total lot area of 51,886 square feet in size (including half of the abutting alley) the property has a base density of 130 units (51,886 square feet of lot area divided by 400 square feet) or 259 guest rooms (51,886 square feet of lot area divided by 200 square feet). Pursuant to the TOC Guidelines, the project is eligible for an 80% density increase from the base density the project is permitted a maximum of 234 total residential units.

The project proposes to utilize 25,000 square feet of lot area for the purposes of calculating the total number of guest rooms which is 125 guest rooms (25,000 square feet of lot area divided by 200 square feet). The remaining 26,886 square feet of lot area is used for calculating the density of residential units which allows for 68 base units (26,886 square feet of lot area divided by 400 square feet). The allowance of an 80% increase in base residential units pursuant to the TOC Guidelines allows for 123 residential units. The project proposes a total of 121 residential units and 125 hotel guestrooms.

- b. **Floor Area Ratio (FAR):** The subject property is zoned C2-1 and limited to an FAR of 1.5 to 1. As an eligible Housing Development, the project is entitled to a 55 percent FAR increase, or 4.25 to 1 in a commercial zone, whichever is greater for residential density. As proposed, the project has a maximum FAR of 4.25 to 1.

- c. **Parking:** Pursuant to LAMC Section 12.21-A,4, the proposed 121 residential dwelling units would be required to provide a total of 206 automobile parking spaces. As an Eligible Housing Development, the project is eligible for zero (0) parking spaces per unit, or no parking spaces for the residential units. The project is required to provide 67 parking code required parking spaces for the proposed hotel guest rooms. Additionally, the project may reduce the non-residential parking by up to 40 percent or 81 parking spaces. The project includes a total of 185 valet automobile parking spaces and a total of 158 bicycle parking spaces (48 short-term and 110 long-term bicycle parking spaces) within one (1) one ground floor and two (2) levels of subterranean parking.

#### **Tier 4 Additional Incentives:**

- a. **Setbacks.** Eligible Housing Developments located in any commercial zone may utilize any or all of the yard requirements for the RAS3 zone per LAMC 12.10.5. In this case, the project would be required to provide side and rear yard conforming to the requirements of the C2-1 Zone for portions of buildings erected and used for residential purposes, which includes five-foot side yards, and a four-foot rear yard. The project, as proposed, will provide yard requirements conforming to the RAS3 zone which includes a 15-foot rear yard along the alley, a 0-foot front yard along La Brea Avenue, and 0-foot side yard for the ground floor portion of the building with 5-foot side yards at the residential levels.
- b. **Open Space.** Eligible Housing Developments in Tier 4 may utilize a 25% decrease in required open space, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "O". As proposed, the project will be providing 11,074 square feet of open space in lieu of the required 13,475 square feet.

#### **Public Correspondence**

- Correspondences date October 30, 2019, January 14, 2020, January 24, 2020, and February 5, 2020 was received from Jamie Hall, on behalf of Unite Here Local 11, opposing the project and the associated environmental case.
- Correspondences dated October 22, 2019, January 3, 2020, January 13, 2020, and February 7, 2020, from Fix the City, opposing the proposed project.
- Email correspondence was received from Karen Bruce, on October 22, 2019, in opposition of the project.
- Letter dated October 22, 2019, was received from the Miracle Mile Residential Association in opposition of the proposed project.
- Letter dated October 22, 2019, from Jason Asch, opposing the proposed project with concerns regarding parking and other environmental concerns.
- Letter dated October 21, 2019, was received from Alyssa Ashton Shah, in opposition of the proposed project.
- Letter dated October 21, 2019, was received from Keith Nakata in opposition of the proposed project with concerns regarding parking, noise and lighting.
- Letter dated August 14, 2019, was received from Captain Timothy T. Nordquist, LAPD with recommended alcohol operation conditions if the proposed project is approved.
- Correspondence was received from the Mid City West Community Council in support of the application with recommended conditions.
- Phone call received from David McCauley, resident, with concerns regarding the size of the proposed building.

- Correspondence was received from Barbara Gallen with concerns regarding the proximity of the proposed hotel use to existing residential buildings and vehicular circulation throughout the site specifically ingress and egress and the impacts to the adjoining alley.
- Correspondence was received from Jeffrey Roth, resident, with concerns regarding potential noise and parking impacts.
- Correspondence was received from Jonathon Most, resident, with concerns about traffic impacts in the alley and parking.
- Email correspondence was received from David Brust, with concerns regarding the use of the alley by the proposed project.
- Email correspondence was received from Barbara Spicer, adjacent businessowner, in opposition stating that construction of the proposed project and other nearby construction will cause an “extreme inconvenience and stress and possible loss of business”.
- Approximately 500 email correspondences in opposition were received related to the environmental case ENV-2019-1736-SCPE (Council File – 19-1533) with concerns regarding misuse of TOC, creation of a “luxury” hotel and concerns that the City is rushing the environmental review process.
- Approximately, 25 email correspondences were received in support of the proposed project.

## APPEAL ANALYSIS

On January 15, 2021, the Zoning Administrator issued a Determination that conditionally approved a Conditional Use, Master Conditional Use Permit, Site Plan Review, and Transit Oriented Communities Affordable Housing Incentive Program project for the proposed project.

On January 28, 2021, an appeal was filed by Alyssa Ashton Shah, Jaxon LLC, Design Mix Furniture and James O'Sullivan, Fix the City Inc. (Appellant #1), appealing part of the decision including Condition Nos. 2, 3, and 12. Additionally, on February 1, 2021, an appeal was filed by Margaret Flores, Maya Barron and UNITE HERE Local 11 (Appellant #2), appealing the entire decision of the Zoning Administrator.

The following statements have been compiled from the submitted appeals. The appeals in its entirety have been attached herein for reference (Exhibit A).

### **A. Appeal Point #1: Violation in the application of Measure JJJ (Appellant #1)**

1. This project violates Measure JJJ by granting incentives not authorized by Measure JJJ, including excessive increase in density, additional side yards (RAS), reduced open space, additional Floor Area Ratio (FAR), and elimination of residential parking.
  - a. The approval of an eighty percent (80%) increase in density is in violation of JJJ and California Govt. Code Section 65915.
  - b. Use of RAS yards combines a development standard bonus from another bonus program (RAS), in violation of JJJ and California Govt. Code Section 65915.
  - c. The request for a 25% reduction of required open space is not an incentive authorized under JJJ Section 6 (LAMC 12.22.A.31).
  - d. Granting a 4.25 to 1 Floor Area Ratio (FAR) for dwelling units in a C2-1 zone is not an incentive authorized under JJJ Section 6 (LAMC 12.22 A.31).
2. JJJ Section 6 Incentives are limited to those included in Section 6 ("herein") and incentives are ministerial. They include: increased residential FAR and Density, and reduced parking. Section 6 projects are entitled to two or three of these incentives. No discretionary incentives are authorized by JJJ.
3. Discretionary additional incentives that grant relief from development standards (height, lot area, yards, setbacks, etc.) are only granted to Section 5(e) projects that comply with the Labor Standard.
4. Violation of JJJ Section 4.A: no material changes in land use in a community plan area unless a comprehensive assessment of proposed changes is made to prevent reduction in the capacity for creation and preservation of affordable housing and access to local jobs, undermine Cal. Govt Code Section 65915 and other affordable housing programs. No such assessment has begun or been completed. In addition, Section 4.A. requires monitoring the inventory of affordable housing with recorded covenants, ordinance or law that restricts rents to affordable levels. No such monitoring of inventory exists in the Wilshire Community Plan area. Therefore, no material change whether Section 5 or 6 is permissible.



**Staff Response:**

The TOC incentives granted in the proposed project are provided for in the TOC Guidelines that were developed by the Department of City Planning pursuant to the authority granted by Measure JJJ as codified at LAMC Section 12.22.A.31(b).

The incentives as provided are allowed by Measure JJJ and the procedures for approving the incentives are the same as set forth in the City's Density Bonus ordinance, as provided for in LAMC Section 12.22.A.31(e).

This proposed TOC project is not seeking a general plan amendment, zone change or height district change, therefore the labor standards set forth in Measure JJJ, as codified in LAMC Section 11.5.11(i) do not apply to the TOC incentives. The TOC incentive program is entirely separate and is codified in LAMC Section 12.22.A.31.

The monitoring and inventory of affordable housing requirements set forth in LAMC Section 11.5.8 A. do not apply to this proposed TOC project because the project is not seeking an amendment to the corresponding Wilshire Community Plan which is the trigger for ensuring compliance with this monitoring requirement.

**B. Appeal Point #2: Violation of California Government Code 65915 (Appellant #1)**

5. The state requires legislative approval of the implementation regulations for an affordable housing program. No legislative approval by the City Council has been granted with the exception of the Labor Standard Ordinance, despite the clear mandate of CF-16-0684-S1, which clearly states that implementing ordinances are required for JJJ.
6. The Planning Department lacks the authority to "adopt" TOC Guidelines as claimed in the LOD, p. 19. CPC made a recommendation to adopt the Guidelines. JJJ does not say to whom the recommendation is directed. However, since CPC is an advisory body that recommends to the City Council, its recommendation for adoption must go to the City Council with the caveat that under JJJ Section 5.A, no additional incentives/bonuses could be granted to TOC projects. Only projects seeking GPAs, zone or height district changes, under Section 5(e) are eligible for relief from development standards such as height, lot area, yards, etc.

**Staff Response:**

Measure JJJ is an ordinance. This ordinance provided the mechanism for the establishment of the TOC Guidelines, at LAMC Section 12.22.A.31(c). The City has complied with those requirements. Nothing in Measure JJJ states the Guidelines must be adopted by ordinance.

Measure JJJ requires the Department of City Planning to create the TOC Guidelines as set forth in LAMC Section 12.22.A.31 (c). The City has fully complied with that section.

**C. Appeal Point #3: Violation Los Angeles General Plan and Charter 555 (Appellant #1)**

7. TOC Tiers require a General Plan Amendment. JJJ did not authorize Tiers. It did not authorize the TOC Tier Map. It did not authorize changing the calculation of bonuses from the underlying zone (JJJ Section 6(b)(2)(i): the TOC Incentives "may allow different levels of density increase depending on the Project's base zone and density" not Tiers.

Furthermore, the change in parcel entitlements by placing a Tier designation on property was an ultra vires plan amendment without a General Plan Amendment, in violation of the City Charter Section 555 and LAMC 11.5.6. Inclusion of a TOC map in the Planning Department's online land use maps was ultra vires.

8. Furthermore, since Tiers were not authorized by JJJ, they would require approval of the voters under JJJ Section 5.A as well as a general plan amendment to amend the General Plan Maps to show tiers and to classify parcels based on their Tiers through zone changes to indicate differential incentives. Only non-substantive changes are permitted to the City Council. A general plan amendment would be a substantive change in violation of JJJ.

**Staff Response:**

The tiers included in the TOC Guidelines are intended to effectuate the goals and intent of the Affordable Housing Incentive program set forth in Measure JJJ and are consistent with the authority Measure JJJ granted to the Director of Planning to establish the eligibility standards, incentives, and other necessary components of this TOC Incentive Program described in LAMC Section 12.22.A.31(b).

**D. Appeal Point #4: Violation of City Charter Section 464(a) (Appellant #1)**

Neither CPC nor the City Council has the legal authority to alter the initiative by adding incentives or removing them. Voter approval is required to add incentives for TOC projects.

**Staff Response:**

The incentives included in the TOC Guidelines are consistent with the authority Measure JJJ granted to the Director of Planning to prepare the TOC Guidelines, as set forth in LAMC, section 12.22.A.31(b).

**E. Appeal Point #5: Density calculation of the proposed project violated the Los Angeles Municipal Code (Appellant #2)**

Density calculation are untethered to Site conditions and in violation of LAMC § 12.21.C.1(j). Unlike any of the 300+ projects approved and/or pending City approval of Transit Oriented Communities ("TOC") incentives, the Project seeks TOC incentives to increase hotel density at the expense of housing.

**Staff Response:**

LAMC Section 12.21-C,1(j) provides that, "[n]o required lot which is provided for a dwelling unit, guest room, specific use or total floor area within a building shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building."

The subject property is zoned C2-1 and limited to a maximum residential density of one (1) dwelling unit per 400 square feet of lot area. Additionally, the C2-1 allows for a maximum guest room density of one (1) guest room per 200 square feet of lot area. The subject property has a total lot area of 51,886 square feet (including half of the abutting alley). The project proposes 125 guest rooms which requires 25,000 square feet of lot area (125 guest rooms multiplied by 200 square feet of lot area results in 25,000 square feet of lot area).

The project seeks to use the remaining 26,886 square feet of lot area (51,886 square feet of lot area minus 25,000 square feet of lot area results in 26,886 square feet of lot area) for the purposes of providing residential dwelling units. With 26,886 square feet of lot area and a maximum permitted residential density of one (1) dwelling unit per 400 square feet of lot area, the remaining lot area has a base density of 68 dwelling units (26,886 square feet of lot area divided by 400 square feet equals 67.2, rounded up to 68).

In addition, as the subject property is located within Tier 4 of the TOC Guidelines and the project is an Eligible Housing Development, the project is entitled to an 80% density bonus. With a base density of 68 dwelling units, the project is entitled to a maximum of 123 dwelling units (80% of 68 dwelling units equals 54.4 dwelling units, rounded up to 55 dwelling units; 68 dwelling units plus 55 dwelling units equals 123 dwelling units)

Therefore, as no lot area which is provided and required for any dwelling unit or guest room is being used for any other dwelling unit or guest room, proposed the project adheres to the density calculations set forth in the LAMC.

**F. Appeal Point #6: Violation of Land Use Goals and Policies (Appellant #2)**

The Project is inconsistent with numerous land use goals and policies.

**Staff Response**

The appellant does not explicitly state the applicable land use goals and policies that the project is inconsistent with. However, pursuant to LAMC Sections 12.24 and 16.05, the decision maker is required to make the findings in the affirmative with regards to the General Plan, Community Plan and any applicable Specific Plan.

As discussed in the Findings of Approval, the proposed land use and intensity of the project is consistent and compatible with the surrounding area and typical for an infill development located near transit and on a major City thoroughfare. Development of the proposed mixed-use development will not significantly exceed the existing character and scale of surrounding properties. Furthermore, the proposed project protects the surrounding residential neighborhoods from encroachment by higher density residential uses by allowing for the development of a mixed-use building along a commercial corridor with 121 dwelling units, including 14 units required to be reserved for Extremely Low Income Households, on lots zoned for commercial uses. Additionally, the project has been conditioned to provide an addition four (4) dwelling units for Extremely Low Income Households and one (1) unit for Moderate Income Households. The project increases the housing stock and satisfies the needs and desires of all economic segments of the community by maximizing the opportunity for individual housing choice. The project also incorporates retail, restaurant, and other neighborhood serving uses on the first floor along the street frontage enhancing the pedestrian environment. Lastly, the subject property is located approximately 250 feet from the future Wilshire/La Brea D (Purple) Line Metro Station, thereby reducing vehicular trips to and from the project site and congestion around the site.

Therefore, the project is in substantial conformance with the General Plan and Community Plan.

**G. Appeal Point #7: Linkage Fee (Appellant #2)**

No linkage fee is assessed.

**Staff Response:**

Pursuant to LAMC Section 19.18-A, the proposed project is defined as a Development Project and is therefore subject to the Linkage Fee Ordinance. Consistent with the Linkage Fee Ordinance, and pursuant to LAMC Section 19.18-E,5, “[t]he Linkage Fee is due and payable by the Applicant prior to the issuance of a building permit for a Development Project.” Therefore, the proposed project will be assessed the Linkage Fee prior to the issuance of a building permit.

**H. Appeal Point #8: Potential Conversion of Dwelling Units (Appellant #2)**

The Project proponent has a track record of converting dwelling units into hotels.

**Staff Response:**

The appellant has not provided any evidence as to this claim. Nevertheless, the project was approved for 121 dwelling units and 125 guest rooms. Any changes in the number of dwelling units or guest rooms would require review and approval from the Department of Planning, and any such review and/or approval would be administered in accordance with the applicable regulations, in particular the TOC Guidelines and the Home-Sharing Ordinance.

The TOC Guidelines require that any additional floor area granted under the TOC Guideline Base Incentive for Floor Area Ratio shall only be utilized only by residential uses (i.e. dwelling units). In this case, the project has utilized all of its by-right floor area for the proposed hotel and commercial uses. As a result, if the applicant sought to convert dwelling units to guest rooms, that would necessarily require that the floor area, which had been granted under the TOC Guideline Base Incentive, to be used for non-residential uses, in violation of the TOC Guidelines, and therefore would not be permitted.

In addition, the conversion of a dwelling unit, which by definition includes a kitchen, to a short-term rental would result in the creation of a Transient Occupancy Residential Structure (TORS) unit, and pursuant to the Home-Sharing Ordinance, and LAMC Section 12.24-W,24(e), “...conversion from another residential use to a Transient Occupancy Residential Structure” is prohibited.

Therefore, the proposed dwelling units could not be converted to guest rooms.

**I. Appeal Point #9: Proximity to Apartment Buildings (Appellant #2)**

The Project is only 35 feet from several apartment buildings that will be adversely impacted because the hotel generates more traffic than apartments and creates hazards by directing traffic from patrons, rideshare, valets, deliveries, and other vehicles through the alley.

**Staff Response:**

As stated in the Findings of Approval and as proposed and conditioned, the project will redevelop the subject site with an eight-story mixed-use development with the subject hotel component that is compatible in use and scale with the surrounding community. The proposed development will provide on-site trash storage, loading areas, and parking to minimize potential impacts on surrounding streets. Access to the two-level subterranean parking lot will be off of La Brea Avenue and the public alley. The property is located approximately 250 feet from the future Wilshire/La Brea D (Purple) Line Metro Station,

thereby reducing vehicular trips to and from the project site and congestion around the site. As conditioned the hotel component of the mixed-use development is not anticipated to adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

**J. Appeal Point #10: Inadequate CEQA Review (Appellant #2)**

The Project's CEQA review fails to adequately assess the Project's contribution to climate change or show that it truly qualifies for a CEQA SCPE.

**Staff Response:**

The City of Los Angeles City Council determined, at its October 14, 2020 meeting, that based on the whole of the administrative record, the Project is statutorily exempt from CEQA as a Sustainable Communities Project ("SCP") pursuant to PRC 21155.1. By definition, a SCP is a project that would result in decreasing greenhouse gas emissions given its proximity to transit. The proposed project qualifies as a transit priority project pursuant to Public Resources Code Section 21155(b), which by definition means that the proposed project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by the Southern California Association of Governments (SCAG) pursuant to Public Resources Code Section 21155(a); and contains more than 50 percent residential; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan per PRC Section 21155(b); and all the criteria in PRC Section 21155.1(a) and (b) are met, including environmental criteria, land use criteria, and at least one criteria (affordable housing) in PRC Section 21155.1(c). As such, the adopted SCPE was appropriately determined to be the correct CEQA clearance for the project.

**K. Appeal Point #11: The project is not essential (Appellant #2)**

The CUP can only be granted if the City finds the Project will enhance the built environment or provide a function or service that is essential or beneficial to the community, City, or region. In light of the COVID-19 pandemic, the hotel market is not expected to recover for years and, thus, this hotel Project is not essential—just like West Los Angeles Area Planning Commission found another proposed hotel development.

**Staff Response:**

Entitlement requests are evaluated on a case-by-case basis in accordance with the discretion afforded the decision maker under LAMC section 12.24. In this case, a Conditional Use requires making findings in the affirmative addressing whether a project will enhance the built environment or provide a service that is essential or beneficial to the community. As stated in the Findings of Approval, the proposed project includes 130,138 square feet of residential space and 70,985 square feet of hotel/commercial/retail space. The mixed-use development, including the hotel component, will be compatible with the surrounding community and will enhance the built environment by strengthening the existing mixed-use neighborhood made up of commercial and residential uses. The hotel will be developed on a site that is zoned C2-1 and will replace existing commercial uses. The built environment will be improved with an eight-story building that will be constructed within 250 feet from the Wilshire/La Brea D (Purple) Line Metro Station and will include direct

pedestrian entrances oriented to the sidewalk. The project's hotel component will be a benefit for the surrounding area by adding a mix of room types, allowing the hotel to serve a variety of guest at several price points. The ground floor retail will benefit the local community by providing additional shopping options to the neighborhood. There are currently no hotels similar in scale to the project located in proximity and the proposed project will add to the diversity of short-term stay options for visitors. Moreover, the project will also be required to be a minimum of 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and the building and landscaping are designed to achieve 25 percent less water usage than the average household use in the region, helping to improve the built environment in the surrounding neighborhood.

**L. Appeal Point #12: No LAPD Conditions for the Master Conditional Use Permit (Appellant #2)**

The Project fails to include additional alcohol conditions proposed by the Los Angeles Police Department ("LAPD") Vice Division, including limiting alcohol service to hours of 7:00 a.m. – 11:00 p.m. and only incidental to restaurant service (alcohol allowed only with meal orders), no sale of alcohol for outside consumption. Without appropriate conditions placed on Project Approvals, the Project will negatively impact surrounding residential uses and contribute to the overconcentration of alcohol licenses in the census tract.

**Staff Response:**

The Master Conditional Use provides an umbrella entitlement with conditions that will apply to the subject property and in general to all venues. Each venue is required to file for individual Master Plan Approval (MPA) applications which will provide more detail concerning the mode and character of each restaurant and establish operational conditions tailored to the specific use including but not limited to hours of operation, seating capacity, size, security, the length of a term grant, imposition of applicable recommended conditions from LAPD, and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. Therefore, LAPD will have the opportunity to submit recommended conditions tailored to specific venues within the development when each venue submits a request for a Master Plan Approval application.

**M. Appeal Point #13: Previous Letters Submitted by Unite Here (Appellant #2)**

**Staff Response:**

The comments submitted by Unite Here in previous letters submitted to the case file and associated Council File included points that are included in the appeal justification; and are addressed herein. Additionally, all points relative to the SCPE were addressed in the Department response letters that were submitted to PLUM.

The alleged Brown Act Violation referenced in Unite Here's letter, dated October 30, 2019, is related to comments made that City Planning "determined" that the project was exempt. While staff reports are provided for informational purposes prior to a subdivision hearing; it is not the final determination. Any inconsistencies in a staff report are rectified prior to a final determination is made by a decision maker. In this case, the intent of the staff report was to demonstrate that the Department has determined that the project meets the qualification for the City Council to consider the SCPE. The determination of a SCPE is made by the legislative body and the Department of City Planning and could not have been determined prior to a hearing by the City Council.

Additionally, Unite Here compares the proposed project to other TOC projects that were filed or approved and argues that the project misuses the TOC incentives. It should be noted that all mixed-use project applications do not seek the same type of uses. There is no requirement that would preclude a project from utilizing a variation of uses in a mixed-use project. All entitlement requests are reviewed and determined on a case-by-case basis.

## **STAFF CONCLUSION AND RECOMMENDATION**

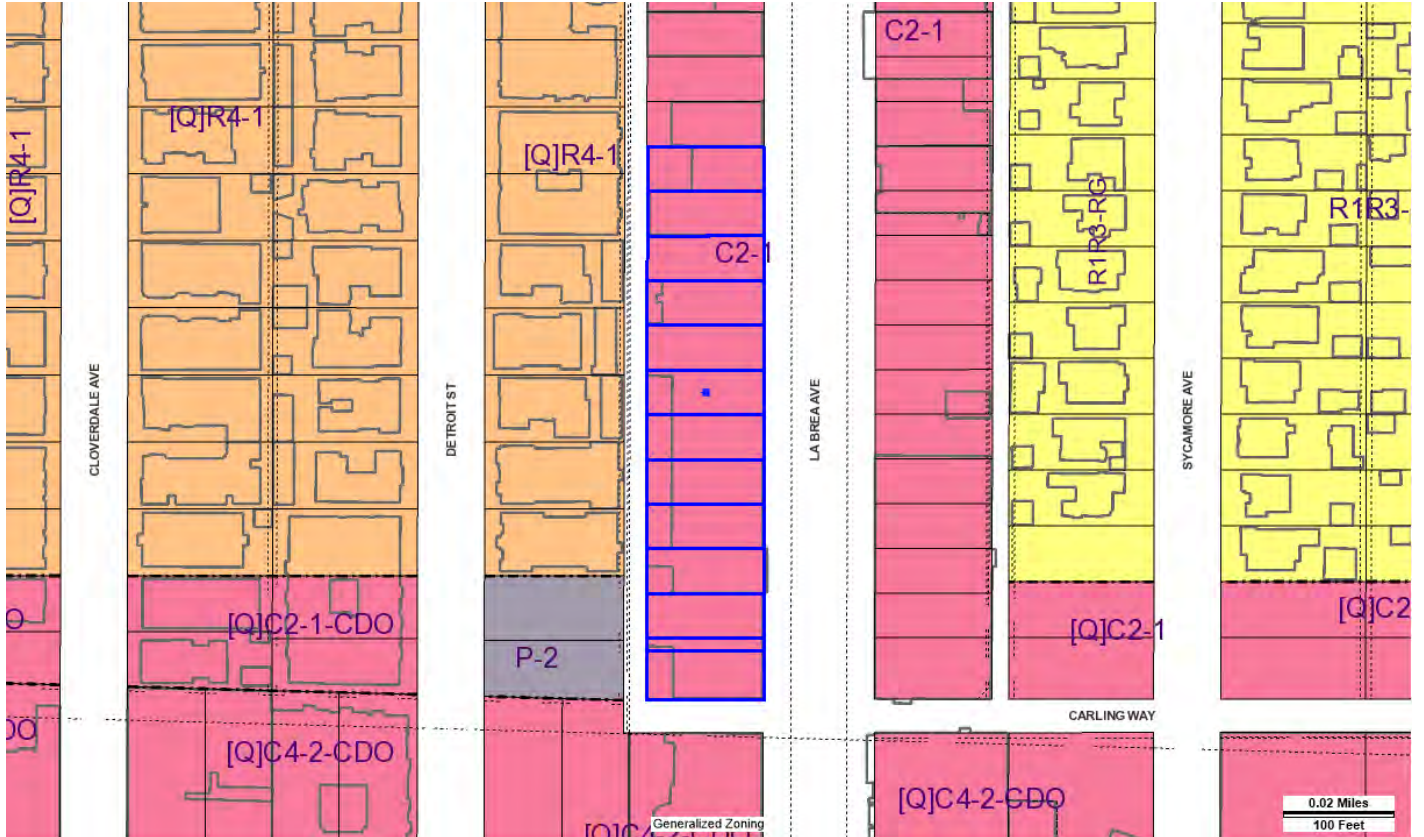
For the reasons stated herein, and in the findings of the Zoning Administrator the proposed project does comply with the applicable provisions of the Transit Oriented Communities Affordable Housing Incentive Program and the California Environmental Quality Act (CEQA). Planning staff evaluated the proposed project and the Los Angeles City Council determined that based on the whole of the administrative record, the Project is statutorily exempt from CEQA as a Sustainable Communities Project ("SCP") pursuant to PRC 21155.1.

Therefore, it is recommended that the City Planning Commission deny the appeal, sustain the Determinations by the Zoning Administrator.

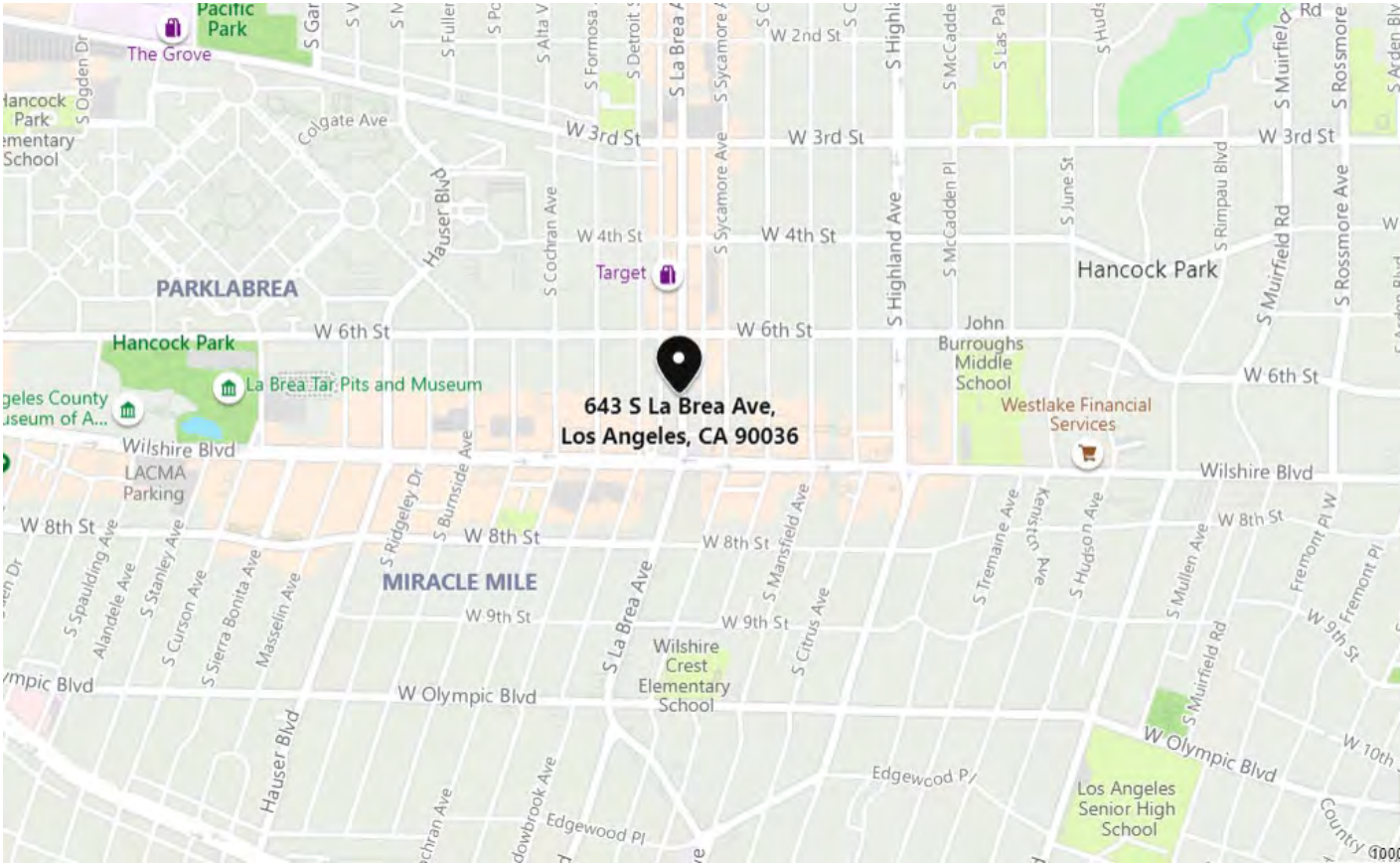


# Maps

# Zoning Map



# Vicinity Map





# **Exhibit A**

**Appeal Application #1  
(Alyssa Ashton Shah, Jaxon  
LLC, Design Mix Furniture)**





APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission, City Planning Commission, City Council, Director of Planning, Zoning Administrator

Regarding Case Number: CASE NO. ZA-2019-1744-CU-MCUP-SPR-TOC

Project Address: 623 - 671 South La Brea Avenue

Final Date to Appeal: 02/01/2021

2. APPELLANT

- Appellant Identity: Representative, Property Owner, Applicant, Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the Department of Building and Safety

- Representative, Applicant, Owner, Operator, Aggrieved Party

3. APPELLANT INFORMATION

Appellant's Name: Alyssa Ashton Shah

Company/Organization: Jaxon LLC, Design Mix Furniture 611, 615, 617 South La Brea Ave.

Mailing Address: 611 South La Brea Avenue

City: Los Angeles State: CA Zip: 90036

Telephone: (323) 939-7500 E-mail:

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

Self, Other:

b. Is the appeal being filed to support the original applicant's position? Yes No

**4. REPRESENTATIVE/AGENT INFORMATION**

Representative/Agent name (if applicable): James O'Sullivan  
Company: Fix The City Inc.  
Mailing Address: 907 Masselin Ave.  
City: Los Angeles State: California Zip: 90036  
Telephone: (213) 840-0247 E-mail: jamesos907@gmail.com

**5. JUSTIFICATION/REASON FOR APPEAL**

- a. Is the entire decision, or only parts of it being appealed?  Entire  Part
- b. Are specific conditions of approval being appealed?  Yes  No


If Yes, list the condition number(s) here: 2, 3, 12

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

**6. APPLICANT'S AFFIDAVIT**

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

Appellant Signature:  Date: 1-28-21

**GENERAL APPEAL FILING REQUIREMENTS**

**B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES**

**1. Appeal Documents**

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

**b. Electronic Copy**

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

**c. Appeal Fee**

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

**d. Notice Requirement**

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

**SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**

**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)**

**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

**NOTE:**

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

**NOTE:**

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

**E. TENTATIVE TRACT/VESTING**

**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

**NOTE:** 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.

- Provide a copy of the written determination letter from Commission.

**F. BUILDING AND SAFETY DETERMINATION**

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

**a. Appeal Fee**

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

**b. Notice Requirement**

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

**a. Appeal Fee**

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

**b. Notice Requirement**

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.



**G. NUISANCE ABATEMENT**

**1. Nuisance Abatement** - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

**a. Appeal Fee**

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

**2. Plan Approval/Compliance Review**

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

**a. Appeal Fee**

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

**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.*

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

## JUSTIFICATION FOR CPC TOC APPEAL OF 623-671 S. LA BREA

January 28, 2021

VIA EMAIL: [CPC@LACITY.ORG](mailto:CPC@LACITY.ORG)

RE: **CPC APPEAL: DIRECTOR'S LOD – 623-671 SOUTH LABREA AVE (CASE NO. ZA-2019-1744-CU-MCUP-SPR-TOC)**

Fix The City is a voluntary nonprofit corporation, prepared this appeal, and represents the appellant *pro bono*.

The substantial evidence presented in this appeal justification that the additional/discretionary incentives and TOC Tiers are not included in Measure JJJ is straightforward: do a word search of Section 6 of Measure JJJ.

Such a word search for “height,” “open space,” “yards” would show that Section 6 does not authorize such incentives. Fix the City has explained this to you previously. It is our belief that you are aware that there is no such authority to add incentives not authorized by the voters. The record before you is that only the base incentives, not calculated on TOC Tiers, are permitted to Section 6 projects. No more, no less.

And then there is the matter of the **Labor Standard**, which applies to all JJJ projects, as stated in the Ordinance and the PLUM report. This project must adhere to the Labor Standard.

The approval of such incentives using the subterfuge that CPC was authorized to come up with incentives and eligibility, Ignores City Charter Section 464(a), which prohibits adding to a voter initiative. It also ignores state law requiring legislative approval of the implementation plan for affordable housing programs (California Public Resources Code Section 65915).

No such approval has been granted by the City Council. But note, the City Council cannot add incentives to a voter initiative either.

CPC must base its decision on the record before you, and not merely argue that the TOC Guidelines must be blindly followed until a court tells you otherwise. You have a legal duty to base your decision on the record, and not merely rubberstamp projects based on unlawful

***To ignore the substantial evidence before you that the discretionary incentives are not included in Section 6 of Measure JJJ, is to act in an arbitrary and capricious manner and abusing its authority. The evidence is seen by doing a word search of Section 6: you will not find height, yards, open space or any of the additional incentives approved by the CPC and listed in the unlawful TOC Guidelines.*** Fix The City represents the appellant, Alyssa Ashton Shah, 611, 615, 617 South La Brea Ave. LA, CA. 90036.

The incentives granted to 623 – 671 South La Brea Avenue exceed the **ministerial base** incentives included in JJJ Section 6. The additional/discretionary incentives TOC Guidelines

approved by the Director of Planning are **discretionary** and must be processed under Section 5, not Section 6, of Measure JJJ and must provide public notice, conduct public hearings, make findings. Measure JJJ does not permit discretionary TOC incentives. It does provide for discretionary incentives for projects under Section 5(e) and those are unlawfully being awarded to TOC projects.

The Director also approved the incentives by applying **TOC Tiers** which are not authorized by Measure JJJ. The base incentives are for any qualifying project within a half-mile, not within each eighth of a mile.

The Director of Planning must also adhere to the **Labor Standard Ordinance**, which requires any project approved under Measure JJJ pay prevailing wage. This project has failed to comply with the Labor Standard mandated by the voters for all Measure JJJ projects.

The Planning Department has treated discretionary incentives as if they are by right. But only base incentives based on the underlying zone and density, are by right.

Council members who state that their hands are tied need to be informed that their hands are not tied. It is the additional incentives that were not included in JJJ that are opposed by neighbors. Those discretionary incentives violate Charter Section 464(a). If the City Council wishes to add such incentives, *it must obtain consent from the electorate.*

Fix the City assists in this appeal filed by Alyssa Shah to exhaust remedies to enforce Measure JJJ as approved by the voters of Los Angeles.

### **VIOLATION OF MEASURE JJJ**

1. This project violates Measure JJJ by granting incentives not authorized by Measure JJJ, including excessive increase in density, additional side yards (RAS), reduced open space, additional Floor Area Ratio (FAR), and elimination of residential parking.
  - a. The approval of an eighty percent (80%) increase in density is in violation of JJJ and California Govt. Code Section 65915.
  - b. Use of RAS yards combines a development standard bonus from another bonus program (RAS), in violation of JJJ and California Govt. Code Section 65915.
  - c. The request for a 25% reduction of required open space is not an incentive authorized under JJJ Section 6 (LAMC 12.22.A.31).
  - d. Granting a 4.25 to 1 Floor Area Ratio (FAR) for dwelling units in a C2-1 zone is not an incentive authorized under JJJ Section 6 (LAMC 12.22 A.31).
  
2. JJJ Section 6 Incentives are limited to those included in Section 6 (“herein”) and incentives are ministerial. They include: increased residential FAR and Density, and reduced parking. Section 6 projects are entitled to two or three of these incentives. No discretionary incentives are authorized by JJJ.

3. Discretionary additional incentives that grant relief from development standards (height, lot area, yards, setbacks, etc.) are only granted to Section 5(e) projects that comply with the Labor Standard.
4. Violation of **JJJ Section 4.A: no material changes in land use** in a community plan area unless a comprehensive assessment of proposed changes is made to prevent reduction in the capacity for creation and preservation of affordable housing and access to local jobs, undermine Cal. Govt Code Section 65915 and other affordable housing programs. No such assessment has begun or been completed. In addition, Section 4.A. requires monitoring the inventory of affordable housing with recorded covenants, ordinance or law that restricts rents to affordable levels. No such monitoring of inventory exists in the Wilshire Community Plan area. Therefore, no material change whether Section 5 or 6 is permissible.

#### **VIOLATION OF CALIFORNIA GOVT. CODE 65915**

5. The state requires **legislative approval** of the implementation regulations for an affordable housing program. No legislative approval by the City Council has been granted with the exception of the Labor Standard Ordinance, despite the clear mandate of CF-16-0684-S1, which clearly states that implementing ordinances are required for JJJ.
6. **The Planning Department lacks the authority to “adopt” TOC Guidelines** as claimed in the LOD, p. 19. CPC made a recommendation to adopt the Guidelines. JJJ does not say to whom the recommendation is directed. However, since CPC is an advisory body that recommends to the City Council, its recommendation for adoption must go to the City Council with the caveat that under JJJ Section 5.A, no additional incentives/bonuses could be granted to TOC projects. Only projects seeking GPAs, zone or height district changes, under Section 5(e) are eligible for relief from development standards such as height, lot area, yards, etc.

#### **VIOLATION OF LOS ANGELES GENERAL PLAN AND CHARTER (555)**

7. TOC Tiers require a General Plan Amendment. **JJJ did not authorize Tiers**. It did not authorize the TOC Tier Map. It did not authorize changing the calculation of bonuses from the underlying zone (JJJ Section 6(b)(2)(i): the TOC Incentives “may allow different levels of density increase **depending on the Project’s base zone and density**” not Tiers. Furthermore, the change in parcel entitlements by placing a Tier designation on property was an ultra vires plan amendment without a General Plan Amendment, in violation of the City Charter Section 555 and LAMC 11.5.6. Inclusion of a TOC map in the Planning Department’s online land use maps was ultra vires.
8. Furthermore, since **Tiers were not authorized by JJJ**, they would **require approval of the voters under JJJ Section 5.A** as well as a general plan amendment to amend the General Plan Maps to show tiers and to classify parcels based on their Tiers through zone changes to indicate differential incentives. Only non-substantive changes are permitted to the City Council. A general plan amendment would be a substantive change in violation of JJJ.

**VIOLATION OF CITY CHARTER SECTION 464(a)**

Neither CPC nor the City Council has the legal authority to alter the initiative by adding incentives or removing them. Voter approval is required to add incentives for TOC projects.



ladwp.com

**BILL DATE**  
Jan 14, 2021  
**ACCOUNT NUMBER**  
580 272 1341

**DATE DUE**  
Feb 2, 2021  
**AMOUNT DUE**  
\$ 385.41

**CUSTOMER SERVICE – 7:00 am - 6:00 pm**  
1-800-499-8840

ALYSSA A SHAH, 611 S LA BREA AVE, LOS ANGELES, CA 90036

This bill corrects a previous bill and contains your new charges. Previous charges were cancelled and then rebilled correctly. Details on the following pages.

**Paying Your Bill**



**AUTOMATIC PAYMENT**

Automatically pay from your checking or savings by logging in at [www.ladwp.com/combillpay](http://www.ladwp.com/combillpay)



**ONLINE**

Pay from your checking or savings any time by logging in at [www.ladwp.com/myaccount](http://www.ladwp.com/myaccount)



**BY PHONE**

Pay from your checking or savings any time by calling

1-877-MYPAYDWP (1-877-697-2939)



**BY MAIL**

Place your payment stub and your check or money order in the envelope provided with the bill.



**IN PERSON**

Via payment drop box

The 2019 Power Content Label is included in this bill.

**Account Summary**

Previous Account Balance	\$ 406.07
Payment Received 1/5/21	-406.07
Credit Corrections (see details on page 3)	-\$782.76
Credit Balance	\$ -782.76
New Charges	+ 1,168.17
<b>Total Amount Due</b>	<b>\$ 385.41</b>

**Summary of New Charges**

Details on following pages.

Los Angeles Department of Water and Power Charges			
	Electric Charges	10/8/20 - 1/14/21	3,720 kWh \$1,154.83
	Water Charges	12/12/20 - 1/14/21	1 HCF \$7.92
<b>Total LADWP Charges</b>			<b>\$ 1,162.75</b>

LADWP provides billing services for the Bureau of Sanitation. All money collected for the services listed in the City of Los Angeles Bureau of Sanitation Charges section is forwarded to them.

City of Los Angeles Bureau of Sanitation Charges			
	Sewer Charges	12/12/20 - 1/14/21	\$5.42
	<b>Total Sanitation Charges</b>		<b>\$ 5.42</b>

**Total New Charges \$ 1,168.17**



PLEASE KEEP THIS PORTION FOR YOUR RECORDS. IF PAYING IN PERSON, BRING ENTIRE BILL TO CUSTOMER SERVICE CENTER.

# **Exhibit B**

**Appeal Application #2**

**(Margaret Flores, Maya Barron  
and UNITE HERE Local 11)**





**APPLICATIONS:**

# APPEAL APPLICATION

## Instructions and Checklist

**Related Code Section:** Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

**Purpose:** This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

### A. APPELLATE BODY/CASE INFORMATION

#### 1. APPELLATE BODY

- Area Planning Commission     City Planning Commission     City Council     Director of Planning
- Zoning Administrator

Regarding Case Number: ZA-2019-1744-CU-MCUP-SPR-TOC

Project Address: 623 - 671 South La Brea Ave

Final Date to Appeal: 02/01/2021

#### 2. APPELLANT

**Appellant Identity:**  
(check all that apply)

- Representative     Property Owner
- Applicant     Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved  
Margaret Flores, Maya Barron and UNITE HERE Local 11

Person affected by the determination made by the **Department of Building and Safety**

- Representative     Owner     Aggrieved Party
- Applicant     Operator

#### 3. APPELLANT INFORMATION

Appellant's Name: Margaret Flores, Maya Barron and UNITE HERE Local 11

Company/Organization: \_\_\_\_\_

Mailing Address: 640 S. Detroit St #103

City: Los Angeles    State: CA    Zip: 90036

Telephone: (818) 635-3034    E-mail: CCARNOW@UNITEHERE11.ORG

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

- Self     Other: UNITE HERE Local 11

b. Is the appeal being filed to support the original applicant's position?     Yes     No



**4. REPRESENTATIVE/AGENT INFORMATION**

Representative/Agent name (if applicable): Jordan Sisson

Company: Law Offices of Gideon Kracov

Mailing Address: 801 South Grand Ave, 11th Floor

City: Los Angeles State: CA Zip: 90017

Telephone: (213) 629-7021 E-mail: jordan@gideonlaw.net

**5. JUSTIFICATION/REASON FOR APPEAL**

a. Is the entire decision, or only parts of it being appealed?  Entire  Part

b. 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

**6. APPLICANT'S AFFIDAVIT**

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

Appellant Signature:  Date: 2/1/2021

**GENERAL APPEAL FILING REQUIREMENTS**

**B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES**

**1. Appeal Documents**

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

**b. Electronic Copy**

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

**c. Appeal Fee**

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

**d. Notice Requirement**

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

**SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**

**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)**

**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

**E. TENTATIVE TRACT/VESTING**

**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: 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.

- Provide a copy of the written determination letter from Commission.

**F. BUILDING AND SAFETY DETERMINATION**

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

**a. Appeal Fee**

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

**b. Notice Requirement**

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

**a. Appeal Fee**

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

**b. Notice Requirement**

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

**G. NUISANCE ABATEMENT**

**1. Nuisance Abatement** - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

**a. Appeal Fee**

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

**2. Plan Approval/Compliance Review**

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

**a. Appeal Fee**

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

**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.*

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)



06/14/2019

MCM Property Management, Inc.  
4311 Wilshire Blvd  
Suite 525  
Los Angeles, CA 90010  
(323) 951-0400

MARGARET FLORES  
640 S DETROIT ST #103  
LOS ANGELES, CA 90036

Re: 30 Day Notice of Change in Monthly Rent

Dear MARGARET FLORES:

Thank you for your continued residency at 640 S DETROIT ST #103 - 103. After reviewing the income and expenses for the property, we find it necessary to increase your rental rate.

You are hereby notified that effective 08/01/2019 your monthly rent, which is payable on or before the first day of each month, will be \$1,346.02 instead of \$1,294.25, the current monthly rent. This is an increase of \$51.77.

Except as herein provided, all other terms of your tenancy shall remain in full force and effect.

<b>NEW MONTHLY RENT:</b>	\$ <u>1346.02</u>
<b>SYSTEMATIC CODE ENFORCEMENT FEE :</b>	\$ 3.61
<b>PARKING FEE:</b>	\$ _____
<b>OTHER:</b>	\$ _____
<b>TOTAL AMOUNT DUE MONTHLY:</b>	\$ <u>1349.63</u>

Regards,

MCM Property Management, Inc.

# GIDEON KRACOV

Attorney at Law

801 South Grand Avenue  
11th Floor  
Los Angeles, California 90017

(213) 629-2071  
Fax: (213) 623-7755

gk@gideonlaw.net  
www.gideonlaw.net

January 29, 2021

**Re: Appeal Justification for La Brea Bliss Project (623-671 South La Brea Avenue);  
DCP Case No. ZA-2019-1744 (Related Case Nos. VTT-82618 & ENV-2019-1736);  
Zoning Administrator Approval Effective by January 15, 2021 Letter of Determination**

On behalf of UNITE HERE Local 11 and its members (“**Local 11**”), Margaret R. Flores, and Maya Barron (collectively “**Appellants**”), this Office respectfully appeals (the “**Appeal**”) the above-referenced mixed-use development including 121 condominiums, 125-room hotel, and 13,037 square feet of commercial floor area (“**Project**”) located at 623-671 South La Brea Avenue (“**Site**”). Under the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”) case number ZA-2019-1744-CU-MCUP-SPR-TOC, the Zoning Administrator (“**ZA**”) approved the Project’s various land use entitlements (i.e., Transit Oriented Communities Affordable Housing Incentive, Site Plan Review, Conditional Use Permit for alcohol, Conditional Use Permit for hotel) (collectively “**Entitlements**”), which approvals were made effective by the ZA’s Letter of Determination mailed January 15, 2021 (“**LOD**”). This Appeal is timely submitted prior to the February 1, 2021 deadline. (See LOD, p. 14.)

**REASON FOR THE APPEAL:** In short, the ZA approved the Project’s Entitlements in violation of the Los Angeles Municipal Code (“**LAMC**” or “**Code**”) and California Environmental Quality Act (“**CEQA**”). Appellants respectfully request that the City grant the Appeal and deny the Entitlements and other approvals<sup>1</sup> (collectively “**Project Approvals**”) until the issues raised here and elsewhere in the Project’s administrative record are adequately addressed.

**SPECIFIC POINTS IN ISSUE:** The specific points at issue were fully outlined in Local 11’s prior comments attached hereto as Exhibits A through D, which the Appeal *incorporates in their entirety by this reference*. For the sake of brevity, some of the Project issues yet to be adequately addressed by the City include:

- Density calculation are untethered to Site conditions and in violation of LAMC § 12.21.C.1(j);
- Unlike any of the 300+ projects approved and/or pending City approval of Transit Oriented Communities (“**TOC**”) incentives, the Project seeks TOC incentives to increase hotel density at the expense of housing.
- The Project is inconsistent with numerous land use goals and policies.
- No linkage fee is assessed.
- The Project proponent has a track record of converting dwelling units into hotels.
- The Project’s CEQA review fails to adequately assess the Project’s contribution to climate change or show that it truly qualifies for a CEQA SCPE.
- The *Project is only 35 feet from several apartment buildings* that will be adversely impacted because the hotel generates more traffic than apartments and creates hazards by directing traffic from patrons, rideshare, valets, deliveries, and other vehicles through the alley that

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<sup>1</sup> Including Sustainable Communities Project Exemption (“**SCPE**”) from CEQA (processed under DCP Case No. ENV-2019-1736 and Council File No. 19-1533) and subdivision of 12 lots into five commercial condominium units (under DCP Case No. VTT-82618).



comfortably fits one car at a time. (See Exhibit E, for photos taken by appellant Margaret Flores showing existing congestion issues in alley that will be significantly worsened by project and Exhibit F, Letter by Jason Asch detailing severe impacts project will have on alley and surrounding streets.) Existing tenants, exiting their carports in the alley already have to compete with cars stacked up at the red light signal at La Brea. Pedestrians also must wait for the traffic through the alley to walk around the neighborhood and when constructed to access the subway. The addition of a commercial hotel use with the deliveries it will require will pose severe impacts for pedestrians, tenants and motorists on adjacent streets. Just west of the alley entrance there is only one lane of through traffic during non-peak times and weekends because curb parking is allowed then. When one truck (for hotel or restaurant delivery) tries to get into or out of the alley, traffic could potentially be backed up in both directions, blocking the La Brea intersection. The hotel use is the driver of these impacts. Additionally, too, the hotel Project includes banquet facilities, alcohol service, restaurants that will cause noise and other nuisance issues negatively impacting stakeholders—as evidenced by numerous comments in the record by adjacent residents, tenants, and business owners. As such, the Project is not compatible with and will adversely affect adjacent properties contrary to public health, safety, and welfare. Thus, the City cannot make the Code-required findings for the requested Conditional Use Permit (“CUP”) needed when located within 500 feet of a residential zone. (See LAMC § 12.24-E.)

- Additionally, the CUP can only be granted if the City finds the Project will enhance the built environment or provide a function or service that is essential or beneficial to the community, City, or region. (Id.) In light of the COVID-19 pandemic, the hotel market is not expected to recover for years and, thus, this hotel Project is not essential—just like West Los Angeles Area Planning Commission found another proposed hotel development.<sup>2</sup>
- The Project fails to include additional alcohol conditions proposed by the Los Angeles Police Department (“LAPD”) Vice Division, including limiting alcohol service to hours of 7:00 a.m. – 11:00 p.m. and only incidental to restaurant service (alcohol allowed only with meal orders), no sale of alcohol for outside consumption.<sup>3</sup> Without appropriate conditions placed on Project Approvals, the Project will negatively impact surrounding residential uses and contribute to the overconcentration of alcohol licenses in the census tract.

None of these issues are addressed in the ZA’s LOD. Fundamentally, the hotel component comes at the expense of more desperately-needed housing—particularly affordable housing—and thus, the City should not grant the requested discretionary Entitlements for the Project. The COVID-19 global pandemic has fundamentally changed the hospitality industry, and the City must prioritize housing over hotels—as pointed out by the Honorable Councilmember Gil Cedillo in his recent letter of support for Local 11’s appeal on a different hotel project.<sup>4</sup>

**HOW ARE YOU AGGRIEVED BY THE DECISION:** Ms. Flores lives across the alley from the Project Site and, thus, has standing to challenge the Project’s TOC approval. (See LAMC § 12.22.A subds. 31(e) & 25(g)(2)(i)(f).) Ms. Barron lives within a half-mile of the Project Site, and Local 11’s members live, work, and/or frequent near the Project Site. Because all will suffer from the Project’s environmental impacts, Appellants have a beneficial interest in the Project’s Code/CEQA

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<sup>2</sup> See West LA APC (12/3/2020) Letter of Determination RE: 1936 Westwood Blvd., <https://planning.lacity.org/pdiscaseinfo/document/MjM3MzE10/46e6f77e-051c-4e11-ad6d-6ce8558211cd/pdd>.

<sup>3</sup> See LAPD Vice Division (8/14/19), <https://www.dropbox.com/s/d3a5l87o7pnusmh/LAPD%20Wilshire%20Division%20Letter%20re%20639%20S%20La%20Brea.8-14-19.pdf?dl=0>.

<sup>4</sup> See Council District 1 (1/21/21) PLUM Communication RE: CPC-2017-712 and Council File No. 18-1242, [https://clkrep.lacity.org/onlinedocs/2018/18-1242\\_misc\\_01-21-21.pdf](https://clkrep.lacity.org/onlinedocs/2018/18-1242_misc_01-21-21.pdf).

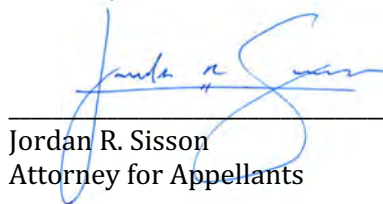


compliance and, thus, have standing.<sup>5</sup> Additionally, housing and environmental sustainability is a chief purpose/goal of Local 11 and, thus, it has associational standing.<sup>6</sup> So too, unions have standing to comment on and litigate land use and environmental claims, particularly when they have long-standing involvement in said matters (as is the case here with Local 11).<sup>7</sup> Furthermore, all Appellants have public interest standing to ensure state/local land-use and environmental laws are complied with by the City.<sup>8</sup> Because Appellants have a beneficial interest in the Project's Code/CEQA compliance, they are aggrieved by the ZA's decision.

**HOW DID THE DECISION-MAKER ERRED OR ABUSED ITS DISCRETION:** The ZA erred and abused its discretion when approving the Entitlements because, absent full Code/CEQA compliance, the Project threatens public safety, conflicts with state CEQA law, and is inconsistent with the Code-required findings. (See LAMC §§ 12.24 subds., E, W.1(a), 16.05-F.)

In closing, Appellants reserve the right to supplement this Appeal at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120.) Finally, on behalf of Appellants, this Office requests notification for all future hearings, decisions, determinations, and other similar actions related to the Project Approvals per state/local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; LAMC § 197.01.F.) Please send notice by electronic and regular mail to: Jordan Sisson, Esq., 801 S. Grand Avenue, 11th Fl., Los Angeles, CA 90017, [jordan@gideonlaw.net](mailto:jordan@gideonlaw.net).

Sincerely,



---

Jordan R. Sisson  
Attorney for Appellants

**ATTACHMENTS:**

- Exhibit A: Local 11 Comments dated October 30, 2019
- Exhibit B: Local 11 Comments dated January 24, 2020
- Exhibit C: Local 11 Comments dated February 5, 2020
- Exhibit D: Local 11 Comments dated September 17, 2020 (inclusive of two expert comment letters attached thereto)
- Exhibit E: Photos by Margaret Flores of current congestion issues in alley
- Exhibit F: Letter by Jason Asch in opposition to the project, 10/17/2019

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<sup>5</sup> See e.g., *Bozung v. LAFCO* (1975) 13 Cal.3d 263, 272; *Citizens Ass'n for Sensible Dev. v. County of Inyo* (1985) 172 Cal.App.3d 151, 158; *Braude v. City of Los Angeles* (1990) 226 Cal.App.3d 83, 87.

<sup>6</sup> See e.g., *Bhd. of Teamsters & Auto Truck Drivers v. Unemployment Ins. Appeals Bd.* (1987) 190 Cal.App.3d 1515, 1522; *Simons v. City of Los Angeles* (1979) 100 Cal.App.3d 496, 500-501; *Residents of Beverly Glen, Inc. v. Los Angeles* (1973) 34 Cal.App.3d 117.)

<sup>7</sup> See e.g., *Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198; *Environmental Protection Information Center v. California Dept. of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 480.

<sup>8</sup> See e.g., *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 914-916, n6; *La Mirada Avenue Neighborhood Assn. of Hollywood v. City of Los Angeles* (2018) 22 Cal.App.5th 1149, 1158-1159; *Save the Plastic Bag Coalition v. City of Manhattan Beach* (2011) 52 Cal.4th 155, 166; *Weiss v. City of Los Angeles* (2016) 2 Cal.App.5th 194, 205-206

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<sup>3</sup> See LAPD Vice Division (8/14/19), <https://www.dropbox.com/s/d3a5l87o7pnusmh/LAPD%20Wilshire%20Division%20Letter%20re%20639%20S%20La%20Brea.8-14-19.pdf?dl=0>.

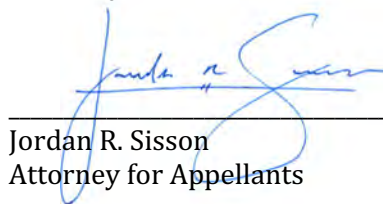
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compliance and, thus, have standing.<sup>5</sup> Additionally, housing and environmental sustainability is a chief purpose/goal of Local 11 and, thus, it has associational standing.<sup>6</sup> So too, unions have standing to comment on and litigate land use and environmental claims, particularly when they have long-standing involvement in said matters (as is the case here with Local 11).<sup>7</sup> Furthermore, all Appellants have public interest standing to ensure state/local land-use and environmental laws are complied with by the City.<sup>8</sup> Because Appellants have a beneficial interest in the Project's Code/CEQA compliance, they are aggrieved by the ZA's decision.

**HOW DID THE DECISION-MAKER ERRED OR ABUSED ITS DISCRETION:** The ZA erred and abused its discretion when approving the Entitlements because, absent full Code/CEQA compliance, the Project threatens public safety, conflicts with state CEQA law, and is inconsistent with the Code-required findings. (See LAMC §§ 12.24 subds., E, W.1(a), 16.05-F.)

In closing, Appellants reserve the right to supplement this Appeal at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120.) Finally, on behalf of Appellants, this Office requests notification for all future hearings, decisions, determinations, and other similar actions related to the Project Approvals per state/local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; LAMC § 197.01.F.) Please send notice by electronic and regular mail to: Jordan Sisson, Esq., 801 S. Grand Avenue, 11th Fl., Los Angeles, CA 90017, [jordan@gideonlaw.net](mailto:jordan@gideonlaw.net).

Sincerely,



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Jordan R. Sisson  
Attorney for Appellants

**ATTACHMENTS:**

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- Exhibit B: Local 11 Comments dated January 24, 2020
- Exhibit C: Local 11 Comments dated February 5, 2020
- Exhibit D: Local 11 Comments dated September 17, 2020 (inclusive of two expert comment letters attached thereto)
- Exhibit E: Photos by Margaret Flores of current congestion issues in alley
- Exhibit F: Letter by Jason Asch in opposition to the project, 10/17/2019

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<sup>5</sup> See e.g., *Bozung v. LAFCO* (1975) 13 Cal.3d 263, 272; *Citizens Ass'n for Sensible Dev. v. County of Inyo* (1985) 172 Cal.App.3d 151, 158; *Braude v. City of Los Angeles* (1990) 226 Cal.App.3d 83, 87.

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comfortably fits one car at a time. (See Exhibit E, for photos taken by appellant Margaret Flores showing existing congestion issues in alley that will be significantly worsened by project.) So too, the hotel Project includes banquet facilities, alcohol service, restaurants that will cause noise and other nuisance issues negatively impacting stakeholders—as evidenced by numerous comments in the record by adjacent residents, tenants, and business owners. As such, the Project is not compatible with and will adversely affect adjacent properties contrary to public health, safety, and welfare. Thus, the City cannot make the Code-required findings for the requested Conditional Use Permit (“CUP”) needed when located within 500 feet of a residential zone. (See LAMC § 12.24-E.)

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- The Project fails to include additional alcohol conditions proposed by the Los Angeles Police Department (“LAPD”) Vice Division, including limiting alcohol service to hours of 7:00 a.m. – 11:00 p.m. and only incidental to restaurant service (alcohol allowed only with meal orders), no sale of alcohol for outside consumption.<sup>3</sup> Without appropriate conditions placed on Project Approvals, the Project will negatively impact surrounding residential uses and contribute to the overconcentration of alcohol licenses in the census tract.

None of these issues are addressed in the ZA’s LOD. Fundamentally, the hotel component comes at the expense of more desperately-needed housing—particularly affordable housing—and thus, the City should not grant the requested discretionary Entitlements for the Project. The COVID-19 global pandemic has fundamentally changed the hospitality industry, and the City must prioritize housing over hotels—as pointed out by the Honorable Councilmember Gil Cedillo in his recent letter of support for Local 11’s appeal on a different hotel project.<sup>4</sup>

**HOW ARE YOU AGGRIEVED BY THE DECISION:** Ms. Flores lives across the alley from the Project Site and, thus, has standing to challenge the Project’s TOC approval. (See LAMC § 12.22.A subds. 31(e) & 25(g)(2)(i)(f).) Ms. Barron lives within a half-mile of the Project Site, and Local 11’s members live, work, and/or frequent near the Project Site. Because all will suffer from the Project’s environmental impacts, Appellants have a beneficial interest in the Project’s Code/CEQA compliance and, thus, have standing.<sup>5</sup> Additionally, housing and environmental sustainability is a chief purpose/goal of Local 11 and, thus, it has associational standing.<sup>6</sup> So too, unions have standing to comment on and litigate land use and environmental claims, particularly when they have long-standing involvement in said matters (as is the case here with Local 11).<sup>7</sup> Furthermore, all

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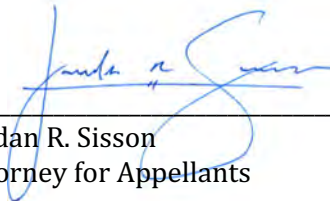
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Appellants have public interest standing to ensure state/local land-use and environmental laws are complied with by the City.<sup>8</sup> Because Appellants have a beneficial interest in the Project's Code/CEQA compliance, they are aggrieved by the ZA's decision.

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In closing, Appellants reserve the right to supplement this Appeal at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120.) Finally, on behalf of Appellants, this Office requests notification for all future hearings, decisions, determinations, and other similar actions related to the Project Approvals per state/local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; LAMC § 197.01.F.) Please send notice by electronic and regular mail to: Jordan Sisson, Esq., 801 S. Grand Avenue, 11th Fl., Los Angeles, CA 90017, [jordan@gideonlaw.net](mailto:jordan@gideonlaw.net).

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**EXHIBIT A**

# GIDEON KRACOV

Attorney at Law

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January 29, 2021

**Re: Appeal Justification for La Brea Bliss Project (623-671 South La Brea Avenue);  
DCP Case No. ZA-2019-1744 (Related Case Nos. VTT-82618 & ENV-2019-1736);  
Zoning Administrator Approval Effective by January 15, 2021 Letter of Determination**

On behalf of UNITE HERE Local 11 and its members (“**Local 11**”), Margaret R. Flores, and Maya Barron (collectively “**Appellants**”), this Office respectfully appeals (the “**Appeal**”) the above-referenced mixed-use development including 121 condominiums, 125-room hotel, and 13,037 square feet of commercial floor area (“**Project**”) located at 623-671 South La Brea Avenue (“**Site**”). Under the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”) case number ZA-2019-1744-CU-MCUP-SPR-TOC, the Zoning Administrator (“**ZA**”) approved the Project’s various land use entitlements (i.e., Transit Oriented Communities Affordable Housing Incentive, Site Plan Review, Conditional Use Permit for alcohol, Conditional Use Permit for hotel) (collectively “**Entitlements**”), which approvals were made effective by the ZA’s Letter of Determination mailed January 15, 2021 (“**LOD**”). This Appeal is timely submitted prior to the February 1, 2021 deadline. (See LOD, p. 14.)

**REASON FOR THE APPEAL:** In short, the ZA approved the Project’s Entitlements in violation of the Los Angeles Municipal Code (“**LAMC**” or “**Code**”) and California Environmental Quality Act (“**CEQA**”). Appellants respectfully request that the City grant the Appeal and deny the Entitlements and other approvals<sup>1</sup> (collectively “**Project Approvals**”) until the issues raised here and elsewhere in the Project’s administrative record are adequately addressed.

**SPECIFIC POINTS IN ISSUE:** The specific points at issue were fully outlined in Local 11’s prior comments attached hereto as Exhibits A through D, which the Appeal *incorporates in their entirety by this reference*. For the sake of brevity, some of the Project issues yet to be adequately addressed by the City include:

- Density calculation are untethered to Site conditions and in violation of LAMC § 12.21.C.1(j);
- Unlike any of the 300+ projects approved and/or pending City approval of Transit Oriented Communities (“**TOC**”) incentives, the Project seeks TOC incentives to increase hotel density at the expense of housing.
- The Project is inconsistent with numerous land use goals and policies.
- No linkage fee is assessed.
- The Project proponent has a track record of converting dwelling units into hotels.
- The Project’s CEQA review fails to adequately assess the Project’s contribution to climate change or show that it truly qualifies for a CEQA SCPE.
- The *Project is only 35 feet from several apartment buildings* that will be adversely impacted because the hotel generates more traffic than apartments and creates hazards by directing traffic from patrons, rideshare, valets, deliveries, and other vehicles through the alley that

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<sup>1</sup> Including Sustainable Communities Project Exemption (“**SCPE**”) from CEQA (processed under DCP Case No. ENV-2019-1736 and Council File No. 19-1533) and subdivision of 12 lots into five commercial condominium units (under DCP Case No. VTT-82618).





comfortably fits one car at a time. (See Exhibit E, for photos taken by appellant Margaret Flores showing existing congestion issues in alley that will be significantly worsened by project.) So too, the hotel Project includes banquet facilities, alcohol service, restaurants that will cause noise and other nuisance issues negatively impacting stakeholders—as evidenced by numerous comments in the record by adjacent residents, tenants, and business owners. As such, the Project is not compatible with and will adversely affect adjacent properties contrary to public health, safety, and welfare. Thus, the City cannot make the Code-required findings for the requested Conditional Use Permit (“CUP”) needed when located within 500 feet of a residential zone. (See LAMC § 12.24-E.)

- Additionally, the CUP can only be granted if the City finds the Project will enhance the built environment or provide a function or service that is essential or beneficial to the community, City, or region. (Id.) In light of the COVID-19 pandemic, the hotel market is not expected to recover for years and, thus, this hotel Project is not essential—just like West Los Angeles Area Planning Commission found another proposed hotel development.<sup>2</sup>
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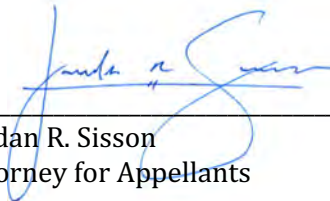


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# Channel Law Group, LLP

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---

\*ALSO Admitted in Texas

October 30, 2019

## VIA ELECTRONIC MAIL

Michelle Carter  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012  
michelle.carter@lacity.org

**Re: Comments on La Brea Bliss Project (623-671 South La Brea Avenue)  
DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736  
Zoning Administrator Hearing 10/23/19 at 9:30 a.m**

Dear Ms. Carter:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the proposed eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant"). In short, Local 11 is concerned with the Project's compliance with the Los Angeles Municipal Code ("LAMC" or "Code") and the California Environmental Quality Act ("CEQA"),<sup>2</sup> and requests the City disapproves the Project's requested subdivision, land use entitlements, and environmental review under a Sustainable Communities Project CEQA Exemption ("SCPE") (collectively "Project Approvals").

Of great concern is this Project's unprecedented misuse of the City's Transit Oriented Communities ("TOC") incentives to provide hotel uses. Specifically, the Applicant improperly shuffles floor area ratios and densities between the residential and hotel uses at the Site, misusing the City's TOC density incentives to produce inadequate housing plans – while using the extra density to give itself a free hotel. This is a gross abuse of the TOC incentives and means that the Project apports more than one-third of its total allowed floor area to non-residential uses—at

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

the expense of desperately needed housing. An extra 14 to 48 affordable units must be provided (depending on level of affordability). We have exhaustively researched this issue, as set forth below, and have found no approved or pending TOC incentive project in the City with an even remotely similar imbalance between the residential and non-residential uses. *The City's TOC incentives are to be used to incentive housing, not boutique hotels!* Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). *This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.*

Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of the Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>3</sup> Local 11 therefore respectfully urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units). If not, the City should reject this Project altogether.

Moreover, the Applicant here has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. Given this track record, and the entire TOC-derived planning for this Project, Local 11 urges the City to impose enforceable Conditions of Approval that restricts the Project's residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy.

Finally, in violation of CEQA and the Brown Act the agenda for the October 23, 2019 Zoning Administrator hearing does not reference CEQA, and the City has published no CEQA compliance document for the Project. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed CEQA compliance document, adopting that CEQA document for the Project, and agendizing this all under CEQA. Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## **I. STANDING OF LOCAL 11**

Local 11 represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona. Members of Local 11, including hundreds who live or work in the City of Los Angeles at or near the Project Site, join together to fight for improved living standards and working conditions. Local 11's members have a direct interest in seeing that the City's land-use laws are being followed, that the City satisfies its affordable housing obligations, and complies with the State's environmental laws. So too unions have standing to litigate land use and environmental claims. *See Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

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<sup>3</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

## II. PROJECT BACKGROUND

Based on the Project application materials (“Project Application”)<sup>4</sup> and entitlement building plans (“Project Plans”),<sup>5</sup> the Project Site includes 12 continuous, C2-1 zoned lots totaling 47,323-SF of lot area (used by Applicant to calculate FAR density) or 51,866 SF including half-width of adjacent alley (used by Applicant to calculate residential and hotel density). *See* Project Application, PDF pp. 10, 12; Project Plans, PDF p. 3, 6. The Project entails the construction of an eight-story, 201,123-SF mixed-use structure including 121 residential units (14 set aside for Extremely Low Income Households), a 125-room hotel (57,948 SF), and 13,037 SF of commercial/retail/restaurant uses, resulting in a development totaling 4.25:1 floor-area-ratio (“FAR”) and advertised by the Applicant as “luxury” residential.<sup>6</sup> *See* Project Application, PDF pp. 12-14. The requested Project Approvals include:

- Vesting Tentative Tract Map for the merger of 12 lots and the creation of five (5) condominium lots (“VTT”),
- Tier 4 TOC incentives to allow an increase in density, FAR, and additional incentives (“TOC Incentives”),
- Master Conditional Use Permit to allow the sale and dispensing of alcoholic beverages on Site (“MCUP”),
- Conditional Use to permit a hotel within 500 feet of a residential zone (“CUP”), and
- Site Plan Review for a development project resulting in an increase of 50 or more residential units and/or guestrooms (“SPR”) (collectively “Entitlements”).

Below is a Project rendering (Fig. 1) and Project components and respective square footage (Fig. 2) from the Applicant’s March 2019 application. *See* Project Application, PDF p. 12; *see also* Project Plans, PDF pp. 2, 4.

**FIGURE 1: PROJECT RENDERING**

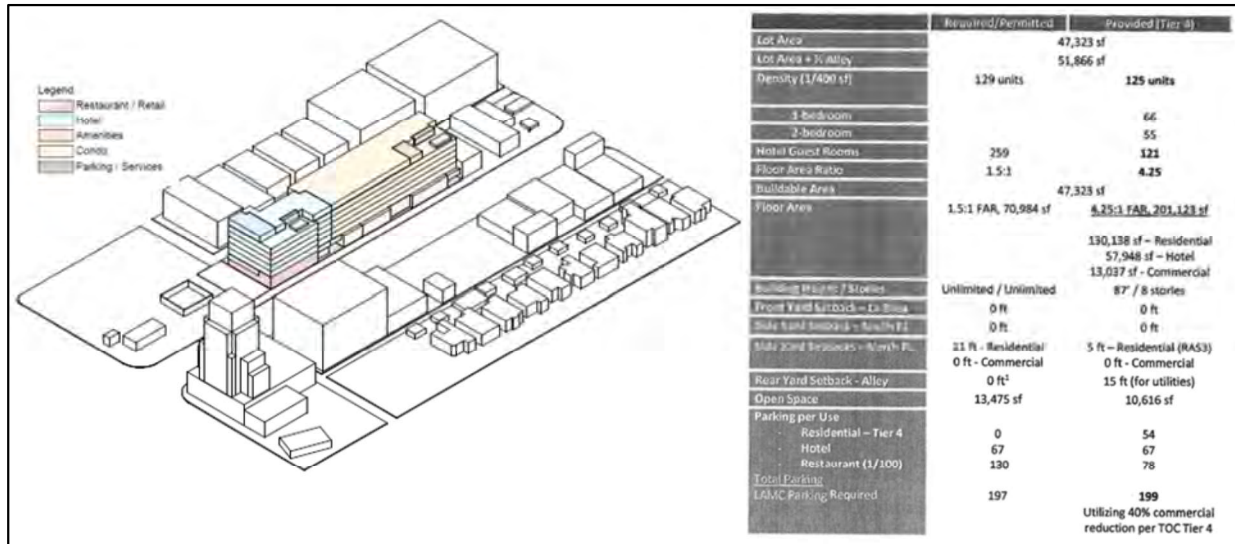


<sup>4</sup> Project Application (250 pages dated March 2019, including Expedited Processing application, proposed findings, EAF application, TOC Referral form, VTT application, etc.), <http://bit.ly/32Eomo8>.

<sup>5</sup> Project Plans (32 pages dated March 19, 2019), <http://bit.ly/35V3hbd>.

<sup>6</sup> CGI Strategies (2019) La Brea Project Webpage, <https://cgistrategies.com/project/la-brea-project/>.

**FIGURE 2: PROJECT COMPONENTS AND PROPOSED SQUARE FOOTAGE**

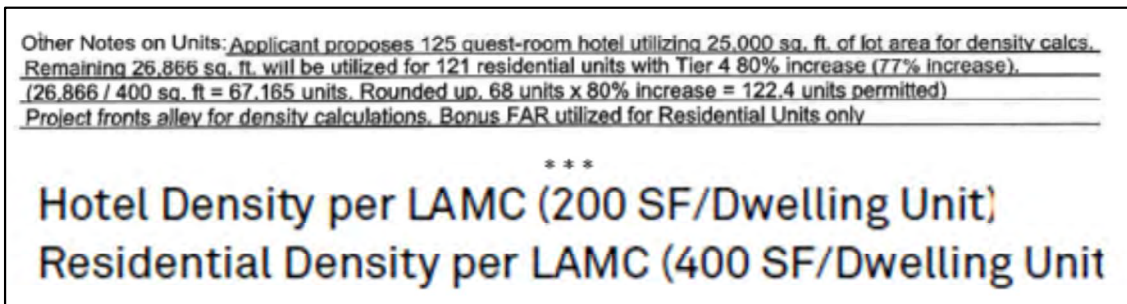


**III. APPLICANT’S DENSITY CALCULATIONS ARE UNTETHERED TO SITE CONDITIONS AND VIOLATE THE CODE**

To reverse engineer the Applicant’s ultimate goal of getting a free hotel, the Project calculates its hotel guest room and base housing density by utilizing arbitrary lot size values. Here, the Applicant calculates its base residential and hotel density by allocating different Site area (i.e., lot area plus half-width alley totaling 51,866 SF) to the Project’s proposed residential and hotel uses. As depicted in the below figures, the Project Application allocates 26,866-SF of Site area for a base residential density of 68 (400 per dwelling unit, rounded up); and 25,000-SF of Site area for a base hotel density of 125 (200 SF per hotel room) (see Fig. 3 below). See Project Application, PDF p. 92; Project Plans, PDF p. 3.

However, when calculating its by-right non-residential FAR, the Applicant utilizes the entire Project Site (not including the half-width alley totaling 47,323 SF), for total of 70,985 SF or 1.5:1 FAR (see Fig. 4 on following page). See Project Application, PDF p. 12; Project Plans, PDF p. 3. As explained below, this shuffling of lot area and density/FAR calculations is neither tethered to the actual proposed building plans nor complies with the Code.

**FIGURE 3: APPLICANT'S DENSITY CALCULATION**



**FIGURE 4: APPLICANT'S NON-RESIDENTIAL FAR CALCULATION**

Buildable Area		47,323 sf
Floor Area	1.5:1 FAR, 70,984 sf	<u>4.25:1 FAR, 201,123 sf</u>
		130,138 sf – Residential
		57,948 sf – Hotel
		13,037 sf – Commercial
	***	
Proposed Non-Residential FAR		1.5 : 1
Proposed Net Hotel Floor Area		57,948 SF
Proposed Net Commercial Floor Area		13,037 SF

**A. BY-RIGHT FAR CALCULATIONS FOR NON-RESIDENTIAL USE VIOLATE THE CODE**

Under the Code, “[n]o required lot which is provided for a dwelling unit, guest room, specific use or total floor area within a building *shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building.*” LAMC § 12.21.C.1(j), emphasis added. As mentioned above, the Applicant allocated 26,866-SF and 25,000-SF of Site area for the Project’s base residential density and hotel density (respectively), or roughly 52 and 48 percent (respectively) of the Site’s lot area and half-alley square footage. Consistent with LAMC § 12.21.C.1(j), the Project’s hotel FAR component is tied to its allocated lot area, approximately 22,810-SF of lot area (i.e., equivalent to 48 percent of the Site’s total 47,323-SF lot area). As such, the Project’s non-residential floor area should be limited to 34,215-SF.<sup>7</sup>

Here, however, the Applicant disregards this unambiguous Code provision and utilizes the entire 47,323-SF Site area (including the area provided for residential dwelling units) to calculate its hotel floor area rights of 70,985 SF. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

**B. LOT AREA ALLOCATIONS ARE UNTETHERED TO THE PROJECT’S SITE PLANS**

As depicted in the below figures, the Project Plans show the entire mixed-use structure is 400 feet long (see Figs. 5 through 7 on following page), spanning ten of the contiguous lots (i.e., lots 38 through 47) (see Fig. 6), with the hotel component covering roughly one-third of the floor plan (i.e., lots 45-47, roughly 130’-9’’ along La Brea and 104’-11’’ deep) (see Fig. 7). See Project Plans, PDF pp. 3-6, 11. As such, the lot area allocated to the Project’s hotel component should be approximately 13,718-SF of lot area<sup>8</sup> (not 25,000 SF), providing by-right floor area rights of 20,578 SF<sup>9</sup> (not 70,985 SF), and hotel density of 69 guest rooms<sup>10</sup> (not 125 rooms). Here, however, the Applicant is shuffling the lot area to maximize its hotel density untethered to its own Project Plans. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

<sup>7</sup> Calculated: (22,810 lot area) x (1.5:1 FAR) = (34,215.33 SF).

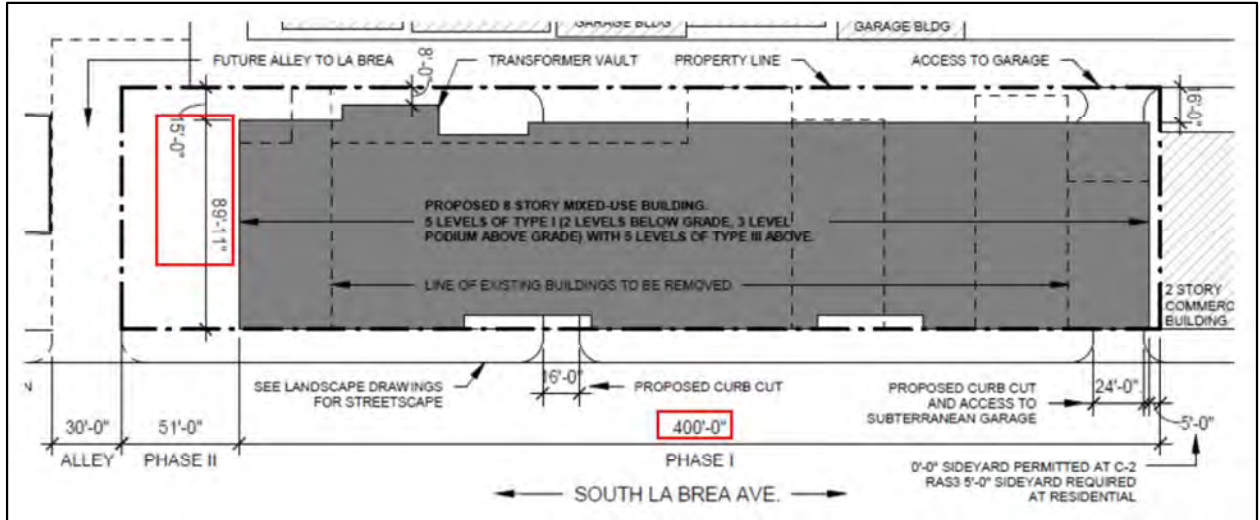
<sup>8</sup> Calculated: (130’-9’’) x (104’-11’’) = (13,717.8 SF of lot area).

<sup>9</sup> Calculated: (13,717.8 SF of lot area) x (1.5:1 FAR) = (20,576.7 SF).

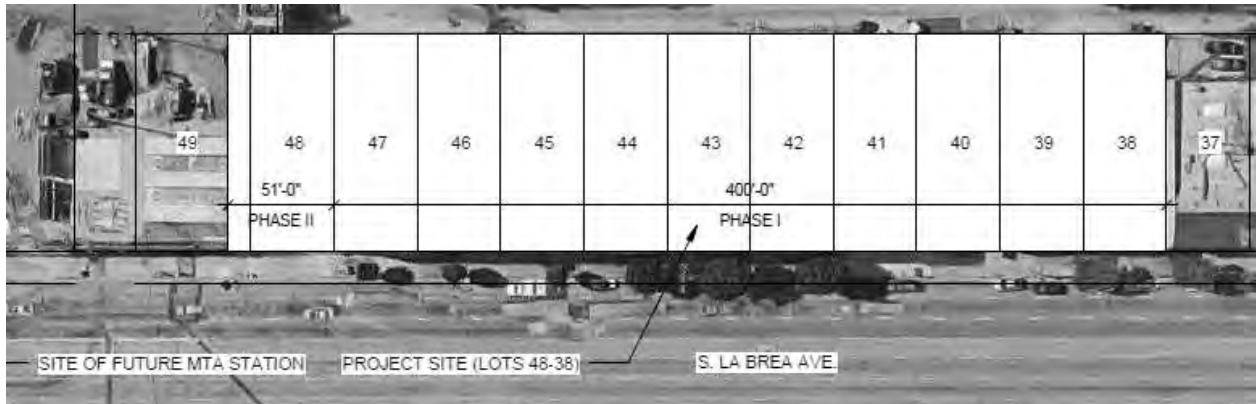
<sup>10</sup> Calculated: (13,717.8 SF of lot area) / (200 SF per guest room) = (68.5 guest rooms).



**FIGURE 5: PROPOSED MIXED USE STRUCTURE**



**FIGURE 6: PROJECT LOT COVERAGE**



**FIGURE 7: PROJECT FLOOR PLANS**



## C. SUMMARY

The Applicant's three-card-monte shuffling of the lot area is neither allowed under the Code, nor tethered to reality. It is an elaborate hustle to confuse the City in granting the Site additional density on the false narrative that the Project is just another TOC housing project, which as explained below, could not be further from the truth. As a result, the Applicant gets a bigger, free hotel by misusing the City's TOC incentives (as discussed in great detail below).

## IV. THIS IS AN UNPRECEDENTED TOC PROJECT

In November 2016, City voters approved Measure JJJ by a nearly 30-point margin, which led to the adoption of the TOC incentive program in 2017 (codified at LAMC § 12.22.A.31 *et seq.*). Under the TOC Guidelines, residential projects within a one-half mile of a major transit stop could seek additional incentives, such as increased residential density and FAR from its base zoning if it met various affordable housing requirements.<sup>11</sup> According to the City's most recent housing report, the TOC Guidelines have resulted in the proposal of 3,863 affordable units since 2017.<sup>12</sup> The fundamental purpose of the TOC Guidelines and program is to provide density/FAR incentives to produce housing.

Here, however, the Applicant abuses the TOC Guidelines by utilizing the TOC incentives to produce inadequate housing while using the extra density to give itself a free hotel. This is an obvious and gross misuse of the TOC incentives. With by-right 1.5:1 FAR (70,985 SF), the Applicant allocates all of its by-right square footage to non-residential uses (i.e., 125-room hotel, commercial, retail, restaurant uses), tacks on 130,138-SF (2.75:1 FAR) of residential uses (i.e., 121-room apartment room) for a total of 4.25:1 FAR mixed-use project, in exchange for a meager 14 affordable units. This was not the purpose of the TOC program and Applicant's clever jiggery of the TOC incentives runs counter to every TOC project approved or pending City approval (as discussed below). This is an unprecedented misuse of the TOC incentives and means that the Project has substantially less housing (market-rate and affordable) than it is supposed to – an extra 14 to 48 affordable units must be provided (depending on level of affordability). *The TOC incentives are to be used for housing, not boutique hotels!*

### A. TYPICAL TOC PROJECTS ARE EXCLUSIVELY RESIDENTIAL

Upon reviewing more than 300 TOC projects, it is clearly evident that TOC incentives are used for projects primarily serving residential purposes. For example, as listed in Table 1 on the following page, 240 TOC projects have been approved by the City (111 projects)<sup>13</sup> or pending City approval (129 projects) that exclusively serve residential uses (e.g., market-rate housing, affordable housing, permanent-supportive housing). Here, a by-right project would allow for a 70,985-SF, 1.5:1 FAR (based on 47,323-SF lot area), and up to 129 residential units (based on 51,866-SF lot area plus half-alley). *If this was a typical Tier 4 TOC project, the Project would be allowed 201,123-SF, 4.25:1 FAR (based on 47,323-SF lot area) used exclusively for residential*

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<sup>11</sup> See City (2/26/18) Technical Clarifications to the TOC Guidelines, <http://bit.ly/2BxvaYL>; see also TOC Guidelines FAQ (5/5/18), <http://bit.ly/2N8llps>.

<sup>12</sup> See City (Jun. 2019) Housing Progress Report, PDF p. 3 (noting 2,945 and 918 affordable units via discretionary cases and by-right permits, respectively, since October 2017), <http://bit.ly/2o4hRvI>.

<sup>13</sup> Per DCP's description on the City's Case Summary & Documents website when searching individual projects. See <https://planning.lacity.org/pdiscaseinfo/search/encoded/>.



*uses, and permitting up to 233 residential units* with either 26 Extremely Low Income, 35 Very Low Income, or 59 Low Income units (based on 51,866-SF lot area plus half-alley). Here, however, this mixed-use Project is not providing an entirely residential project, provides only 125 apartment units, and because Applicant wants a hotel use, improperly forgoes as much as 108 residential units (much of which would be affordable).

**TABLE 1: TYPICAL TOC PROJECTS INCLUDING EXCLUSIVELY RESIDENTIAL USES**

<b>111 TOC Projects Approved by the City</b>				
DIR-2017-4421	DIR-2018-2736	DIR-2018-4296	DIR-2018-5919	DIR-2019-0761
DIR-2017-4551	DIR-2018-2808	DIR-2018-4319	DIR-2018-6162	DIR-2019-0764
DIR-2017-4561	DIR-2018-2831	DIR-2018-4336	DIR-2018-6186	DIR-2019-0840
DIR-2017-4807	DIR-2018-2887	DIR-2018-4508	DIR-2018-6218	DIR-2019-0855
DIR-2018-0894	DIR-2018-2918	DIR-2018-4525	DIR-2018-6244	DIR-2019-0883
DIR-2018-0901	DIR-2018-2943	DIR-2018-4649	DIR-2018-6497	DIR-2019-0898
DIR-2018-1122	DIR-2018-3005	DIR-2018-4655	DIR-2018-6560	DIR-2019-1008
DIR-2018-1257	DIR-2018-3038	DIR-2018-4682	DIR-2018-6630	DIR-2019-1021
DIR-2018-1277	DIR-2018-3069	DIR-2018-4752	DIR-2018-6671	DIR-2019-1053
DIR-2018-1393	DIR-2018-3110	DIR-2018-4793	DIR-2018-6719	DIR-2019-1157
DIR-2018-1581	DIR-2018-3274	DIR-2018-4928	DIR-2018-6866	DIR-2019-1445
DIR-2018-1603	DIR-2018-3378	DIR-2018-4954	DIR-2018-6904	DIR-2019-1517
DIR-2018-1626	DIR-2018-3411	DIR-2018-4983	DIR-2018-6956	DIR-2019-1675
DIR-2018-1656	DIR-2018-3460	DIR-2018-4999	DIR-2018-6996	DIR-2019-1753
DIR-2018-1677	DIR-2018-3471	DIR-2018-5175	DIR-2018-7067	DIR-2019-1855
DIR-2018-1868	DIR-2018-3524	DIR-2018-5204	DIR-2018-7575	DIR-2019-1971
DIR-2018-2029	DIR-2018-3645	DIR-2018-5208	DIR-2018-7647	DIR-2019-2356
DIR-2018-2234	DIR-2018-3691	DIR-2018-5473	DIR-2019-0038	DIR-2019-2947
DIR-2018-2503	DIR-2018-3839	DIR-2018-5480	DIR-2019-0091	DIR-2019-2966
DIR-2018-2589	DIR-2018-3888	DIR-2018-5510	DIR-2019-0366	
DIR-2018-2628	DIR-2018-3931	DIR-2018-5515	DIR-2019-0399	
DIR-2018-2653	DIR-2018-3952	DIR-2018-5647	DIR-2019-0575	
DIR-2018-2732	DIR-2018-4135	DIR-2018-5664	DIR-2019-0757	
<b>129 TOC Projects Pending City Approval</b>				
APCC-2019-2047	DIR-2018-7606	DIR-2019-2603	DIR-2019-3768	DIR-2019-5220
DIR-2018-2957	DIR-2019-1006	DIR-2019-2657	DIR-2019-3912	DIR-2019-5235
DIR-2018-3391	DIR-2019-1103	DIR-2019-2700	DIR-2019-4023	DIR-2019-5248
DIR-2018-3536	DIR-2019-1113	DIR-2019-2731	DIR-2019-4049	DIR-2019-5267
DIR-2018-3609	DIR-2019-1200	DIR-2019-0274	DIR-2019-4075	DIR-2019-0530
DIR-2018-4052	DIR-2019-1224	DIR-2019-0277	DIR-2019-0409	DIR-2019-5351
DIR-2018-4817	DIR-2019-1244	DIR-2019-2789	DIR-2019-4090	DIR-2019-5356
DIR-2018-5101	DIR-2019-1323	DIR-2019-2893	DIR-2019-4091	DIR-2019-5420
DIR-2018-5355	DIR-2019-1672	DIR-2019-2908	DIR-2019-4185	DIR-2019-5422
DIR-2018-5859	DIR-2019-1679	DIR-2019-2938	DIR-2019-4221	DIR-2019-5516
DIR-2018-5870	DIR-2019-1693	DIR-2019-0304	DIR-2019-4395	DIR-2019-0553
DIR-2018-5925	DIR-2019-1794	DIR-2019-3138	DIR-2019-4425	DIR-2019-5659
DIR-2018-6175	DIR-2019-1919	DIR-2019-3143	DIR-2019-4577	DIR-2019-5702
DIR-2018-6344	DIR-2019-1955	DIR-2019-3158	DIR-2019-4705	DIR-2019-5704
DIR-2018-6392	DIR-2019-2017	DIR-2019-3204	DIR-2019-4723	DIR-2019-5733
DIR-2018-6634	DIR-2019-2128	DIR-2019-3222	DIR-2019-4725	DIR-2019-5741

DIR-2018-6861	DIR-2019-2145	DIR-2019-0324	DIR-2019-4728	DIR-2019-5859
DIR-2018-6987	DIR-2019-2171	DIR-2019-3294	DIR-2019-4821	DIR-2019-5957
DIR-2018-7019	DIR-2019-2262	DIR-2019-3377	DIR-2019-4911	DIR-2019-0739
DIR-2018-7148	DIR-2019-2266	DIR-2019-3500	DIR-2019-4920	DIR-2019-0750
DIR-2018-7191	DIR-2019-2271	DIR-2019-3502	DIR-2019-5001	DIR-2019-0790
DIR-2018-7340	DIR-2019-2291	DIR-2019-3530	DIR-2019-5051	DIR-2019-0805
DIR-2018-7363	DIR-2019-2323	DIR-2019-3555	DIR-2019-5086	DIR-2019-0848
DIR-2018-7376	DIR-2019-2427	DIR-2019-3588	DIR-2019-5137	DIR-2019-0929
DIR-2018-7431	DIR-2019-2480	DIR-2019-3727	DIR-2019-5170	DIR-2019-0970
DIR-2018-7554	DIR-2019-2570	DIR-2019-3760	DIR-2019-5213	

**B. UNLIKE HERE, THE FEW MIXED-USE TOC PROJECTS TYPICALLY HAVE EXTREMELY LIMITED NON-RESIDENTIAL USES**

So too, the Project is an outlier for even the 57 mixed-use TOC projects approved by the City (28 projects)<sup>14</sup> or pending City approval (29 projects).<sup>15</sup> For example, based on City documents (e.g., Letters of Determination [“LOD”], Case Summary & Document website [“CS&D”], etc.), we were able to discern in 30 of the 57 mixed-use TOC projects the total floor area of the proposed projects including the portion allocated for non-residential uses (e.g., retail, commercial, restaurant, office, etc.). As shown in Table 2 below and the following pages, these rare mixed-use TOC projects on average allocate a mere 6.38 percent of the entire proposed project square footage to non-residential uses. *If this was a typical rare mixed-use TOC project, the Project would include only 6.38 percent of its proposed floor area to non-residential uses* (i.e., 12,832-SF of hotel/retail uses), with the remaining 188,291 SF allocated to residential uses *permitting up to approximately 181 apartment units*<sup>16</sup> (i.e., 58,153 SF and 56 apartment units more than proposed). Here, however, this Project is allocating 35.29 of the entire proposed square footage to non-residential uses (hotel and commercial/retail)—more than five times the average rare mixed-use TOC project.

**TABLE 2: MIXED-USE TOC PROJECTS NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Lot Size (SF)	Total Project (SF)	Non-Residential		Source
			(SF)	Percent of Total SF	
DIR-2019-2593[a]	28,687*	107,012	1,089	1.02%	City (2019) CS&D, <a href="http://bit.ly/2MWPIEH">http://bit.ly/2MWPIEH</a> .

<sup>14</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-1136; DIR-2018-1500; DIR-2018-3014; DIR-2018-3021; DIR-2018-4743; DIR-2018-4864; DIR-2018-4879; DIR-2018-5303; DIR-2018-5415; DIR-2018-5417; DIR-2018-5601; DIR-2018-5887; DIR-2018-5945; DIR-2018-6274; DIR-2018-6322; DIR-2018-6425; DIR-2018-6691; DIR-2018-7342; DIR-2018-7374; DIR-2018-7382; DIR-2018-7690; DIR-2019-104; DIR-2019-1101; DIR-2019-1394; DIR-2019-1957; DIR-2019-2453; DIR-2019-2593; DIR-2019-3287.

<sup>15</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-3172; DIR-2018-5014; DIR-2018-5079; DIR-2018-6684; DIR-2019-1133; DIR-2019-1254; DIR-2019-1321; DIR-2019-1558; DIR-2019-1663; DIR-2019-2051; DIR-2019-2131; DIR-2019-2431; DIR-2019-2482; DIR-2019-2727; DIR-2019-2765; DIR-2019-3146; DIR-2019-337; DIR-2019-3680; DIR-2019-3936; DIR-2019-3991; DIR-2019-4573; DIR-2019-5140; DIR-2019-5394; DIR-2019-5590; DIR-2019-5645; DIR-2019-6048; DIR-2019-647; DIR-2019-909; ZA-2018-3985.

<sup>16</sup> Based on the Applicant’s average 1,042-SF apartment unit calculated based on the following: (130,138-SF residential uses) / (125 apartment units) = (1,041.1 SF/unit). *See* Project Application, PDF p. 12.

DIR-2019-3287[a]	46,009	117,106	1,700	1.45%	City (8/1/19) LOD, PDF pp. 2, 8, 11, <a href="http://bit.ly/32xArLT">http://bit.ly/32xArLT</a> .
DIR-2018-6691[a]	7,500	28,071	426	1.52%	City (5/2/19) LOD, PDF pp. 2, 7-8, <a href="http://bit.ly/32uSWk8">http://bit.ly/32uSWk8</a> .
DIR-2018-3021[a]	16,704	62,640	1,145	1.83%	City (12/17/18) LOD, PDF pp. 7-8, <a href="http://bit.ly/32wQBoR">http://bit.ly/32wQBoR</a> .
DIR-2018-1136[a]	51,303	180,334	3,600	2.00%	City (11/1/18) LOD, PDF p. 7, <a href="http://bit.ly/2oWREj6">http://bit.ly/2oWREj6</a> .
DIR-2018-7374[a]	7,210	11,559	240	2.08%	City (5/21/19) LOD, PDF pp. 6-7, <a href="http://bit.ly/33NyJ9c">http://bit.ly/33NyJ9c</a> .
DIR-2018-1500[a]	41,440	110,558	2,346	2.12%	City (7/23/18) LOD, PDF pp. 2, 7, <a href="http://bit.ly/2Mxzw8I">http://bit.ly/2Mxzw8I</a> .
DIR-2018-3014[a]	7,350	27,501	645	2.35%	City (12/12/18) LOD, PDF p. 5, <a href="http://bit.ly/33LGXP7">http://bit.ly/33LGXP7</a> ; see also Floor Plan, PDF p. 1, <a href="http://bit.ly/2pG2wSp">http://bit.ly/2pG2wSp</a> .
DIR-2018-6274[a]	10,733	28,333	671	2.37%	City (4/29/19) LOD, PDF pp. 3, 7, 11, <a href="http://bit.ly/2BpxYqZ">http://bit.ly/2BpxYqZ</a> .
DIR-2018-4743[a]	20,913	95,260	2,499	2.62%	City (5/9/19) LOD, PDF p. 6, <a href="http://bit.ly/32xkRzR">http://bit.ly/32xkRzR</a> .
DIR-2018-6322[a]	36,371	136,189	3,600	2.64%	City (1/23/19) LOD, PDF p. 6, <a href="http://bit.ly/2o1tsfl">http://bit.ly/2o1tsfl</a> .
DIR-2018-5014[b]	21,274*	93,467	2,500	2.67%	City (9/18/19) Hearing Notice, PDF p. 1, <a href="http://bit.ly/2BunfLK">http://bit.ly/2BunfLK</a> .
DIR-2018-5945[a]	53,504	200,640	7,843	3.91%	City (2/27/19) LOD, PDF p. 6, <a href="http://bit.ly/31yHeDw">http://bit.ly/31yHeDw</a> .
DIR-2018-5417[a]	11,708	23,455	1,000	4.26%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2qqJksh">http://bit.ly/2qqJksh</a> .
DIR-2018-5601[a]	16,940	55,055	2,395	4.35%	City (12/10/18) LOD, PDF p. 6, <a href="http://bit.ly/2Bva79m">http://bit.ly/2Bva79m</a> .
DIR-2019-1394[a]	22,824	51,623	2,491	4.83%	City (7/5/19) LOD, PDF pp. 7, 11, <a href="http://bit.ly/2PeBvR9">http://bit.ly/2PeBvR9</a> .
DIR-2018-6425[a]	45,792*	171,634	8,561	4.99%	City (2/1/19) Notice of Exemption, PDF p. 1, <a href="http://bit.ly/35PD6Td">http://bit.ly/35PD6Td</a> .
DIR-2018-7342[a]	14,863	50,985	2,640	5.18%	City (4/10/19) LOD, PDF p. 7, <a href="http://bit.ly/2pG3Lkx">http://bit.ly/2pG3Lkx</a> .
DIR-2019-2727[b]	21,547*	65,140	3,640	5.59%	City (2019) CS&D, <a href="http://bit.ly/2VWZ2Ho">http://bit.ly/2VWZ2Ho</a> ; see also Office of Historic Resources (10/2/19) Updated Agenda, PDF p. 2, <a href="http://bit.ly/35R6hFl">http://bit.ly/35R6hFl</a> .
DIR-2018-4864[a]	60,810	209,157	12,175	5.82%	City (4/19/19) LOD, PDF pp. 2, 7-8, 19, <a href="http://bit.ly/2VXcb3e">http://bit.ly/2VXcb3e</a> .
DIR-2018-5415[a]	24,357	51,630	3,175	6.15%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2Myb6vE">http://bit.ly/2Myb6vE</a> ; see also City (2019) CS&D, <a href="http://bit.ly/35SqESI">http://bit.ly/35SqESI</a> .

ZA-2018-3985[b]	51,236	222,944	15,307	6.87%	City (5/15/19) SCEA, PDF p. 1, 6-7, <a href="http://bit.ly/32zLcNQ">http://bit.ly/32zLcNQ</a> .
DIR-2018-7690[a]	36,423	137,951	10,114	7.33%	City (7/25/19) LOD, PDF p. 7, <a href="http://bit.ly/2pFu6Q4">http://bit.ly/2pFu6Q4</a> .
DIR-2019-0104[a]	16,379*	60,940	5,689	9.34%	City (2019) CS&D, <a href="http://bit.ly/2BtAhJr">http://bit.ly/2BtAhJr</a> .
DIR-2019-2453[a]	22,379	62,678	6,500	10.37%	City (6/27/19) LOD, PDF p. 8, <a href="http://bit.ly/2W45Djl">http://bit.ly/2W45Djl</a> .
DIR-2019-1957[a]	27,496	75,571	9,048	11.97%	City (8/14/19) LOD, PDF p. 8, <a href="http://bit.ly/31vqYDm">http://bit.ly/31vqYDm</a> .
DIR-2019-1663[b]	11,634*	44,566	5,861	13.15%	City (2019) CS&D, <a href="http://bit.ly/2P4aK1v">http://bit.ly/2P4aK1v</a> .
DIR-2018-7382[a]	12,867	44,116	6,479	14.69%	City (8/1/19) LOD, PDF pp. 7, 13-14, <a href="http://bit.ly/31svBhr">http://bit.ly/31svBhr</a> .
DIR-2018-4879[a]	12,000	22,566	5,325	23.60%	City (3/5/19) LOD, PDF p. 6, <a href="http://bit.ly/33SJo2J">http://bit.ly/33SJo2J</a> .
DIR-2018-5303[a]	12,544	44,081	10,774	24.44%	City (5/16/16) LOD, PDF pp. 7, 13, <a href="http://bit.ly/32y0lPA">http://bit.ly/32y0lPA</a> .
<b>Average</b>				<b>6.38%</b>	
<b>Project</b>	47,323	201,123	70,985	<b>35.29%</b>	
<b>Notes:</b>					
*: Lot area determined via ZIMAS for all lots listing case number.					
[a]: Approved by the City.					
[b]: Pending City Approval.					

**C. OUTLIER MIXED-USE TOC PROJECTS NEVER MAX OUT THEIR BY-RIGHT FAR ON NON-RESIDENTIAL USES, WHICH THE PROJECT PROPOSES HERE**

As the above table demonstrates, the vast majority of the above-listed projects allocate less than ten percent of the entire proposed project square footage to non-residential uses. Even in outlier cases (six in total) where a rare mixed-use TOC project allocates 10 percent or more to non-residential uses, those projects allocate only a small portion of their by-right FAR to non-residential uses. As shown in Table 3 on the following page, those six mixed-use TOC projects included relatively small lot sizes (average 16,487 SF) with relatively small by-right floor area rights (average 27,369 SF), and where applicants proposed only a small fraction to be used for non-residential uses—amounting to less than 30 percent of their respective by-right floor area rights (on average). *If this was a typical outlier case of a rare mixed-use TOC project, the Project would include only 30 percent of its by-right floor area rights to non-residential uses* (i.e., 21,296 -SF of hotel/retail uses), with the remaining 179,827 SF allocated to residential uses *permitting up to approximately 173 apartment units*<sup>17</sup> (i.e., 49,689 SF and 48 apartment units more than proposed). Here, however, this Project includes a substantially larger lot area (2.8 times larger than average) and allocates 100 percent of its by-right floor area rights for non-residential uses— more than three times the average for outliers in rare mixed-use TOC projects.

<sup>17</sup> *Ibid.*

**TABLE 3: OUTLIER, MIXED-USE TOC PROJECTS USE OF BY-RIGHT FAR**

DCP Case Number	Lot		By Right		Proposed Non-Res	
	Size (SF)	Zoning	FAR[c]	SF	SF	Percentage of By-Right
DIR-2019-2453[a][d]	22,379	Mix	1.93:1	43,132	6,500	15%
DIR-2019-1957[a][e]	27,496	[Q]C2-1VL	1.5:1	41,244	9,048	22%
DIR-2019-1663[b][f]	11,634*	C2-1	1.5:1	17,451	5,861	34%
DIR-2018-7382[a][g]	12,867	C2-1VL	1.5:1	19,300	6,479	34%
DIR-2018-4879[a][h]	12,000	C4-1XL	1.5:1	18,000	5,325	30%
DIR-2018-5303[a][i]	12,544	[Q]C2-1-O	2.0:1	25,088	10,774	43%
<b>Average</b>	16,487					<b>29%</b>
<b>Project</b>	47,323	C2-1	1.5:1	70,985	70,985	<b>100%</b>

**Notes:**

- \*: Lot area determined via ZIMAS for all lots listing case number.
- [a]: Approved by the City.
- [b]: Pending City Approval.
- [c]: See 2013-2021 Housing Element, Appendix E, Generalized Summary of Zoning Regulations, p. E-6 (Height Districts), <http://bit.ly/2W0y1TG>.
- [d]: According to ZIMAS, project comprised of three lots including: two lots totaling 16,004.5 SF, zoned C2-1, permitted 1.5:1 FAR by right; and one, 6,375-SF lot zoned RD2-1 permitted 3:1 FAR by right. See also City (6/27/19) LOD, PDF pp. 8, 13-14, <http://bit.ly/2W45Djl>.
- [e]: See City (8/14/19) LOD, PDF pp. 8, 10, 16, 20, <http://bit.ly/31vqYDm>.
- [f]: See City (2019) CS&D, <http://bit.ly/2P4aK1v>.
- [g]: See City (8/1/19) LOD, PDF pp. 7-8, 13-14, <http://bit.ly/31svBhr>.
- [h]: See City (3/5/19) LOD, PDF pp. 2, 6, <http://bit.ly/33SJo2J>.
- [i]: See City (5/16/16) LOD, PDF pp. 7, 13, <http://bit.ly/32y0lPA>.

**D. MIXED-USE TOC PROJECTS PRODUCE WAY MORE RESIDENTIAL UNITS PER NON-RESIDENTIAL SQUARE FOOTAGE THAN THIS PROJECT**

As previously mentioned, City documents disclosed proposed floor area for only 30 of the 57 rare mixed-use TOC projects approved and/or pending City approval. However, City documents disclose proposed total residential units for 17 other rare mixed-use TOC projects (mostly pending City approval). As shown in Table 4 on the following page, on average, these rare mixed-use TOC projects allocate approximately 74.2 SF of non-residential uses for every residential unit proposed. *If this was a typical rare mixed-use TOC project, the Project would produce one residential unit for every 74.2 SF of non-residential uses* (i.e., 9,275 SF of hotel/retail uses), with the remaining 191,848 SF allocated to the 125 apartment units, *resulting in substantially larger units (i.e., appx. 1,535 SF on average) capable of providing more beds to house larger families*. Here, however, this Project is proposing much smaller apartment units (i.e., 1,042 SF on average)<sup>18</sup> because it produces one apartment unit for every 587 SF of non-residential uses—more than seven times the average for these rare mixed-use TOC projects.

<sup>18</sup> *Ibid.*

**TABLE 4: MIXED-USE TOC PROJECTS HOUSING UNITS V. NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Total Res. Units (Units Affordable)	Non-Res (SF)	Non-Res SF per Res Unit (SF/unit)	Source
DIR-2019-1558[b]	119 (11)	2,000	16.8	City (2019) CS&D, <a href="http://bit.ly/2o8P4Gw">http://bit.ly/2o8P4Gw</a> .
DIR-2019-3680[b]	99 (TBD)	2,000	20.2	City (2019) CS&D, <a href="http://bit.ly/2MYymCa">http://bit.ly/2MYymCa</a> .
DIR-2019-2482[b]	64 (6)	1,395	21.8	City (2019) CS&D, <a href="http://bit.ly/2o4TWwl">http://bit.ly/2o4TWwl</a> .
DIR-2019-1101[a]	57 (TBD)	1,600	28.1	City (2019) CS&D, <a href="http://bit.ly/35UBffW">http://bit.ly/35UBffW</a> .
DIR-2019-337[b]	177 (TBD)	5,500	31.1	City (2019) CS&D, <a href="http://bit.ly/31yG771">http://bit.ly/31yG771</a> .
DIR-2019-6048[b]	486 (66)	16,395	33.7	City (2019) CS&D, <a href="http://bit.ly/2P6c2Ju">http://bit.ly/2P6c2Ju</a> .
DIR-2019-2051[b]	119 (TBD)	4,800	40.3	City (2019) CS&D, <a href="http://bit.ly/2W1S97y">http://bit.ly/2W1S97y</a> .
DIR-2019-3936[b]	371 (56)	15,726	42.4	City (2019) CS&D, <a href="http://bit.ly/2NcDUcr">http://bit.ly/2NcDUcr</a> .
DIR-2018-3172[b]	80 (8)	4,117	51.5	City (2019) CS&D, <a href="http://bit.ly/33RVbOq">http://bit.ly/33RVbOq</a> .
DIR-2019-0909[b]	58 (TBD)	3,245	55.9	City (2019) CS&D, <a href="http://bit.ly/32A2qKS">http://bit.ly/32A2qKS</a> .
DIR-2018-6684[b]	130 (13)	10,053	77.3	City (2019) CS&D, <a href="http://bit.ly/2qxuh09">http://bit.ly/2qxuh09</a> .
DIR-2018-5079[b]	73 (16)	6,481	88.8	City (2019) CS&D, <a href="http://bit.ly/35V2tmo">http://bit.ly/35V2tmo</a> .
DIR-2019-5394[b]	60 (6)	5,900	98.3	City (2019) CS&D, <a href="http://bit.ly/35XHoYT">http://bit.ly/35XHoYT</a> .
DIR-2019-2765[b]	67 (7)	8,450	126.1	City (2019) CS&D, <a href="http://bit.ly/2MCKH4N">http://bit.ly/2MCKH4N</a> .
DIR-2019-1321[b]	55 (6)	7,379	134.2	City (2019) CS&D, <a href="http://bit.ly/2VYyYvs">http://bit.ly/2VYyYvs</a> .
DIR-2019-0647[b]	33 (3)	4,895	148.3	City (2019) CS&D, <a href="http://bit.ly/2JaJqLh">http://bit.ly/2JaJqLh</a> .
DIR-2019-4573[b]	67 (7)	16,500	246.3	City (2019) CS&D, <a href="http://bit.ly/31vi20N">http://bit.ly/31vi20N</a> .
<b>Average</b>			<b>74.2</b>	
<b>Project</b>	121 (14)	70,985	<b>586.7</b>	
<b>Notes:</b>				
[a]: Approved by the City.				
[b]: Pending City Approval.				

**E. HOTEL TOC PROJECTS ARE UNCHARTERED TERRITORY THAT MUST UNDERGO THE STRICTEST SCRUTINY**

Upon the review of more than 300 TOC projects, we were able to identify only two TOC projects pending City approval that include hotel uses, this Project and a ten-story, 108,625-SF mixed-use TOC project including 110-guest room, 45-residential units, and 6,212-SF ground floor commercial/restaurant uses located at 6075 W. Pico Boulevard (DCP Case No. ZA-2018-3409) (“Pico Hotel”). Based on their respective DCP applications, both of these projects are linked to the same expediter (i.e., Three6ity), play the same three-card-monte shuffling of lot area to calculate hotel/residential density, and max-out (or nearly max-out) the project site’s by-right floor area on non-residential uses like the hotel (see Tbl. 5 on following page). Please stop this practice now in its tracks.

/ / /







Both of these cases set a dangerous precedent that departs from all the TOC projects and the intent of the TOC incentives. Unlike the above-mentioned 240 of 300 TOC projects (80 percent) that produce exclusively residential units, here these projects are rare mixed-use projects (discussed *supra* section IV.A). As shown in Table 6 below, these projects also depart from the above-mentioned 57 few mixed-use projects (19 percent of the 300 TOC projects reviewed). Unlike the 30 mixed-use projects that allocate an average 6.38 percent of its total proposed development on non-residential uses (discussed *supra* section IV.B), these projects allocate 35 to 39 percent of its total proposed development on non-residential uses. Unlike the six outlier mixed-use projects (allocating more than 10 percent to non-residential uses) that utilize an average 29 percent of its by-right floor area rights to non-residential uses (discussed *supra* section IV.C), these projects allocate 95 to 100 percent of its by-right floor area rights to non-residential uses. Unlike the 17 mixed-use projects that on average produce one residential unit for every 74.2-SF of non-residential uses (on average) (discussed *supra* section IV.D), here these projects produce one residential unit for every 587 to 938-SF of non-residential uses.

**TABLE 6: HOTEL TOC PROJECT DEPARTURE FROM EVEN RARE, MIXED-USE TOC PROJECTS**

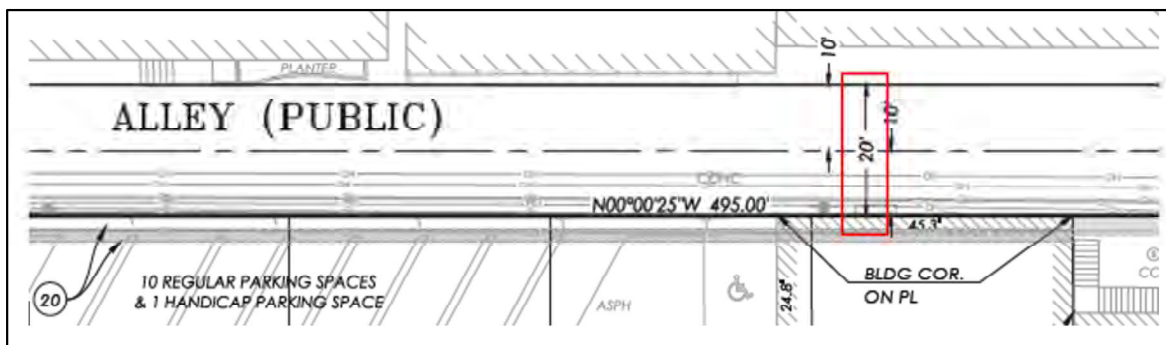
	<b>La Brea Bliss Project</b>	<b>Pico Hotel</b>	<b>Average</b>
<b>Rare Mixed-Use TOC Projects (Allocating &lt; 10 % to Non-Res. Uses)</b>			
<i>Total Proposed Project (SF)</i>	201,123	110,625	
<i>Non-Res. Portion of Project (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of Total Proposed SF</i>	<b>35.29%</b>	<b>38.16%</b>	<b>6.38%</b>
<b>Outlier, Rare Mixed-Use TOC Projects (Allocating ≥ 10 % to Non-Res. Uses)</b>			
<i>Lot Size</i>	47,323	29,511	
<i>By Right (SF)</i>	70,985	44,267	
<i>Non-Res (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of By Right SF</i>	<b>100%</b>	<b>95.36%</b>	<b>29.00%</b>
<b>Rare Mixed-Use TOC Projects</b>			
<i>Total Res. Units (Units Affordable)</i>	121 (14)	45 (5)	
<i>Non-Res. (SF)</i>	70,985	42,211	
<i>Non-Res SF per Res. Unit (SF/unit)</i>	<b>586.7</b>	<b>938.0</b>	<b>74.2</b>

Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). As previously discussed (*supra* section III), the Applicant seeks to build 70,985-SF hotel/commercial/restaurant space essentially concentrated on one-third of the Project Site (i.e., approximately 13,718 SF), resulting in 5.17:1 FAR that exceeds the Site’s by-right 1.5:1 FAR. Even if you use the Applicant’s own 25,000 lot area plus half-alley, the Project’s non-residential uses would be 2.83:1 FAR, which also exceeds the Site’s 1.5:1 by-right FAR. The only way the Applicant can build this hotel component is to spread the non-residential uses across the entire 12 lots, or seek a Zone Change and General Plan Amendment (subject to Measure JJJ). Instead, the Applicant seeks a TOC FAR bonus under the guise of being a housing project—it is not. As discussed above, non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant’s reverse engineering of the FAR numbers, which comes at the expense of producing housing.

## F. STAFF REPORT INCONSISTENCIES MUST BE RESOLVED

The Project's inconsistencies with the applicable TOC Guidelines we set forth above are premised on the information disclosed in the Project's Application. However, the Staff Report references several significant changes and/or discrepancies. For example, the Staff Report (p. 3) references a "15-foot public alley," while the Project Plans (PDF p. 7) show a 20-foot alley (see Fig. 8 below). Additionally, the Staff Report (pp. 1-3, 17, 19) references a request for 13,641-SF of retail/commercial uses, while the Project Application (p. 108) shows a request for 13,037-SF of commercial/retail uses (see Fig. 9 below). Also, the Project Plans repeatedly references a "phase 2" of the Project (PDF pp. 3, 5-6, 8-14; see e.g., Fig. 10 below), but the Project Application and Staff Report makes no reference to any other phases. Finally, the Staff Report (p. 6) references a "Remainder Parcel" to be included in the entire subdivision, while the Project Plans make's no references to any "remainder" parcel.

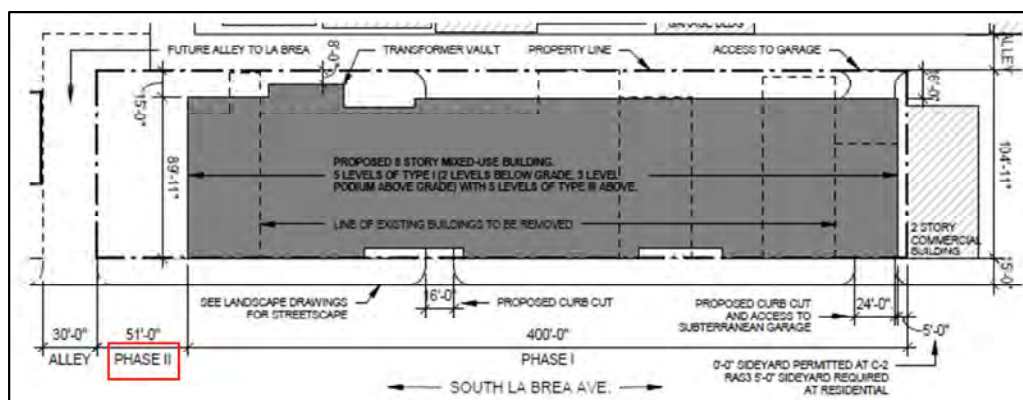
**FIGURE 8: PUBLIC ALLEY**



**FIGURE 9: PROPOSED COMMERCIAL SQUARE FOOTAGE**

<b>2. PROJECT DESCRIPTION</b>
Present Use <u>Commercial</u>
Proposed Use <u>Mixed-Use</u>
Project Name (if applicable) <u>La Brea</u>
Describe in detail the characteristics, scope and/or operation of the proposed project <u>TOC Tier 4 mixed-use project with 121 residential units, 125 guest-rooms, 13,037 sq. ft. of commercial space, 199 parking spaces in two sub-</u>
<u>levels. Total project square footage of 201,123 sq. ft. with 4.25:1 FAR.</u>

**FIGURE 10: PHASE II**



All of these inconsistencies directly affect the Project's residential and non-residential unit/FAR density calculations, which must be resolved in light of the issues raised above. For instance, the Project's density calculations could be worse if the alley square footage is less than anticipated by the Applicant, if the increase commercial square footage comes at the expense of residential square footage, if Phase II includes additional floor area, or if the remainder parcel is not appropriately accounted for in the density/FAR calculations. These inconsistencies must be confronted and resolved.

#### **G. SUMMARY ON THE PROJECT'S PROPOSED TOC MISUSE**

No matter how the Applicant and its representatives wish to spin the narrative or jiggle the numbers, the Project is not your typically TOC project. It seeks increased density not genuinely tied to creating housing, much less affordable housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>19</sup>

For these reasons, Local 11 urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units).<sup>20</sup>

#### **V. PROJECT IS INCONSISTENT WITH APPLICABLE LAND USE POLICIES**

Here, the proposed eight-story, 4.25:1 FAR Project exceeds the Sites 1.5:1 FAR limitation under the General Plan land use designation. So too, the eight-story Project is incompatible with the adjacent properties ranging from two- to five-story tall, as raised by the public (see Staff Report, p. 2). So too, the Project exceeds the General Plan Framework Elements' Mixed Boulevard density and heights (i.e., 1.5:1 to 4.0:1, and three- six-story).<sup>21</sup> The inconsistency with the General Plan and Framework is the subject of a recently filed lawsuit<sup>22</sup> and should give the City further pause before approving this pseudo-TOC Project. Furthermore, notwithstanding the paltry 14 affordable units proposed by the Applicant, the Project's abuse of the TOC program resulting in the loss potential for desperately needed market-rate and affordable housing units conflicts with numerous affordable housing goals, policies, and objectives (see Tbl. 7 on following page).

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<sup>19</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

<sup>20</sup> See TOC Guidelines, *supra* fn 10, p. 7.

<sup>21</sup> General Plan Framework, PDF p. 40 (identifying the Site as a Mixed Use Boulevard), <http://bit.ly/2Pa4zch>.

<sup>22</sup> *Fix the City, Inc. v. City of Los Angeles, et al.* (LASC Case No. 19STCP03740), pp. 2, (alleging, inter alia, the TOC Guidelines provides density bonus via non-legislative actions and circumvents Measure JJJ requirements), <http://bit.ly/2qDklIX>.

**TABLE 7: INCONSISTENCIES WITH APPLICABLE LAND USE PLANS**

<b>City Housing Element 2013-2021 Goals and Policies<sup>23</sup></b>
Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.
Policy 1.1.1: Expand affordable homeownership opportunities and support current homeowners in retaining their homeowner status.
Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.
Policy Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.
Policy Objective 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed-use development, Transit Oriented Districts and designated Centers.
Policy Objective 2.5.2: Foster the development of new affordable housing units Citywide and within each planning area.
<b>General Plan Framework Element</b>
<b>Chapter 4: Housing<sup>24</sup></b>
Policy 4.2.1 states the City should “offer incentives to include housing for very low- and low-income households in mixed-use developments[.]”
<b>Chapter 7: Economic Development<sup>25</sup></b>
Objective 7.9 states the City should seek to “[e]nsure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range[.]” and Policy 7.9.1 states that the City should promote “the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure ....” <sup>26</sup>
<b>Wilshire Community Plan<sup>27</sup></b>
<b>Residential Issues</b>
Need to preserve the existing character of residential neighborhoods while accommodating more affordable housing and child care facilities
<b>Commercial Issues</b>
New commercial development needs to be compatible with existing buildings in terms of architectural design, bulk and building heights.
<b>Purpose of Plan</b>
Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
<b>Objectives &amp; Policies</b>
Objective 1-3: To foster residential development which can accommodate a full range of incomes.
Policy 9-1.1: Preserve the existing affordable housing stock through rehabilitation and develop new affordable housing options.

<sup>23</sup> [https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement\\_20140321\\_HR.pdf](https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement_20140321_HR.pdf).

<sup>24</sup> General Plan Framework, Ch. 4, Housing, <https://planning.lacity.org/cwd/framwk/chapters/04/04.htm>.

<sup>25</sup> General Plan Framework, Ch. 7, Economic Development, <http://bit.ly/2N2aZrb>.

<sup>26</sup> See also e.g., General Plan Framework Element Goals 4a, 7G, Objective 4.1, Policies 4.1.2, 4.1.6, and Implementation Policy P29; General Plan Housing Element Goal 1, Objectives 1.1, 2.5, and Policies 1.1.1, 1.1.2, 1.1.3, 1.1.7, 1.2.5, 2.5.1; General Plan Health and Wellness Element Policies 1.2, 1.3, 1.6, 1.7, and Guiding Principal 22; Central City Community Plan Objectives 1-3.

<sup>27</sup> Wilshire Community Plan, <http://bit.ly/2N4FDA9>.

## VI. WHERE IS THE LINKAGE FEE?

Here, the Staff Report makes no mention of the Project's compliance with the City's Affordable Housing Linkage Fee ("AHLF").<sup>28</sup> The Project case was filed on March 22, 2019. In accordance with the AHLF Ordinance, the Project is subject to two-thirds of its AHLF fee.<sup>29</sup> Here, according to ZIMAS, the Site is located in the High Non-Residential Market Area and Medium-High Residential Market Area.<sup>30</sup> Thus, the Project's 70,985-SF non-residential uses (i.e., hotel, commercial, retail, restaurant) is subject to the High Non-Residential Market Area rate of \$5 per SF (\$354,925 full fee), reduced to two-thirds of the full fee (\$236,616.66).<sup>31</sup> Because this Project is not entirely a multi-family project and forgoes Measure JJJ-compliant Zone Change/General Plan Amendment, the Project's residential component does not fall within the AHLF fee exemption.<sup>32</sup> Due to Applicant's abuse of the TOC program previously discussed, the City should forego any of the *discretionary*<sup>33</sup> deductions and/or credits provided under the AHLF, with the exception of exempting approximately 14,588 SF of residential floor area of restricted affordable housing units (based on the Project's proposed 14 restricted affordable housing at an average units size of 1,042 SF). Thus, the remaining 115,550-SF of residential floor area is subject to the Medium-High Residential Market Area rate of \$12 per SF (\$1,386,600 full fee), reduced to two-thirds of the full fee (\$924,400).<sup>34</sup>

Subject to adjustment for inflation (which begins July 1, 2019),<sup>35</sup> the Project appears to be subject to a total AHLF fee of approximately \$1.161 million. However, the Staff Report makes no mention of the Project's compliance with its AHLF fee obligations or any exemptions, deductions, or credits proposed.

## VII. APPLICANT'S RECORD OF CONVERTING RESIDENTIAL PROPERTIES/PROJECTS INTO DE FACTO HOTELS MUST BE ADDRESSED WITH ENFORCEABLE CONDITIONS

Here, the Applicant La Brea Bliss, LLC is proposing the Project on behalf of Gidi Cohen (Project Application, PDF p. 4), who is the founder and CEO of CGI Strategies.<sup>36</sup> CGI Strategies has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. For example, CGI Strategies originally proposed to converting the rent-stabilized Villa Carlotta into a standard hotel, when Councilmember Ryu made it clear it would not support the conversion,<sup>37</sup> CGI Strategies turned the property into an extended stay hotel allowing stays as short as 31 days.<sup>38</sup> Similarly, CGI Strategies purchased a rent-stabilized building in Westwood (888 Hilgard Ave.) and did the same thing—renting out units for as short as 31 days.<sup>39</sup> So too, at its Koreatown Kodo project, which was approved by the City as a "60-

<sup>28</sup> City (7/16/18) RE: AHLF Implementation Memo, <http://bit.ly/2W5CRyE>.

<sup>29</sup> *Ibid.*, p. 2 (plans submitted on or after December 20, 2018 are subject to two-thirds of full fee amount).

<sup>30</sup> *See also Ibid.*, PDF pp. 5-6.

<sup>31</sup> *Ibid.*, p. 2 (\$5 per SF fee includes "hotels").

<sup>32</sup> *Ibid.*, p. 3.

<sup>33</sup> *Ibid.*, p. 3 (AHLF guidance states projects "*may* be eligible" for some deductions/credits. Emphasis added).

<sup>34</sup> *Ibid.*, p. 2 (\$12 per SF fee for residential uses including multifamily with six or more units).

<sup>35</sup> *Ibid.*, p. 3.

<sup>36</sup> <https://cgistrategies.com/about-us/our-team/>.

<sup>37</sup> [http://davidryu.lacity.org/statement\\_villa\\_carlotta](http://davidryu.lacity.org/statement_villa_carlotta).

<sup>38</sup> <https://la.curbed.com/2018/6/1/17362856/villa-carlotta-hollywood-hotel-rent-control>.

<sup>39</sup> <https://cgistrategies.com/project/888hilgard/>.



unit multi-family” “residential building” project to serve the Wilshire Community Plan’s “need to provide a diverse mix of housing,”<sup>40</sup> is marketed by CGI Strategies as offering "boutique hotel-style" amenities and also offer short/long term stays.<sup>41</sup> In each case, CGI Strategies either removed housing or promised housing, but delivered de facto hotel uses.

Given CGI Strategies’ track record, Local 11 urges the City to impose enforceable Conditions of Approval (“COA”) that restricts the Project’s residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy. Similar restrictions have been incorporated into other projects approved by the City, which run with the land.<sup>42</sup> So too, the COA should prevent the Applicant from offering any initial lease for less than one year, nor allow tenants to sublet or assign their units or any portion thereof for less than 30 days, and ensure residential units are leased only to actual individuals and families (rather than corporations or other business entities) to ensure this housing remains for long-term residents—not tourists or short-term corporate visitors. Other cities have taken and/or considered these safeguards to ensure project’s approved as residential housing, are actually used for genuine housing purposes.<sup>43</sup>

### VIII. BROWN ACT AND CEQA VIOLATIONS

Here, the agenda for the Zoning Administrator hearing<sup>44</sup> indicates the City is considering the discretionary approvals for the Project’s subdivision and land use entitlements, which is admittedly contingent on the City’s approval of the Project’s ) and the legislative approval of the Projects environmental review under the requested SCPE (Staff Report, pp. 17-20). In fact, the Staff Report states (pp. 4, 16) that City Planning has already “determined that the project is exempt from CEQA as a Sustainable Communities Project (“SCP”) pursuant to [Pub. Res. Code § 21155.1].”

CEQA is necessary here to ensure that the City address the concerns raised herein, as well as ensure the Project does not pose any significant CEQA impacts (e.g., noise impacts to adjacent neighbors due rooftop lounge/pool deck with alcohol service that may or may not include live entertainment with amplified music; hazard impacts due to the Site being within a methane zone, or how the Project will achieve equivalent LEED-Certified to avoid GHG impacts).

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<sup>40</sup> See LOD (8/19/14) DCP Case No. DIR-2014-0601-SPR, pp. 1, 10, <http://bit.ly/2PgGTTT>.

<sup>41</sup> <https://www.multiphasingnews.com/post/cgi-strategies-debuts-la-short-and-long-term-housing/>; see also

<sup>42</sup> See LOD (4/5/18) DCP Case No. CPC-2015-4611, p. Q1 (“The use and development of the 231 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.”), <http://bit.ly/32Bld8w>; see also LOD (2/27/98) DCP Case No. ZA-97-0945-CUZ-ZAI, p. 3 (restriction on conversions “shall run with the land and shall be binding on any subsequent owners, heirs or assigns.”)

<sup>43</sup> See e.g., City of Santa Monica (8/9/18) Rent Control Board Memo, p. 2 (discussing potential steps for the City of Santa Monica to address “a new threat to the rental housing supply ... as an increasing number of landlords have begun to rent to corporate entities who use rent-controlled units for other than the provision of long-term, permanent housing, or themselves rent units to short-term visitors ... Although these practices effect less of a wholesale loss of units than does the demolition of an entire apartment building, the loss is nonetheless real.”), <http://bit.ly/31zjrUg>; see also City of West Hollywood (10/21/19) Item 3A Staff Report, p. (proposing zoning text amendment that would require all dwelling units to have an initial lease term of one year, including apartments units rented), <http://bit.ly/2W6740U>.

<sup>44</sup> Project Hearing Notice, <http://bit.ly/2oVv0b8>.

However, in violation of CEQA and the Brown Act, the agenda does not reference CEQA and the City has not published any SCPE documentation showing the Project's consistency with various criteria and policies under the 2016-2040 RTP/SCS and implementation of all feasible mitigation measures. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed SCPE and staff report concerning the Project's land use entitlements, adopting that CEQA compliance for the Project, and agendizing this all under CEQA. *Azusa Land Reclamation v. Main San Gabriel Watermaster* (1997) 52 Cal.App.4th 1165, 1190 (land use approvals are discretionary action that must include CEQA compliance); *San Joaquin Raptor Rescue Center v. County of Merced* (2013) 216 Cal.App.4th 1167 (Brown Act requires that agenda must identify CEQA). Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## **IX. CITY CANNOT MAKE CODE-REQUIRED LAND USE FINDINGS**

The Project requests approval of various land use entitlements and the environmental clearances which the City *must* make numerous discretionary land use and CEQA findings, including but not limited to those listed below:

- That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;
- That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties; and
- That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.
- That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- That the proposed use will not adversely affect the welfare of the pertinent community. *See* LAMC §§ 12.24.E, 12.24.W.1(a), 16.05.F.

Because the City fails to provide a staff report regarding the Project's entitlements (much less a staff report that addresses the issues raised herein), or any documentation showing the Project is properly exempt from CEQA, the City cannot make to above-listed, Code-required land use findings. Absent substantial evidence addressing the substantial issues with this Project, particularly its inconsistency with the City's TOC program, Local 11 respectfully requests that the City decline any action on the Project Approvals.


## X. CONCLUSION

In summary, Local 11 appreciates the opportunity to comment on the Project's Approvals. However, as proposed, the Project is inconsistent with the City's TOC incentive program and must include more affordable housing units—such as applying the on-site restricted affordable housing unit percentage to the Project's entire hotel and residential components. Otherwise, the City should reject the discretionary land use approvals requested by the Applicant.

The City's TOC incentives are to be used to incentivize housing, not boutique hotels! Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.

The issues raised herein constitute substantial evidence that the Project is not consistent with applicable land use plans, policies, and other zoning regulations. Again, this is not a by-right project; you have the discretion to reject the Project and demand more for the residents of Council District 4. *You have the discretion, so please use it.*

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being the most prominent part.

Jamie T. Hall



**EXHIBIT B**

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January 24, 2020

## VIA ELECTRONIC MAIL

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**RE: Revised SCPE Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; Council File No. 19-1533**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following revised comments<sup>1</sup> regarding the Sustainable Communities Project Exemption ("SCPE") for the eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, Local 11 is concerned with the Project's compliance with the California Environmental Quality Act ("CEQA");<sup>2</sup> specifically the SCPE's lack of analysis demonstrating that the Project is genuinely consistent with the Southern California Association of Government's ("SCAG") 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy ("2016 RTP/SCS"), or other requirements for projects seeking CEQA streamlining review. For example, the SCPE fails to provide any modeling of greenhouse gas emissions ("GHG")—a departure from the less-

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

demanding review of Sustainable Communities Environmental Assessments (“SCEA(s)”) performed by the City.<sup>3</sup> Nor does the SCPE confirm whether the Project will achieve the necessary per capita GHG emission reductions mandated under SB 375, which is fundamental to the 2016 RTP/SCS.

The comments contained in this comment letter supplement and incorporate by this reference Local 11’s previous written comments dated October 30, 2019 regarding the Applicant’s improper use of the City’s Transit Oriented Communities (“TOC”) incentives for this hotel Project (attached hereto as Exhibit A). As fully explained therein<sup>4</sup>, no hotel project has ever been approved using the TOC incentives, and the only other hotel project seeking to use TOC incentives (other than the Project here), has since been terminated.<sup>5</sup>

So too, Local 11 objects to the City’s consideration or possible approval of the Project’s CEQA environmental document under a SCPE now without also considering or acting on the Project’s requested entitlements, which are still pending a decision before the Zoning Administrator who held a public hearing on October 23, 2019 and still has not issued a Letter of Determination.<sup>6</sup> It is well-established that you cannot approve a CEQA document for a project before you approve the project itself.<sup>7</sup> Additionally, CEQA’s basic purpose of informing agency decision-makers can be served only if the environmental document is reviewed and considered by the persons responsible for determining whether to approve or disapprove the project.<sup>8</sup>

Local 11 respectfully urges the Planning Land Use Management (“PLUM”) Committee to stay all action on the SCPE until the issues discussed herein, as well as the land use and TOC issues raised in our previous written comment (*see* Exhibit A), are addressed in a CEQA-compliant SCPE. So too, Local 11 asks that the City consult with SCAG and request necessary written documentation relevant to the Project’s hotel component’s purported compliance with the 2016 RTP/SCS.

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<sup>3</sup> SCPEs and SCEAs must show the project is consistent with applicable policies and incorporate applicable performance standards/criteria under the applicable sustainable communities strategy. *See e.g.*, Pub. Res. Code §§ 21155(a), 21155.1(b)(5), 21155.4. So too, SCPEs are intended to be more demanding and rigorous than SCEAs.<sup>3</sup> Hence, a project failing to satisfy SCEA requirements would equally fail SCPE requirements.

<sup>4</sup> CEQA documents including a SCPE are supposed to identify and analyze land use inconsistencies. *See* CEQA Guidelines § 15125(d); *see also Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-379; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land use policies). As set forth in our October 2019 letter, this Project is riddled with undisclosed land use inconsistencies that also improperly are not identified or analyzed in this SCPE document.

<sup>5</sup> City (12/10/19) Termination Letter RE: ZA-2018-3409/EAF-2018-3410, <http://bit.ly/2QOBDa1>.

<sup>6</sup> City (10/23/19) Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively “Entitlements”]), <http://bit.ly/2uE7LEK>.

<sup>7</sup> *See Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption [“NOE”] filed before the underlying project actually is approved).

<sup>8</sup> *See Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 354; *see also POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731 (“... to serve CEQA’s basic purpose of informing governmental decision makers about environmental issues, to the text of the note 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.”); CEQA Guidelines § 15022(a)(9) (requires the City to adopt implementing procedures for “[r]eviewing and considering environmental documents by the person or decision making body who will approve or disapprove a project.”).

## **FAILURE TO ESTIMATE PROJECT’S GHG EMISSIONS OR PROVIDE CALEEMOD MODELING**

Here, the SCPE fails to quantify the Project’s GHG emissions or provide any modeling data from CalEEMod, which is contrary to all SCEAs performed by the City still posted online.<sup>9, 10</sup> Failure to do so not only conflicts with past City practices, but also likely may conflict with CEQA Guidelines § 1564.4(a) to make a good-faith effort to calculate or estimate the amount of GHG emissions resulting from a project.

To the extent the SCPE attempts to avoid consideration of project-specific GHG emission analysis by referring to Pub. Res. Code § 21159.28 – that section only provide that the analysis need not discuss “project specific or cumulative impacts from *cars and light-duty truck trips* generated by the project on global warming or the regional transportation network.” Emphasis added. As made clear, only GHG emissions from cars and light-duty trucks need not be considered. This does not eliminate the need to analyze GHG emissions from other sources (e.g., construction, area, energy, water, waste, stationary equipment) for this Project.

## **FAILURE TO COMPARE PROJECT AGAINST SCAG’S GHG PERFORMANCE-BASED GOALS UNDER SB 375**

Here, the Project’s SCPE fails to discuss whether or not the Project is genuinely consistent with SCAG’s 2016 RTP/SCS regarding the reduction in GHG emissions from auto and light-duty vehicles. SB 375 was signed into law in September 2008 to enhance the state’s ability to reach AB 32 goals by directing the California Air Resources Board (“CARB”) to develop regional GHG emission reduction targets to be achieved from passenger vehicles (i.e., autos and light-duty trucks) for 2020 and 2035. In September 2010, CARB adopted regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035, assigning SCAG the targets of an eight percent reduction by 2020 and a 13 percent reduction by 2035.

This goal is reflected in SCAG’s current 2016 RTP/SCS,<sup>11</sup> which the 2016 RTP/SCS Program EIR (“PEIR”) determined that the per capita emission in pounds per day (“lbs/day”) for each SCAG region resident was 23.8 lbs/day in 2005, and that the 2016 RTP/SCS plan would achieve a per capita emission of 21.4 lbs/day in 2020 (i.e., a reduction of eight percent from 2005 levels) and 19.5 lbs in 2035 (i.e., a reduction of 18 percent from 2005 levels) (*see* excerpt following page).<sup>12</sup>

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<sup>9</sup> See e.g., 3600 Wilshire Project (Dec. 2019) SCEA, p. B-96 – B-98, <http://bit.ly/2t59V01> and Appendix C (<http://bit.ly/36SGaOC>); 340 S. Hill St. Equity Residential Mixed-Use Project (Sep. 2019) SCEA, p. V-100 – V-106, <http://bit.ly/2tdOQ3m> and Appendix E (<http://bit.ly/35USXyN>); Thatcher Yard Project (Sep. 2019) SCEA, p. V-57 – V-58, <http://bit.ly/2tdnCdb> and Appendix D (<http://bit.ly/2TmvZ0C>).

<sup>10</sup> Notwithstanding being listed on City website, multiple project SCEA hyperlinks do not open including the Soul Project, Olympic and Hill Projects, Weingart Projects, and Montecito II Senior Housing Project. *See* City (2020) SCEA, <http://bit.ly/387t9Rr>.

<sup>11</sup> SCAG (Apr. 2016) 2016 RTP/SCS, p. 8, 15, 153, 166, <http://bit.ly/2sG4VyH>.

<sup>12</sup> SCAG (11/24/15) 2016 RTP/SCS Draft PEIR, p. 3.8-37 – 3.8-38, <http://bit.ly/2FogAVl>.

**TABLE 3.8.4-3  
SB 375 ANALYSIS**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)	2040 (Plan)
Resident population (per 1,000)	17,161	19,060	21,475	22,116
CO <sub>2</sub> emissions (per 1,000 tons)	204.0*	203.6**	206.0**	203.0**
Per capita emissions (pounds/day)	23.8	21.4	19.5	18.7
% difference from Plan (2020) to Baseline (2005)				-8%*
% difference from Plan (2035) to Baseline (2005)				-18%***
% difference from Plan (2040) to Baseline (2005)				-22%***

**NOTE:**

\* Based on EMFAC2007

\*\* Based on EMFAC2014

\*\*\*Included off-model adjustments for 2035 and 2040

**SOURCE:**

SCAG modeling, 2015

Southern California Association of Governments. 5 November 2015. *Item No. 1 Staff Report: 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) – Proposed Major Components*. Available at: <http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

However, in March 2018, CARB adopted updated targets requiring a 19 percent decrease in GHG emissions for the SCAG region by 2035. This goal is reflected in SCAG’s Draft 2020 RTP/SCS per capita targets,<sup>13</sup> which the 2020 RTP/SCS Draft PEIR updates to per capita emissions of 21.3 lbs/day in 2020 and 18.8 lbs/day in 2035 (*see* excerpt below).<sup>14</sup>

**Table 3.8-10  
SB 375 Analysis**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)
Resident population (per 1,000)	17,161	19,194	21,110
CO <sub>2</sub> emissions (per 1,000 tons)	204.0 <sup>a/</sup>	204.5 <sup>a/</sup>	196.6 <sup>b/</sup>
Per capita emissions (pounds/day)	23.8	21.3	18.8
% difference from Plan (2020) to Baseline (2005)			-8%
% difference from Plan (2035) to Baseline (2005)			-19% <sup>a/</sup>

**Note:**

<sup>a/</sup> Based on EMFAC2007

<sup>b/</sup> Based on EMFAC2014 and SCAG modeling, 2019.

<sup>c/</sup> Includes off-model adjustments for 2035 and 2045

Source: SCAG modeling, 2019.

<http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

Here, the SCPE fails to discuss whether the Project will meet any of the targets identified in the 2016 or 2020 RTP/SCS targets, which is a fundamental requirement under SB 375 and the RTP/SCS.<sup>15</sup> Instead, the SCPE provides an abbreviated consistency analysis of generic goals, policies, and principles listed in the 2016 RTP/SCS; such as: nine generic goals (three of which are admittedly inapplicable), eight generic guiding principles (admittedly none of which are applicable), nine generic land use principles (six of which are admittedly inapplicable), and four generic benefits (one which is admittedly inapplicable) (*see* SCPE pp. 40-46).

<sup>13</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, p. 9, 48, 138, <http://bit.ly/2ZTBWq>.

<sup>14</sup> SCAG (Nov. 2019) 2020 RTP/SCS Draft PEIR, p. 3.8-73 – 3.8-74, <http://bit.ly/30OPctF>.

<sup>15</sup> SCAG (Apr. 2016) 2016 RTP/SCS, pp. 8, 153 (“The Plan would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040—compared with 2005 levels. This meets or exceeds the state’s mandated reductions, which are eight percent by 2020 and 13 percent by 2035.”), <http://bit.ly/2sG4VyH>.

In addition to the claim of exceeding Title 24 and water efficiency standards (which we question in the below section), the thrust of the SCPE's analysis is that the mixed-use project is infill and near transit and, thus, consistent with the RTP/SCS. Yet, the SCPE fails to compare the Project against any of the actual strategies that flush out and achieve the aforementioned generic goals/policies/principles under the RTP/SCS.<sup>16</sup>

For example, the Project is admittedly overparked by 43 spaces (*see* SCPE, p. 22), which is contrary to parking strategies embraced by SCAG's 2016 RTP/SCS,<sup>17</sup> as well as strategies advanced by the City<sup>18</sup> and California Air Pollution Control Officers Association ("CAPCOA").<sup>19</sup>

Moreover, the SCPE fails to consider whether the Project will meet the 2016 or 2020 RTP/SCS GHG emission reduction targets required under SB 375 discussed above. Nor does the SCPE show that the Project will achieve a 7.4 percent reduction in vehicles miles traveled ("VMT") per capita (regionally) as anticipated under the 2016 RTP/SCS, or consistent with the downward trajectory of VMT per capita (specific to Los Angeles County) anticipated to go from 21.5 VMT in 2012 to 18.4 VMT by 2040.<sup>20</sup> Nor does the SCPE compare the Project against any of the performance-based measures/outcomes also listed in the 2016 RTP/SCS (e.g., Location Efficiency, Mobility And Accessibility, Safety And Health, Environmental Quality, Environmental Justice, etc.).<sup>21</sup>

In sum, the 2016 RTP/SCS's generic goals principles, policies, and benefits are only effectuated via specific strategies achieving tangible performance-based goals/outcomes. Unfortunately, the SCPE's abbreviated consistency evaluation ignores these specific tangible strategies and performance-based standards.

#### **FAILURE TO JUSTIFY WATER EFFICIENCY CALCULATIONS**

To use a SCPE, a project must be 25 percent more water-efficient than the average household use in the region. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCPE claims the Project is 73 percent more water-efficient than the regional average (*see* SCPE, p. 37; *see also* Water Use Reduction Report ["H2O Report"],<sup>22</sup> p. 9). First, however, the SCPE utilizes 2016 Plumbing Code assumptions rather than the 2019 Plumbing Code but fails to discuss why or if this may cause overestimation of water reductions.

Second, the H2O Report assumes only one daily use of dishwasher and clothes washer (*see* H2O Report, p. 4) without justification that it will not be higher. This assumption must correlate to other assumptions of the report, such as the data from the Metropolitan Water District ("MWD") or SCAG.

Third, the H2O Report generically describes the Project's proposed restaurant use as retail without any reference to its intended use as a restaurant, which has a distinctly different water

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<sup>16</sup> *Ibid.*, pp. 75-84 (such as combating gentrification and incorporating neighborhood electric vehicle).

<sup>17</sup> *Ibid.*, pp. 25, 33, 58, 78, 86.

<sup>18</sup> City (10/24/19) Recommendation Report, <http://bit.ly/2tRHYZA>.

<sup>19</sup> CAPCOA (Aug. 2010) Quantifying Greenhouse Gas Mitigation Measures, pp. 61-62, 207-209, <http://bit.ly/2QN4R8i>.

<sup>20</sup> *Supra* fn. 12, pp. 153-155.

<sup>21</sup> *Supra* fn. 12, pp. 156-174.

<sup>22</sup> OED (Apr. 2019) Total Water use Reduction Report, <http://bit.ly/2RcEvwr>.



consumption characteristics than just generic retail (e.g., constant dishwashing). Yet, the report is silent if these unique restaurant-related water consumption operations were accounted for.

Fourth, the H2O Report uses a 130 gallons per day (“GPD”) per capita in 2017 based on MWD source (*id.*)<sup>23</sup> but does not explain why it did not use data from SCAG given this is a SCAG-related SCPE.

Fifth, the H2O Report utilizes occupancy rates that seem artificially high, which skews the Report’s baseline levels. The Report establishes a 210,340 GPD baseline by multiplying the 130 GPD to the purported Full-Time Equivalent (“FTE”) occupancy of 1,618 occupants (*see* SCPE, pp. 9-10). Yet, this occupancy level seems too high. For example, the H2O Report claims the 121 dwelling units and 125 hotel rooms will be occupied by 1,505 occupants, equivalent to 6.11 occupants per unit/room. This exceeds 2019 data from the Department of Finance (“DOF”) that shows the average person per household for Los Angeles is 2.83 persons per household, as well as exceeding the rates at nearby cities of Beverly Hills and West Hollywood (2.32 and 1.55 persons per household, respectively).<sup>24</sup> Similarly, the H2O Report’s 6.11 occupants per unit/room also exceeds the 1.5 persons per hotel room<sup>25</sup> and 80 percent hotel occupancy rate<sup>26</sup> used by the City and cited by other sources. Hence, the 121-dwelling units would reasonably accommodate 343 residents (based on 2.83 average people per household), and 150 FTE hotel patrons (based on 80 percent occupancy rate and 1.5 persons per room), for a total of 493 persons—roughly a third of the proposed 1,505 occupancy used in the H2O Report for the Project’s residential/hotel component. As a result, this error alone would reduce baseline levels by 131,560 GPD<sup>27</sup> to 78,780 GPD,<sup>28</sup> which means that the Project’s 56,686 GPD of purported water use (*see* H2O Report, p. 9) would be roughly only 28 percent more water-efficient (assuming no other errors in its analysis).

Sixth, the H2O Report claims the retail portion will have 822 visitors and 50 employees for a 13,037-SF restaurant/retail without any reference to a traffic study, LEED calculator, or other sources to justify these assumptions. Nor is it explain where the weighted factors come from or correctly applied. If improperly used, these occupancy levels and weighted factors can overestimate the Project’s FTE occupancy, which ultimately artificially inflates the baseline level (as demonstrated above).

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<sup>23</sup> MWD (Feb. 2019) Achievements in Conservation, Recycling and Groundwater Recharge, p. 17, <http://bit.ly/3a51BQJ>.

<sup>24</sup> DOF (May 2019) E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2019, <http://bit.ly/37xumBc>.

<sup>25</sup> *See e.g.*, Lizard Hotel Project (Jan. 2017) Draft EIR, PDF p. 24 (Tbl. IV.E-7, table note “b”), <http://bit.ly/2MWiErS>; Colorado Waterwise (undated) Water Savings Analysis for St. Regis Resort, pp. 2 (assuming “assume that the average occupancy is 1.5 guests per room and there is an occupancy rate of 80% . . .”), <http://bit.ly/2ZTEZeW>; American Hotel & Lodging Association (2019) Green Guidelines: Water-Efficient Guest Bathrooms Webpage (showing water savings from example of “a typical 300-room hotel with an average 72% occupancy rate and average 1.5 guests per room.”), <http://bit.ly/2QuQ03j>.

<sup>26</sup> *See e.g.*, Atlas Hospitality Group (7/27/18) Does Southern California Need 472 More Hotels? (Vacancy rates in first five months of 2018 ranged from 78.5 to 81.8 percent for hotels in counties of Los Angeles and Orange, and Inland Empire), <http://bit.ly/2FpTyNY>; City of Los Angeles (2017) Hotel Market Study, p. 3, 7, <http://bit.ly/2QqneRj>; City of Los Angeles (2017) 2017 Annual Report, p. 6, <http://bit.ly/2Nfr9yD>; Visit Anaheim (Aug. 2017) Anaheim and Orange County Hotels, PDF p. 2 (Average occupancy rate for Orange County 80.60 percent), <http://bit.ly/35wF8Gd>.

<sup>27</sup> Calculated: [(1,505 purported occupants) – (493 reasonably expected residents and hotel patrons)] x (130 GPD).

<sup>28</sup> Calculated: (210,340 GPD purported baseline) – (131,560 GPD overestimated).

Seventh, the H20 Report overestimates baseline consumption by including 130 GPD for every retail and hotel occupant. Hotels patrons and retail occupants typical do not wash their clothes or dishes in hotels and restaurants like the Project here. Hence, the report overestimates the baseline levels that make the Project only *appear* to be more water-efficient.

In sum, the H20 Report overestimates the baseline consumption without justification and is not conducting an apples-to-apples analysis. These issues must be resolved to ensure the Project's claimed water efficiency is not overstated.

#### **FAILURE TO JUSTIFY TITLE 24 CALCULATIONS**

To use a SCPE, a project must be 15 percent more energy-efficient than required under Title 24. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCPE claims that the Project is 15.4 percent more efficient than otherwise required under Title 24 (*see* SCPE, p. 35; *see also* SCPE Title 24 Energy Performance Report [“T24 Report”],<sup>29</sup> p. 3). First, however, the SCPE uses *old* Title 24 (from 2016) as a baseline (*see* T24 Report, p. 4) and not the *new* Title 24 (from 2019). To the extent the new Title 24 (2019) is more energy-efficient than prior versions, the use of old Title 24 (2016) artificially inflates the baseline and, thus, overestimates the Project's energy efficiency.

Second, the “energy efficiency measures” cited appear to be fairly generic measures (*id.* at 9), and we question whether they are already included in Title 24 (2019). If these measures are already included in Title 24 (2019), the Project should not get credit for doing what is already required. Nor, should mandatory requirements be included as part of the necessary 15 percent reduction from Title 24.

Third, the T24 Report uses gross square footage that differs from the use square footage used in the SCPE (*compare id.* at p. 5 *with* SCPE, p. 9), and uses occupancy levels that seem artificially high (*see* T24 Report, p. 5). For example, the analysis assumes roughly 7.2 occupants for every residential unit, 5.03 occupants for every hotel room, and 14.9 SF for every retail patron, which is substantially higher compared to other rates, which can ultimately skew the baseline assumptions (as demonstrated in the above section).

In sum, these issues should be explained and justified to ensure the claimed 15-plus percent reduction from Title 24 required for the SCPE is not overestimated.

#### **PROJECT MAY NOT QUALIFY FOR EXEMPTION OR STREAMLINE CEQA REVIEW**

To use a SCPE, a project must be limited to no more than 200 residential units. *See* Pub. Res. Code § 21155.1(b)(2). Here, the Project contains 121 residential units and 125 hotel rooms for a total of 246 units. Given the residential nature of hotels, which have similar GHG inducing operations as dwelling units (e.g., mobile emissions, water use, building energy needs, etc.), the Project's hotel units could be considered residential units for SCPE purposes. For example, the SCPE's H20 Report calculates the purported 629 hotel occupants as residential (*see* H20 Report, pp. 2-3), which is further indicia that the hotel units should be considered residential for SCPE analysis purposes. This must be verified with SCAG to determine if SCAG's SCPE/SB 375 analysis accounted for hotels as a residential use or an entirely separate use category subject to different assumptions and performance standards. If SCAG considered hotels as separate and distinct from residential uses, then the City should request the specific data and performance

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<sup>29</sup> OED (Apr. 2019) Title 24 Energy Performance Report, <http://bit.ly/2Rg09Qn>.



metrics applicable to hotels used by SCAG in its 2016 RTP/SCS. Otherwise, the 246-dwelling unit/hotel rooms for the entire Project may very well exceed this 200-unit threshold.

Finally, to use a SCPE, a project must be adequately served by existing utilities. *See* Pub. Res. Code § 21155.1(a)(1). Here, public comments have questioned whether there is adequate utility service given cumulative projects in the area.<sup>30</sup> This, too, should be clarified with substantial evidence.

**CONCLUSION**

As discussed above, the Project’s SCPE is inadequate and does not meet the level of analysis provided in other less-demanding SCEA projects reviewed by the City. Local 11 respectfully urges the City to hold action on the SCPE until a CEQA-compliant SCPE is revised and circulated for public review. So too, Local 11 asks the City to request from SCAG the necessary written data and documentation to demonstrate that this hotel Project is consistent with assumptions and performance-based measures outlined in the 2016 RTP/SCS, as SCAG may do upon request.<sup>31</sup>

Sincerely,



Jamie T. Hall

Attachment:

Exhibit A: Local 11 Comments on La Brea Bliss Project Dated October 30, 2019

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<sup>30</sup> Fix the City (1/3/20) Comment Letter, <http://bit.ly/2Tr3puW>.

<sup>31</sup> SCAG (Apr. 2016) 2016 RTP/SCS, SCS Background Documentation, p. 59 (“SCAG staff may provide a *lead agency at the time of its request* readily available data and documentation to help support its finding upon request.” Emphasis added), <http://bit.ly/2RaLYfy>.

**EXHIBIT C**

# Channel Law Group, LLP

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8383 Wilshire Blvd.  
Suite 750  
Beverly Hills, CA 90211

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JULIAN K. QUATTLEBAUM, III  
JAMIE T. HALL \*  
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Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

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\*ALSO Admitted in Texas

February 5, 2020

## VIA ELECTRONIC MAIL

Leyla Campos, Legislative Assistant  
Michelle Carter, Planner  
c/o PLUM Committee Members  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
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[clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

**RE: Supplemental SCPE Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; Council File No. 19-1533;**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following supplemental comments regarding the Sustainable Communities Project Exemption ("SCPE") for the eight-story, 201,123 square foot ("SF") mixed-use Bliss project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, the Council cannot approve or finally "determine" the Bliss Project's SCPE exemption now before the actual Bliss Project's land use entitlements<sup>1</sup> (which are still pending a decision before the Zoning Administrator ("ZA") who held a public hearing on October 23, 2019) are considered and approved ("Project Entitlements"). Doing so violates the California

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<sup>1</sup> City 10/23/19 Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively "Entitlements"]), <http://bit.ly/2uE7LEK>.

Environmental Quality Act (“CEQA”).<sup>2</sup>

The SCPE rules of Pub. Res. Code Sections 21155.1 and 21155.2 obviously envision that the legislative body will decide and approve the SCPE concurrently along with the underlying land use project entitlement approvals – not beforehand with nonsensical split-decisionmaking as is occurring here in violation of CEQA’s longstanding informed decisionmaking rules.

*The bottom line is the Bliss SCPE cannot be approved or final until the City approves the underlying Bliss Project Entitlements. The City Attorney must concede or clarify this point.*

If the City wants to change its existing land use entitlement approval to allow the City Council to simultaneously consider SCPEs along with the Project Entitlements as the initial “lead agency” decisionmaker (supplanting the ZA), so be it. It has had 10 years since the passage of SB 375 to do so. But absent that, the current plan for Bliss’ SCPE violates CEQA.

### **The Council Cannot Hear Only The Bliss SCPE, It Must Also Simultaneously Consider the Bliss Project Entitlements**

The Planning Department transmittals for the PLUM agenda<sup>3</sup> for Bliss’ SCPE indicates the Council is being asked to make a “determination” on the Bliss SCPE exemption under CEQA<sup>4</sup> – but not the Bliss Project Entitlements. We assume the plan is that Council will finalize the Bliss SCPE and then send it down to the Zoning Administrator who then will rely on it (presumably once Council makes its “determination” the City will argue the ZA cannot change or modify the SCPE) in deciding the Bliss Project Entitlements.

This plan violates CEQA. *If the Council is going to approve or “determine” the Bliss SCEA, it must also consider the Bliss Project Entitlement approvals at the same time.* Having Council decide the Bliss SCPE without the accompanying Bliss Project Entitlements, and then the ZA later deciding the Project Entitlements relying on an already approved or final SCPE (that the ZA cannot change) violates CEQA.

CEQA is violated when the authority to approve or disapprove the project is separated from the responsibility to complete the environmental review. *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”); *Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 360 (CEQA violated where the City Council did not make both decisions. Rather, it considered only the mitigated negative declaration.) As explained in *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731: “[f]or 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

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<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. (“CEQA Guidelines”).

<sup>3</sup> [http://clkrep.lacity.org/onlinedocs/2019/19-1533\\_rpt\\_PLAN\\_12-02-2019.pdf](http://clkrep.lacity.org/onlinedocs/2019/19-1533_rpt_PLAN_12-02-2019.pdf)

<sup>4</sup> The PLUM agenda itself does not indicate if a determination or decision is actually proposed for the Bliss SCEA. [https://ens.lacity.org/clk/committeeagend/clkcommitteeagend26137634\\_01142020.html](https://ens.lacity.org/clk/committeeagend/clkcommitteeagend26137634_01142020.html)

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.”

The City’s apparent plan of having Council “determine” the Bliss SCPE, and then having the ZA later decide the Bliss Project Entitlements relying on the already approved, final SCPE violates these exact same CEQA split decisionmaking principles. *If the Council is going to approve or “determine” the Bliss SCEA, it must also consider at the same time the Bliss Project Entitlements approvals.* Conversely, if the ZA is going to approve the Bliss Project Entitlements, she must be able to “determine” the CEQA compliance and make any appropriate changes to the CEQA document as necessary – it is unlawful for her as the initial Bliss Project Entitlements decisionmaker to be required to rely on an already decided SCPE that improperly was approved before the Bliss Project Entitlements. To the extent complying with these rules will require a new clarifying City ordinance or approval process for projects needing land use entitlements and SCPEs and SCEAs, so be it. But the current plan for Bliss’ SCPE violates CEQA.

### **Council Cannot Finalize the SCPE Before the Project Entitlements Are Actually Approved**

It is well established that an agency cannot approve a CEQA document or trigger the statute of limitations by filing a NOE or NOD for a project before it approves the project itself. *Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption filed before the underlying project actually is approved.) “Requiring project approval before filing a notice of exemption and triggering the challenge period comports with general principles underlying CEQA. A contrary conclusion would be tantamount to requiring opponents to bring challenges before a project is finally approved, lest they be barred by the statute of limitations. It would also thwart attempts to resolve disputes over a project.” *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 963, fn. 16. “It is not the purpose of CEQA to foment prophylactic litigation.” *Id.*

*This means Council cannot finalize or finally “decide” the Bliss Project SCPE or SCEA – or trigger any CEQA statute of limitations – before the Project Entitlements are actually approved by the ZA. The bottom line is the Bliss SCPE are not final until and if the ZA approves the Bliss Project Entitlements relying on the SCPE. The City Attorney must concede or clarify this point.*

### **SB 375 Envisions the SCPE Approval And the Project Land Use Entitlement Approvals Are to Be Heard Together**

The procedures in SB 375 – PRC Sections 21155.1 and 21155.2 – for approving a project with a SCEA or SCPE require the lead agency to conduct a public hearing and adopt findings. Section 21155.2(b)(6) requires that the public hearing be conducted by the legislative body, with the exception that the public hearing may be conducted by a Planning Commission if “local ordinances allow a direct appeal of approval of a document prepared under [CEQA] subject to a fee not to exceed five hundred dollars (\$500).”

PRC Sections 21155.1 and 21155.2(b) obviously envision that the legislative body will be deciding and approving the SCPE or SCEA concurrently along with the underlying land use project approvals – not beforehand with nonsensical split-decisionmaking as is occurring here in violation of CEQA’s longstanding informed decisionmaking rules identified above.

For example, Sections 21155.1 and 21155.2 require findings that “any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the transit priority project, that the “developer provides sufficient legal commitments” on affordable housing and that “changes or alterations have been required in or incorporated into the project.” How can these findings and commitments be made unless the actual project approvals with the actual land use entitlements approval conditions are also accompanying the SCPE or SCEA? The entitlements and SCPE are supposed to be heard together – consistent with CEQA’s decisionmaking rules.

As the City Council motion<sup>5</sup> that led to the new CEQA Appeal Ordinance notes: “Inasmuch as many types of land use approvals that could qualify as a transit priority project may be eligible for use of a SCEA would not be considered by the City Council as the initial decisionmaker or on appeal, it is inefficient to require a City Council hearing on the SCEA prior to SCEA adoption and project approval.” That is exactly right.

If the City wants to change its existing land use approval to allow the Council to simultaneously consider SCPEs and SCEAs along with the Project Entitlements as the initial “lead agency” decisionmaker (instead of the ZA), it should pursue that option. It has had ten years since SB 375 to do so. But absent that, the current plan for Bliss’ SCPE appears to violate CEQA.

**CEQA Findings Cannot Be Made Without Addressing Local 11’s SCPE comments, which is unaddressed in DCP’s Jan. 24 Letter**

The Department of City Planning (“DCP”) letter dated January 24, 2020 does not address Local 11’s prior comments concerning the adequacy of the Project’s SCPE. Admittedly, a Sustainable Communities Project (“SCP”) exempted from CEQA must comply with all criteria listed under PRC Section 21155.1 subdivision (a) and (b) (*see* DCP Letter, p. 2). In short, Local 11’s prior comments identified specific performance-based criteria contained in SCAG’s RTP/SCS and Program EIR that the Project’s SCPE ignores; numerous flaws in the Project’s energy and water-efficiency reports; and asked the City to seek clarification from SCAG whether hotel uses were analyzed as residential uses under its RTP/SCS and, thus, the Project’s 125-rooms and 121-residential units should collectively be subject to the applicable 200 residential unit limit—all of which is relevant to the SCP findings here. *See* PRC § 21155.1 suds., (a)(8), (b)(2), and (b)(5).

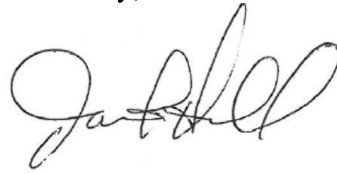
Neither the Project’s SCPE, nor DCP’s letter addresses these issues and, thus, there remain data/analytical gaps showing the Project qualifies as a SCP exempted from CEQA or that the City’s analysis is staying in step with evolving scientific knowledge and state regulatory schemes. *See e.g., Center for Biological Diversity v. Cal. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204, 227-230; *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 518-519; *Cleveland National Forest Foundation v. San*

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<sup>5</sup> [http://clkrep.lacity.org/onlinedocs/2018/18-0066\\_mot\\_01-23-2018.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0066_mot_01-23-2018.pdf)

*Diego Assn. of Governments* (2017) 17 Cal.App.5th 413, 444. In sum, absent addressing Local 11's concerns, the City lacks substantial evidence to support its CEQA findings here.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is written in a cursive style with a large initial "J" and "H".

Jamie T. Hall



**EXHIBIT D**

**Public Comments Not Uploaded Item 12, PLUM Agenda for September 17, 2020; La Brea Bliss Project**

1 message

jordan@gideonlaw.net <jordan@gideonlaw.net>  
Reply-To: clerk.plumcommittee@lacity.org  
To: clerk.plumcommittee@lacity.org  
Cc: gk@gideonlaw.net

Thu, Sep 17, 2020 at 9:39 AM

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following supplemental comments regarding the Sustainable Communities Project Exemption ("SCPE") for the eight-story, 201,123 square foot mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at [623-671 South La Brea Avenue](#) ("Site"). Specifically, these comments are in response to the Department of City Planning ("DCP") letter dated September 15, 2020 ("DCP Letter") uploaded to the Project's Council File No. 19-1533.

First, the DCP Letter states that the hotel units are not considered residential under LAMC § 12.03. Yet, just this week, DCP went to great lengths in taking the position that another hotel project absent kitchen (like the case here) was residential under LAMC § 12.03 (see Venice Place Hotel, DCP Case Nos. ZA-2012-3354, ENV-2016-4321 and Council File No. 20-1024 [ [http://archive-media.granicus.com:443/OnDemand/la/la\\_5602404f-2ef4-4f8d-bd0d-af6fc4916d52.mp3](http://archive-media.granicus.com:443/OnDemand/la/la_5602404f-2ef4-4f8d-bd0d-af6fc4916d52.mp3); [http://archive-media.granicus.com:443/OnDemand/la/la\\_1c7bc8d2-221b-44bd-a4a3-f8d0aed6edd0.mp3](http://archive-media.granicus.com:443/OnDemand/la/la_1c7bc8d2-221b-44bd-a4a3-f8d0aed6edd0.mp3)]; see also [https://clkrep.lacity.org/online/docs/2020/20-1024\\_misc\\_1\\_08-26-2020.0001.pdf](https://clkrep.lacity.org/online/docs/2020/20-1024_misc_1_08-26-2020.0001.pdf); [https://clkrep.lacity.org/online/docs/2020/20-1024\\_misc\\_2\\_08-26-2020.0001.pdf](https://clkrep.lacity.org/online/docs/2020/20-1024_misc_2_08-26-2020.0001.pdf); [https://clkrep.lacity.org/online/docs/2020/20-1024\\_misc\\_08-26-2020.pdf](https://clkrep.lacity.org/online/docs/2020/20-1024_misc_08-26-2020.pdf); [https://clkrep.lacity.org/online/docs/2020/20-1024\\_misc\\_a\\_09-15-20.pdf](https://clkrep.lacity.org/online/docs/2020/20-1024_misc_a_09-15-20.pdf)). Hence, DCP has inconsistently applied LAMC § 12.03 to define hotels and guest rooms as residential and nonresidential when it suits the project proponents' purposes.

Second, the DCP Letter double-downs on the claims that the Project will exceed energy and water efficiencies required for the SCPE. Yet, the attached expert report demonstrates that the SCPE (including the Energy and Water Performance Report) are fundamentally lacking to show the efficiency levels will be met. Hence, the SCPE provides merely conclusory statements, absent substantial evidence, that the Project will meet the necessary efficiency levels required for SCPEs.

Third, the DCP Letter double-downs on the claim that the Project is consistent with the RTP/SCS in reducing air quality and GHG emissions. Yet, the attached expert report demonstrates that the Project is inconsistent with numerous qualitative standards under the RTP/SCS. So too, the expert letter indicates that the Project's GHG emissions not only exceed SCAQMD proposed thresholds but also exceed performance metrics contained in the RTP/SCS. Hence, the Project is inconsistent with the RTP/SCS—both qualitatively and quantitatively—and is not eligible for a SCPE.

Fourth, DCP does not address the numerous land use arguments already presented in the Project's record, demonstrating land use consistency impacts.

Fifth, Local 11 maintains that the Project's underlying land use entitlements and SCPE should be considered together by Council.

Respectfully,

Jordan R. Sisson, Attorney

Law Office of Gideon Kracov

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Los Angeles, CA 90017

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PRIVILEGED AND CONFIDENTIAL: This electronic message contains information from the Law Office of Gideon Kracov and is attorney work product confidential or privileged. The information is intended solely for the use of the individual(s) or entity(ies) named above. If you have received this transmission in error, please destroy the original transmission and its attachments without reading or saving in any manner.

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**2 attachments**

 **Title 24 Comments.pdf**  
172K

 **SWAPE Comments.pdf**  
3311K





September 16, 2020

sent via email: [jordan@gideonlaw.net](mailto:jordan@gideonlaw.net)  
Office: 213-629-2071 ext. 1102

Jordan R. Sisson, Attorney  
Law Office of Gideon Kracov  
801 S. Grand Ave., 11th Floor  
Los Angeles, CA 90017

Dear Jordan:

RE: CEQA Exemption – 639 South La Brea Blvd.

In review of the following named document, please note our findings:

The SCPE, Energy Report, and Water Report fail to demonstrate that the project would be 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations or that the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region (see Pub. Res. Code sec. 21155.1(a)(8)). The SCPE's claim that the Project would exceed Title 24 standards by 15.40 percent (see [SCPE](#), p. 35; see also Title 24 Energy Performance Report, p. 10 ) is suspect given the following reasons:

1. The only mention of the two cooling towers to be included in this project is under the Characteristics of the HVAC (page 7): "Heat Rejection: Annual TDV energy used for cooling tower operation". No other specifics are included about this energy consuming equipment and no mention is made to specify that the VRF systems are in fact water cooled, which is why you would need a cooling tower. The fact that the specifications of the planned two cooling towers are ignored significantly reduces the energy consumption of the property.
2. Opaque Assemblies: External Wall – All Levels – Current code requires Metal walls to have a U-Factor of .062, not .065. The lower the better in this rating.
3. Domestic Hot Water: Solar Collectors: The report states it would use a solar hot water factor of .1, in that 10% of the hot water system will be provided from the solar collectors. Per the 2019 code, the standard design requires a minimum solar savings fraction of 0.20 in [Climate Zones](#) 1-9. The proposed design does not meet 2019 code requirements.
4. Lighting: Since the model used the 2016 Title 24 baseline for interior lighting modeling, it is needs to be noted that changes to lighting power density (LPD) values have been updated on Tables 140.6-B, 140.6-C, 140.6-D, 140.7-A and 140.7-B of the 2019 code. We do not see any confirmation of these updated LPD calculations in the report.
5. Mechanical – Energy Management Control Systems (EMCS) must be included in the HVAC control system (120.2(f)). No mention of any thermostat control system is included in the report.
6. Domestic Water Heating: Centralized Water System: Per the new code, a continuous monitoring system must be in place. There is no mention of this system existing on the report.



The SCPE's claim that the Project would result in a 73 percent reduction from baseline levels (see SCPE, p. 37; see also Total Water Use Reduction Report, p. 10) is also suspect given the following reasons:

Some of the items noted are:

1. Item 6. COOLING TOWER (page 8) "Based on 26 gpm evaporation for the two (2) cooling towers with operation at 8 hours per day, 7 days per week and 65% load capacity. Water usage of cooling towers is 8,112 gallons." Considering the hotel and residential portion of this project will be operating 24/7, there would be no reason for the cooling tower to be modeled at only 8 hours per day and at 65% load capacity. The assumptions for the water usage by the building, specifically by the cooling towers are considerably understated.
2. Per page 9: "Based on full-time equivalency (FTE) from LEED calculation method, in residential units/ hotel, occupants are using water closet 5 times a day/person; in retail space employees are using water closet /urinal 3 times a day/person, and visitors are using 0.5 time a day/person." This information also does not tie completely to Table 5 on page 5, where it is referencing the same information.  
Per the LEED v4.1 Indoor Water Use Reduction Calculator assumption, employees are using the water/closet 2 times per day/person and visitors are using .4 times a day/person. No mention is made of Retail Customers at .1 per the table below.

Assumptions

Fixture Type	Maximum Installed Flush/Flow Rate		Duration (sec)	Default Uses per Day				
	IP	SI		Employees (FTE)	Visitors	Retail Customers	Students (K-12)	Residential
Toilet (male)	1.60 gpf	6.00 lpf	n/a	1	0.1	0.1	1	5
Toilet (female)	1.60 gpf	6.00 lpf	n/a	3	0.5	0.2	3	5
Urinal	1.00 gpf	3.00 lpf	n/a	2	0.4	0.1	2	0
Public lavatory (restroom) faucet	0.50 gpm	1.90 lpm	30	3	0.5	0.2	3	0
Private (residential) lavatory faucet	2.20 gpm	8.30 lpm	60	0	0	0	0	5
Kitchen faucet	2.20 gpm	8.30 lpm	15	1	0	0	0	0
Residential kitchen faucet	2.20 gpm	8.30 lpm	60	0	0	0	0	4
Showerhead	2.50 gpm	9.50 lpm	300	0.1	0	0	0	0
Residential showerhead	2.50 gpm	9.50 lpm	400	0	0	0	0	1

Regards,

*Marika Erdely*

Marika Erdely, MBA, LEED AP BD+C, CEA, fitwel Ambassador  
CEO



## **Marika Erdely**

A Strong Green Building and Financial Executive. Innovative, energetic, versatile and loves a challenge. Works efficiently to get to the bottom line. Strong team leader and developer. Impeccably honest.

### **Professional Experience:**

#### **LEED by ME, Inc. dba Green EconoME ([www.GreeneconoME.com](http://www.GreeneconoME.com))**

Chief Executive Officer/Founder, March 2009 – present

- Founder of this full service energy consulting and construction co, located in Santa Monica.
- LEED Consulting: [LEED AP](#): BD + C (Building Design and Construction) and CI (Commercial Interiors). Title 24 Consultant.
- Certified Energy Auditor (CEA).
- EPA Energy Star Partner (#1123677) for Benchmarking, Energy Certification and ASHRAE Energy Audits for compliance with LA's EBEWE and CA's AB 802.
- Providing analysis of building energy consumption and recommendations to reduce and control energy usage and demand. Provide retrofit services, lighting, energy monitoring, EV Charging stations and HVAC control systems.
- Clients include commercial and industrial buildings and public schools.

#### **New Millennium Homes, LLC ([www.NewMillenniumHomesllc.com](http://www.NewMillenniumHomesllc.com))**

Chief Financial Officer, Vice President, February 2003 – June 2013

Corporate Controller, February 2002 – 2003

##### **Accomplishments:**

- Instrumental in providing financial costing analysis to the Board of Directors resulting in a net gain of \$235M in cash flow for a master planned community called "The Oaks of Calabasas", (annual home completions over 100 homes).
- Implemented financial controls, product and offsite cost budgets, variance analysis and metrics.
- Developed cash flow model to drive business strategies, borrowing levels and performance goals.
- Managed cash investments of up to \$100M.
- Successful in negotiating construction defect claims with homeowners, two layers of General Liability insurance (OCIP) and two HOA's.
- Oversaw expansion of company's Timberline software system to integrate into three other programs.
- Established HR department and played a significant role in growing the company from 11 to 50+ employees, including hiring, training, firing and layoffs.
- Supervised Accounting, Purchasing and Internal Sales and Escrow departments.
- Managed and resolved Operational, Customer Service and Sales issues with sub-contractors, home buyers and homeowners.
- Developed additional sources of revenue via "Participation Agreements" and 3<sup>rd</sup> party relationships\_ Assisted CEO in the development of the marketing campaign.

##### **Responsibilities:**

- Reported directly to the CEO and the Chairman of the Board.
- Responsible for all interface with insurance companies, counsel and homeowners in regards to construction defect claims.
- Responsible for preparation of monthly Board financial package and year end audited financials.
- Negotiated the transition of common areas from Developer to the HOA of The Oaks.



## Marika Erdely

### **Xavient Technologies** ([www.xavient.com/eindia.com](http://www.xavient.com/eindia.com))

Director of Operations, October 2000 – December 2001

- Responsible for all administrative, operating and sales functions of this IT consulting firm.
- Prepared monthly and annual operating plans.
- Established all policies and procedures, including review and formatting of all contracts.
- Improved relationship with twenty consultants, including establishing user-friendly intranet site.
- Coordinated recruitment and point of contact for forty Indian IT recruits.

Director of Finance, October 1999 – October 2000, eIndia.com

- Founding team member of this dot.com start-up which focused on the Indian NRI market.
- Involved in strategic decision making as the company grew and as it was later dismantled.
- Set up all financial and accounting systems on Quick books.
- Established and maintained all bank, audit and insurance relationships.
- Prepared financial forecasts and budgets.

### **Wiley & Associates**

Director of Finance, July 1994-May 1998

- Responsible for all accounting functions of this leading edge advertising agency.
- Created monthly analytical financial package by improving Clients and Profits software usage.
- Instrumental in substantially improving the profitability of the Co. through financial analysis.
- Improved banking relationships and negotiated release of guarantee on Line of Credit.
- Negotiated refunds of substantial sums from prior quarterly sales tax payments during audit.
- Instrumental in producing policies and procedure manuals for all departments.

### **Contractors Wardrobe**

Corporate Controller/Vice President Administration, March 1989-July 1994

- Oversaw accounting, personnel, MIS departments for this medium-size manufacturer of mirrored wardrobe doors.
- Involved in management, policy and strategic decision making with President.
- Primary interface with Auditors, Consultants, Bankers and Insurance Broker.
- Developed comprehensive monthly financial reporting and budgeting package.
- Developed policies and procedure manuals for all departments within the Company.

### **Tandon Corporation**

Director of Finance, Director of Plans & Controls, Controller Domestic Operations, General Accounting Manager, Plant Accountant, March 1983 - March 1989

### Licenses:

Contractors License B and C-10 #1001368

[LEED-AP BD&C](#) (Building Design and Construction) – March 3, 2009

Certified Energy Auditor - July 2015

### Education and Other Professional Activities:

Pepperdine University, MBA

University of California, Santa Barbara, B.A. Business Economics

Past Instructor – UC Riverside Extension – Economics of Sustainability, Spring 2010, 2011 and 2012

Treasurer, Member Board of Directors – Mountains Restoration Trust ([www.mountainstrust.org](http://www.mountainstrust.org))

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September 15, 2020

Jordan Sisson  
Law Office of Gideon Kracov  
801 S. Grand Ave., 11<sup>th</sup> Floor  
Los Angeles, CA 90017

**Subject:       Comments on the 639 La Brea Project (ENV-2019-1736-SCPE)**

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Dear Mr. Sisson,

We have reviewed the November 2019 Sustainable Communities Project CEQA Exemption ("SPCE") for the 639 La Brea Project ("Project") located in the City of Los Angeles ("City"). The Project proposes to demolish 34,268-SF of existing commercial buildings and construct an 8-story mixed-use building, including 121 residential multi-family dwelling units, 125 hotel rooms, approximately 13,037-SF of restaurant space, 10,256-SF of open space, 192 vehicle parking spaces, and 139 bicycle parking spaces, on the 1.08-acre Project site.

Our review concludes that the SPCE fails to adequately evaluate the Project's greenhouse gas impacts. As a result, emissions associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An updated CEQA analysis should be prepared to adequately assess and mitigate the potential greenhouse gas impacts that the project may have on the surrounding environment.

*As a result of our findings, the proposed Project does not qualify for a Sustainability Communities Strategy Exemption under the California Environmental Quality Act ("CEQA") and California Public Resources Code § 21155 and, therefore, a full CEQA analysis must be prepared to adequately assess and mitigate the potential air quality and health risk impacts that the Project may have on the surrounding environment. We recommend that the City prepare an updated CEQA analysis with a health risk assessment ("HRA") and quantified greenhouse gas emissions as required under the Public Resources Code and CEQA Guidelines.*

## Greenhouse Gas

### Failure to Evaluate Impacts from Project Emissions

The SPCE concludes that the Project satisfies the requirements to be considered a Transit Priority Project (“TPP”) under Public Resources Code (“PRC”) § 21155(b), the Sustainable Communities Strategy. As a result, the SPCE concludes that the Project is exempt from CEQA and fails to quantify or evaluate the proposed Project’s construction and operational criteria air pollutant and greenhouse gas (“GHG”) emissions. However, review of the SPCE demonstrates that the Project fails to qualify as a TPP for the following three (3) reasons:

- (1) The SPCE fails to incorporate all applicable mitigation measures included in SCAG’s 2016-2040 RTP/SCS;
- (2) The SPCE fails to demonstrate that the Project would not result in a public health exposure at a level that would exceed federal and state standards;
- (3) Screening-level analysis indicates a potentially significant GHG impact; and
- (4) The SPCE fails to consider performance-based standards under SCAG’s 2016-2040 RTP/SCS.

#### *1) Failure to Incorporate Applicable Mitigation Measures Included in SCAG’s 2016-2040 RTP/SCS*

Review of SCAG’s SB 375 and CEQA Streamlining guidance demonstrates that Projects must comply with California PRC § 21155.1(b)(5), which states:

“Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the transit priority project.”<sup>1</sup>

As such, the SPCE concludes that the Project would be consistent with the mitigation measures included in SCAG’s 2016-2040 RTP/SCS Mitigation Monitoring and Reporting Program (“MMRP”), stating:

“The SCAG MMRP provides a list of mitigation measures that SCAG determined a lead agency can and should consider, as applicable and feasible, where the agency has identified that a project has the potential for significant effects. The SCAG’s measures are not prescriptive on the Proposed Project, but nonetheless, the mitigation measures to be incorporated as conditions of approval for the Proposed Project are consistent with those applicable measures suggested in SCAG’s MMRP, detailed below (refer to Section 4.0, Project Consistency with SCAG 2016-2040 RTP/SCS Mitigation Measures for a full discussion of the Proposed Project’s consistency with SCAG’s MMRP). As noted therein, many of the mitigation measures identified by SCAG, beyond those discussed below, would not apply to the Proposed Project” (pp. 39).

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<sup>1</sup> “SB 375 and CEQA Streamlining.” Southern California Association of Governments (“SCAG”), available at: <http://rtpsc.scag.ca.gov/Documents/scs/CEQASTreamliningChart.pdf>.



However, review of SCAG’s 2016-2040 RTP/SCS demonstrates that the proposed Project is inconsistent with several measures that are, in fact, applicable to the proposed Project, including but not limited to the analysis below:

SCAG RTP/SCS 2016-2040 Mitigation Monitoring and Reporting Program (“MMRP”) Measures <sup>2</sup>	
<p><b>Air Quality Project Level Mitigation Measures – MM-AIR-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures that are within the jurisdiction and authority of the CARB, air quality management districts, and other regulatory agencies. Where the Lead Agency has identified that a project has the potential to violate an air quality standard or contribute substantially to an existing air quality violation, the Lead Agency can and should consider the measures that have been identified by CARB and air district(s) and other agencies as set forth below, or other comparable measures, to facilitate consistency with plans for attainment of the NAAQS and CAAQS, as applicable and feasible. CARB, South Coast AQMD, Antelope Valley AQMD, Imperial County APCD, Mojave Desert AQMD, Ventura County APCD, and Caltrans have identified project-level feasible measures to reduce construction emissions:</p>	
<p>Minimize land disturbance.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention minimizing land disturbance whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Stabilize the surface of dirt piles if not removed immediately.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention stabilizing the surface of dirt piles whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable</p>

<sup>2</sup>“Mitigation Monitoring and Reporting Program.” Southern California Association of Governments (“SCAG”), April 2016, available at: [http://scaartpscs.net/Documents/2016/peir/final/2016fPEIR\\_ ExhibitB\\_MMRP.pdf](http://scaartpscs.net/Documents/2016/peir/final/2016fPEIR_ ExhibitB_MMRP.pdf).

	mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies” the SPCE fails to mention limiting vehicular paths of unpaved surfaces and stabilizing temporary roads whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Minimize unnecessary vehicular and machinery activities.	Here, while the SPCE claims that the Project would “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to state that the Project will minimize unnecessary vehicular and machinery activities, as required (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention revegetating disturbed land whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation

	measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
<p>Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention requiring contractors to assemble a comprehensive inventory list whatsoever (p. 53). Rather, just because the proposed Project <u>is subject to regulatory compliance measures</u> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.</p>	<p>Here, while the SPCE claims that the Project would comply with SCAQMD Rule 403, which includes that: “[a]ll unpaved demolition and construction areas shall be wetted at least twice daily,” the SPCE fails to demonstrate that an operational water truck will be <u>on-site at all times</u>, as is required (p. 53). Furthermore, the SPCE fails to demonstrate that complying with SCAQMD Rule 403 will guarantee that watering will “confine dust plumes to the project work areas.” Finally, the SPCE fails to mention sweeping paved streets whatsoever, or determining whether dirt has been carried onto the roadway. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Project sponsors should ensure to the extent possible that construction activities utilize grid-based electricity and/or onsite renewable electricity generation rather than diesel and/or gasoline powered generators.</p>	<p>Here, regarding this measure, the SPCE states that “[t]he Project would use energy from the Los Angeles Department of Water and Power (LADWP), which has goals to diversify its portfolio of energy sources to increase the use of renewable energy” (p. 78). However, just because the <u>LADWP</u> has these <u>goals</u> to diversify its energy portfolio to increase the use of renewable energy does not mean that the <u>proposed Project</u> will utilize <u>on-site renewable electricity generation</u> whatsoever. Furthermore, the SPCE fails to substantiate this claim or provide any sources to prove that the LADWP is actually accomplishing this goal locally</p>

	<p>on the Project site. Finally, this measure addresses Project-level “onsite renewable electricity generation,” and as such, the LADWP’s goals are irrelevant here. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.</p>	<p>Here, while the SPCE acknowledges that this mitigation measure is included in the RTP/SCS’s required Project-level measures, the SPCE fails to mention or indicate that the proposed Project will develop a traffic plan whatsoever (p. 54). By failing to address this measure, the SPCE fails to address minimizing traffic flow interference from construction activities, as is required. Specifically, the SPCE fails to mention or discuss including advance public notice of routing, use of public transportation, satellite parking areas with a shuttle service; scheduling operations affecting traffic for off-peak hours; minimizing obstruction of through-traffic lanes; and providing a flag person to guide traffic properly and ensure safety. As such, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention or require CARB Portable Equipment Registration on-site (p. 54). Furthermore, the SPCE fails to mention or indicate that the proposed Project will arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site. As such, we are unable to verify that the CARB Portable Equipment Registration will be obtained on-site, as required. Thus, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>

<p>Implement EPA’s National Clean Diesel Program.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies” the SPCE fails to mention the EPA’s National Clean Diesel Program or its implementation on the Project site whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Diesel- or gasoline-powered equipment shall be replaced by lowest emitting feasible for each piece of equipment from among these options: electric equipment whenever feasible, gasoline-powered equipment if electric infeasible.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention replacing diesel- or gasoline-powered equipment with the lowest emitting feasible equipment whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>On-site electricity shall be used in all construction areas that are demonstrated to be served by electricity.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention the use of on-site electricity in all construction areas that are served by electricity on the Project site (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable</p>



	mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
If cranes are required for construction, they shall be rated at 200 hp or greater equipped with Tier 4 or equivalent engines.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention the use of cranes equipped with Tier 4 or equivalent engines on the Project site (p. 53). Rather, just because the proposed Project <u>is subject to regulatory compliance measures</u> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Use alternative diesel fuels, such as Clean Fuels Technology (water emulsified diesel fuel) or O2 diesel ethanol-diesel fuel (O2 Diesel) in existing engines	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies” the SPCE fails to mention the use of alternative diesel fuels (p. 53). Rather, just because the proposed Project <u>is subject to regulatory compliance measures</u> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Convert part of the construction truck fleet to natural gas.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention converting part of the construction truck fleet to natural gas for the proposed Project (p. 53). Rather, just because the proposed Project <u>is subject to regulatory compliance measures</u> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation

	measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Include “clean construction equipment fleet”, defined as a fleet mix cleaner than the state average, in all construction contracts.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies” the SPCE fails to mention including a “clean construction equipment fleet” for the proposed Project (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Fuel all off-road and portable diesel powered equipment with ARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention fueling off-road and portable diesel equipment with ARB-certified motor vehicle diesel fuel for the proposed Project (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Use electric fleet or alternative fueled vehicles where feasible including methanol, propane, and compressed natural gas	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention using an electric fleet or alternative fueled vehicles for the proposed Project whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and

	<p>the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Use diesel construction equipment meeting ARB’s Tier 4 certified engines or cleaner offroad heavy-duty diesel engines and comply with State off-road regulation.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention or indicate that the proposed Project will use diesel construction equipment that meet ARB’s Tier 4 certified engines (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. Furthermore, as this equipment has more recently been adopted, the proposed Project should evaluate the feasibility of including this equipment on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Use on-road, heavy-duty trucks that meet the ARB’s 2007 or cleaner certification standard for on-road diesel engines, and comply with the State on-road regulation.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention the use of on-road, heavy-duty trucks that meet ARB’s 2007 or cleaner certification standard for on-road diesel engines whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Use idle reduction technology, defined as a device that is installed on the vehicle that automatically reduces main engine idling and/or is designed to provide services, e.g., heat, air conditioning, and/or electricity to the vehicle or equipment that would otherwise require the operation of the main drive engine while the vehicle or equipment is temporarily parked or is</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention the use of idle reduction technology whatsoever for the proposed Project (p. 53). Rather, just because the proposed Project <i>is</i></p>

stationary	<i>subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Minimize idling time either by shutting off equipment when not in use or limit idling time to 3 minutes Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 3 minute idling limit. The construction contractor shall maintain a written idling policy and distribute it to all employees and subcontractors. The on-site construction manager shall enforce this limit.	Here, the SPCE claims that the Project would comply with SCAQMD Rule 403, which requires that: “Trucks having no current hauling activity shall not idle but be turned off” (p. 54). However, the SPCE fails to mention a 3-minute idling limit or the posting of signs in designated queuing areas, as is required for this measure. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Prohibit diesel idling within 1,000 feet of sensitive receptors.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention prohibiting diesel idling within 1,000 feet of sensitive receptors on the Project site (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention avoiding locating staging and queuing areas within 1,000 feet of sensitive receptors whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with

	<p>this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention minimizing the number of construction equipment operating simultaneously on the Project site (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>The engine size of construction equipment shall be the minimum practical size.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention that the proposed Project will ensure that the engine size of construction equipment would be the minimum practical size (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. The SPCE also fails to evaluate or define what a practical size would be. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Catalytic converters shall be installed on gasoline-powered equipment.</p>	<p>Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention installing catalytic converters on gasoline-power equipment on the Project site whatsoever (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the</p>

	<p>Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE's claim that applicable mitigation measures from SCAG's 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Signs shall be posted in designated queuing areas and job sites to remind drivers and operators of the idling limit.</p>	<p>Here, the SPCE claims that the Project would comply with SCAQMD Rule 403, which requires that: "Trucks having no current hauling activity shall not idle but be turned off" (p. 54). However, the SPCE fails to mention that signs will be posted in designated queuing areas and job sites for the proposed Project. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE's claim that applicable mitigation measures from SCAG's 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Construction worker trips shall be minimized by providing options for carpooling and by providing for lunch onsite.</p>	<p>Here, while the SPCE claims that the Project "substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies," the SPCE fails to mention minimizing construction worker trips by providing options for carpooling and onsite lunch for the proposed Project (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE's claim that applicable mitigation measures from SCAG's 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Use new or rebuilt equipment.</p>	<p>Here, while the SPCE claims that the Project "substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies," the SPCE fails to mention using new or rebuilt equipment whatsoever on the Project site (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE's claim that applicable mitigation measures from SCAG's</p>

	2016-2040 RTP/SCS have been incorporated is unsupported.
Maintain all construction equipment in proper working order, according to manufacturer’s specifications. The equipment must be check by an ASE-certified mechanic and determined to be running in proper condition before it is operated.	Here, the SPCE claims that the Project would comply with SCAQMD Rule 403, which requires that: “General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions” (p. 53-54). However, the SPCE fails to mention that the proposed Project will require the equipment to be checked by an ASE-certified mechanic and determined to be running in proper condition before being operated. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Use low rolling resistance tires on long haul class 8 tractor-trailers.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention that the Project will use low rolling resistance tires on long haul class 8 tractor-trailers (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
Suspend all construction activities that generate air pollutant emissions during air alerts.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention that the proposed Project will suspend construction activities that generate air pollutant emissions during alerts (p. 53). Rather, just because the proposed Project <i>is subject to regulatory compliance measures</i> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-



	2040 RTP/SCS have been incorporated is unsupported.
Install a CARB-verified, Level 3 emission control device, e.g., diesel particulate filters, on all diesel engines.	Here, while the SPCE claims that the Project “substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies,” the SPCE fails to mention that the proposed Project will install Level 3 emission control devices on the Project site (p. 53). Rather, just because the proposed Project <u>is subject to regulatory compliance measures</u> does not mean that this measure would be implemented, monitored, and enforced on the Project site. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.
<p><b>Greenhouse Gas Project Level Mitigation Measures – PMM-GHG-3:</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases, the Lead Agency can and should consider mitigation measures to mitigate the significant effects of greenhouse gas impacts to ensure compliance with all applicable laws, regulations, governing CAPs, general plans, adopted policies and plans of local agencies, and standards set forth by responsible public agencies for the purpose of reducing emissions of greenhouse gases, as applicable and feasible. Consistent with Section 15126.4(c) of the State CEQA Guidelines, compliance can be achieved through adopting greenhouse gas mitigation measures that have been used for projects in the SCAG region as set forth below, or through comparable measures identified by Lead Agency:</p>	
Reduction in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines.	Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <u>subject</u> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, the SPCE fails to mention Appendix F of the State CEQA Guidelines whatsoever. This

	<p>presents an issue, as Appendix F presents Energy Conservation Measures applicable to land use Projects, as is stated in the measure. Thus, by failing to mention or comply with Appendix F, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Off-site measures to mitigate a project’s emissions.</p>	<p>Here, the SPCE fails to mention the use of off-site measures to mitigated the Project’s emissions whatsoever. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Measures that consider incorporation of Best Available Control Technology (“BACT”) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Use energy and fuel-efficient vehicles and equipment. Project proponents are encouraged to meet and exceed all EPA/NHTSA/CARB standards relating to fuel efficiency and emission reduction;</li> <li>• Use alternative (non-petroleum based) fuels;</li> <li>• Deployment of zero- and/or near zero emission technologies as defined by CARB;</li> <li>• Use lighting systems that are energy efficient, such as LED technology;</li> <li>• Use the minimum feasible amount of GHG-emitting construction materials that is feasible;</li> <li>• Use cement blended with the maximum feasible amount of fly ash or other materials that reduce GHG emissions from cement production;</li> <li>• Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste reduction, recycling, and reuse;</li> <li>• Incorporate passive solar and other design measures to reduce energy consumption</li> </ul>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <i>subject</i> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, the SPCE fails to mention the use of energy and fuel-efficient vehicles and equipment; the use of alternative fuels; the deployment of zero- and/or near zero emission technologies; the use of the minimum feasible amount of GHG-emitting construction materials; the use of cement blended with maximum feasible amount of materials that reduced GHG emission from cement production; the incorporation of design measures encouraging waste reduction and reuse; the incorporation of passive solar and other design measures to reduce energy consumption and increase renewable energy use; the incorporation of WaterSense fixtures; the use of lighter-colored pavement; the recycling of construction debris; the planting of shade trees; or a solicitation of bids that</p>

<p>and increase production and use of renewable energy;</p> <ul style="list-style-type: none"> <li>• Incorporate design measures like WaterSense fixtures and water capture to reduce water consumption;</li> <li>• Use lighter-colored pavement where feasible;</li> <li>• Recycle construction debris to maximum extent feasible;</li> <li>• Protect and plant shade trees in or near construction projects where feasible; and</li> <li>• Solicit bids that include concepts listed above.</li> </ul>	<p>include the above-listed concepts. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Measures that encourage transit use, carpooling, bike-share and car-share programs, active transportation, and parking strategies, including, but not limited to, transit-active transportation coordinated strategies, increased bicycle carrying capacity on transit and rail vehicles.</p>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <u>subject</u> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, the SPCE fails to mention encouraging transit use, carpooling, bike-share and car-share programs, and parking strategies. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Incorporating bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; providing adequate bicycle parking and planning for and building local bicycle projects that connect with the regional network.</p>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <u>subject</u> to these measures does</p>

	<p>not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, while the SPCE claims that the Project would include on-site bicycle storage and maintenance, as well as sidewalks and pedestrian amenity improvements, the SPCE fails to mention the maintenance of these facilities or how the bicycle facilities would connect with the regional network (p. 107-108). As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Improving transit access to rail and bus routes by incentives for construction of transit facilities within developments, and/or providing dedicated shuttle service to transit stations.</p>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <i>subject</i> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, while the SPCE indicates that the Project would be within a quarter mile of major transit stops, the SPCE fails to demonstrate how the Project would improve transit access by providing shuttle service to transit stations (p. 28). As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs.</p>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California</p>

	<p>Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <i>subject</i> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, the SPCE fails to demonstrate how the Project would reduce employee trips through vanpool and carpool programs, providing end-of-trip facilities, or telecommuting programs. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles.</p>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <i>subject</i> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, the SPCE fails to indicate that <i>any</i> parking spaces will be designated specifically for ride-sharing or high-occupancy vehicles, as is required. The SPCE also fails to mention or demonstrate that adequate passenger loading and unloading would be provided as required. Thus, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
<p>Land use siting and design measures that reduce GHG emissions, including:</p> <ul style="list-style-type: none"> <li>• Developing on infill and brownfields sites;</li> <li>• Building high density and mixed use developments near transit;</li> <li>• Retaining on-site mature trees and vegetation, and planting new canopy trees;</li> </ul>	<p>Here, the SPCE states that, “[t]he Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of</p>



<ul style="list-style-type: none"> <li>• Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and</li> <li>• Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.</li> </ul>	<p>reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies” (p. 77). However, just because the proposed Project is <i>subject</i> to these measures does not mean that they will be implemented, monitored, and enforced on the Project site. Furthermore, the SPCE fails to demonstrate that the project would retain on-site mature trees, plant new canopy trees, or provide charging for electric bicycles. As a result, we cannot verify that the Project would be consistent with this measure, and the SPCE’s claim that applicable mitigation measures from SCAG’s 2016-2040 RTP/SCS have been incorporated is unsupported.</p>
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As you can see in the table above, the SPCE fails to demonstrate that the Project would be consistent with several of the applicable mitigation measures included in SCAG’s RTP/SCS 2016-2040 MMRP, as claimed in the SPCE. As a result, the SPCE fails to comply with SCAG’s 2016-2040 RTP/SCS and the Sustainable Communities Project exemption should not be relied upon to determine Project significance.

## 2) *Failure to Demonstrate Less-than-Significant Public Health Exposure*

Review of SCAG’s SB 375 and CEQA Streamlining guidance demonstrates that Projects must comply with California PRC § 21155.1(a)(6)(C), which states that a TPP must not be subject to:

“[r]isk of a public health exposure at a level that would exceed the standards established by any state or federal agency.”<sup>3</sup>

Regarding this requirement, the SPCE concludes:

“[T]he Phase I ESA found no reported releases of hazardous materials have occurred from the surrounding properties, with one exception. The Phase I ESA identified one site of concern: the property approximately 300 feet north of the Project Site at 5436 West 6th Street. This property reported a release of gasoline in 2007, which reportedly impacted groundwater. Therefore, the Proposed Project shall implement a dewatering and groundwater management plan and treat and confirm sampling of any effluent generated at the Project Site during construction” (p. 33).

However, this response fails to address the potential for construction-related and operational emissions of toxic air contaminants (“TACs”), which could result in significant public health exposures. In February of 2015, the Office of Environmental Health Hazard Assessment (“OEHHA”), the organization responsible for providing guidance on conducting HRAs in California, released its most recent *Risk Assessment*

<sup>3</sup> “SB 375 and CEQA Streamlining.” Southern California Association of Governments (“SCAG”), available at: <http://rtpscscag.ca.gov/Documents/scs/CEQAstreamliningChart.pdf>.



*Guidelines: Guidance Manual for Preparation of Health Risk Assessments.*<sup>4</sup> This guidance document describes the types of projects that warrant the preparation of an HRA. Construction of the Project will produce emissions of diesel particulate matter (“DPM”), a human carcinogen, through the exhaust stacks of construction equipment throughout the construction period. The OEHHA document recommends that all short-term projects lasting at least two months be evaluated for cancer risks to nearby sensitive receptors.<sup>5</sup> Therefore, per OEHHA guidelines, we recommend that an updated CEQA analysis be prepared to evaluate health risk impacts from Project construction. Furthermore, once construction of the Project is complete, the Project will operate for a long period of time. Project operation will generate daily vehicle trips, which will generate additional exhaust emissions and continue to expose nearby sensitive receptors to DPM emissions. OEHHA’s *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments* recommends that exposure from projects lasting more than 6 months be evaluated for the duration of the project, and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (“MEIR”).<sup>6</sup> Even though we were not provided with the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, we recommend that health risks from Project operation also should have been evaluated, as a 30-year exposure duration vastly exceeds the 2-month and 6-month requirements set forth by OEHHA. This guidance reflects the most recent health risk policy. We recommend that an assessment of health risks in accordance with OEHHA guidelines to nearby sensitive receptors from Project construction and operation be included in an updated CEQA evaluation for the Project.

Furthermore, the SPCE fails to compare the excess health risk to the SCAQMD’s specific numeric threshold of 10 in one million.<sup>7</sup> Thus, the SPCE should not conclude that the Project would not result in a level of public health exposure that exceeds state or federal standards, without quantifying emissions to compare to the proper threshold. In the absence of an evaluation of the Project’s potential health risk impacts associated with construction-related and operational DPM, we cannot verify that the Project would comply with California PRC § 21155.1(a)(6)(C) and the SPCE’s claim that the Project qualifies for an SCS CEQA exemption is unsubstantiated. Until an updated CEQA analysis quantifies and evaluates the proposed Project’s health risk impacts, the proposed Project should not be approved.

### *3) Screening-Level Analysis Indicates Potentially Significant GHG Impacts*

As discussed above, the SPCE incorrectly claims that the Project qualifies for an SCS CEQA exemption and subsequently fails to evaluate the Project’s construction-related and operational GHG emissions. As a result, we have prepared a screening-level analysis of the Project’s greenhouse gas (“GHG”) emissions

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<sup>4</sup> “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, available at: [http://oehha.ca.gov/air/hot\\_spots/hotspots2015.html](http://oehha.ca.gov/air/hot_spots/hotspots2015.html)

<sup>5</sup> “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, available at: [http://oehha.ca.gov/air/hot\\_spots/2015/2015GuidanceManual.pdf](http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf), p. 8-18

<sup>6</sup> “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, available at: [http://oehha.ca.gov/air/hot\\_spots/2015/2015GuidanceManual.pdf](http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf), p. 8-6, 8-15

<sup>7</sup> “South Coast AQMD Air Quality Significance Thresholds.” SCAQMD, April 2019, available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.



that indicates a potentially significant GHG impact, as shown below. An updated CEQA analysis should be prepared to evaluate the Project’s potential GHG emissions and implement mitigation, if necessary.

Applicable thresholds and site-specific modeling demonstrate that the proposed Project would result in a significant GHG impact not previously mitigated by the SPCE. The CalEEMod output files, modeled by SWAPE with Project-specific information, disclose the Project’s mitigated emissions, which include approximately 669 MT CO<sub>2</sub>e of total construction emissions (sum of 2020 through 2021) and approximately 4,563 MT CO<sub>2</sub>e/year of net annual operational emissions (sum of area, energy, mobile, waste, and water-related emissions). When we compare the Project’s GHG emissions to the 3,000 MT CO<sub>2</sub>e/year mixed-use threshold (SCAQMD Tier 3 Option #1), we find that the Project’s GHG emissions exceed the threshold (see table below).

<b>SWAPE Annual Greenhouse Gas Emissions</b>	
<b>Project Phase</b>	<b>Proposed Project (MT CO<sub>2</sub>e/year)</b>
Construction (amortized over 30 years)	22.31
Area	40.87
Energy	1380.59
Mobile	2907.27
Waste	68.40
Water	165.87
<b>Total</b>	<b>4,585.31</b>
SCAQMD Mixed-Use Threshold	3,000
<b>Exceed?</b>	<b>Yes</b>

As demonstrated in the table above, the proposed Project would exceed the SCAQMD’s 3,000 MT CO<sub>2</sub>e/year mixed-use threshold. Hence, a service population analysis is warranted. According to CAPCOA’s *CEQA & Climate Change* report, service population is defined as “the sum of the number of residents and the number of jobs supported by the project.”<sup>8</sup> However, the SPCE fails to provide the estimated number of residents and jobs supported by the Project. As such, we estimated the proposed Project’s service population based on SCAG’s *Employment Density Study Summary Report* and the CalEEMod default residential population. According to SCAG’s *Employment Density Study Summary Report*, the median Square Feet/Employee (“SF/Employee”) values for “Hotel/Motel” and “Other Retail/Svc.” are 1,179- and 730-SF/Employee, respectively.<sup>9</sup> As such, we estimate that the Project would create approximately 67 new employees.<sup>10</sup> Furthermore, the CalEEMod default population for 121-units

<sup>8</sup> CAPCOA (Jan. 2008) *CEQA & Climate Change*, p. 71-72, <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>.

<sup>9</sup> “EMPLOYMENT DENSITY STUDY SUMMARY REPORT.” Southern California Association of Governments (“SCAG”), October 2001, available at: <http://www.mwcog.org/file.aspx?A=QTTITR24POOOUlw5mPNzK8F4d8djdJe4LF9Exj6IXOU%3D>, p. 17, Table 3A.

<sup>10</sup> Calculated: (67,948-SF of hotel land use \* 1,179 SF/Employee) + (13,037-SF of restaurant land use \* 730-SF/Employee) = 67 employees.

of “Apartments Mid Rise” is 346 people. Thus, we estimate that the Project’s total service population would be approximately 413 people.<sup>11</sup> When dividing the Project’s GHG emissions (amortized construction + operational) by a service population value of 413 people, we find that the Project would emit approximately 11 MT CO<sub>2</sub>e/SP/year.<sup>12</sup> This exceeds the SCAQMD 2035 efficiency target of 3.0 MT CO<sub>2</sub>e/SP/year and the outdated SCAQMD 2020 threshold of 4.8 MT CO<sub>2</sub>e/SP/year (see table below).<sup>13</sup>

<b>SWAPE Service Population Efficiency</b>	
<b>Project Phase</b>	<b>Proposed Project (MT CO<sub>2</sub>e/year)</b>
<b>Total</b>	<b>4,585.31</b>
Service Population	413
<b>Service Population Efficiency</b>	<b>11.10</b>
Threshold	3
<b>Exceed?</b>	<b>Yes</b>

As the above table indicates, the Project’s GHG emissions exceed the SCAQMD’s 2035 service population efficiency threshold of 3.0 MT CO<sub>2</sub>e/SP/year, thus resulting in a significant impact not previously mitigated in the SPCE. Thus, an updated GHG analysis should be prepared in an updated CEQA evaluation and additional mitigation should be incorporated accordingly. According to CEQA Guidelines § 15064.4(b), if there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, a full CEQA analysis must be prepared for the project. Therefore, an updated CEQA analysis must be prepared for the Project, and mitigation should be implemented where necessary, per CEQA Guidelines.

*4) Failure to Consider Performance-Based Standards Under SCAG’s 2016 RTP/SCS*

Here, as discussed above, relying on the Project’s consistency with SCAG’s 2016-2040 RTP/SCS goals and policies, the SPCE finds that the Project would not conflict with the implementation of SCAG’s 2016 RTP/SCS. However, the SPCE fails to consider whether or not the Project meets any of the specific performance-based goals underlying SCAG’s 2016 RTP/SCS and SB 375, such as: i) per capita GHG emission targets, or ii) daily vehicles miles traveled (“VMT”) per capita benchmarks.

*i. SB 375 Per Capita GHG Emission Goals*

SB 375 was signed into law in September 2008 to enhance the state’s ability to reach AB 32 goals by directing CARB to develop regional 2020 and 2035 GHG emission reduction targets for passenger vehicles (autos and light-duty trucks). In September 2010, CARB adopted regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035, assigning SCAG the targets of an eight percent

<sup>11</sup> Calculated: 67 employees + 346 residents = 413 people.

<sup>12</sup> Calculated: (4,585.31 MT CO<sub>2</sub>e/year) / (413 service population) = (11.10 MT CO<sub>2</sub>e/SP/year).

<sup>13</sup> “Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15.” SCAQMD, September 2010, available at: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf), p. 2.



reduction by 2020 and a 13 percent reduction by 2035. This goal is reflected in SCAG’s 2016 RTP/SCS,<sup>14</sup> in which the 2016 RTP/SCS Program EIR (“PEIR”) determined that the per capita emissions were 23.8 pounds per day (“lbs/day”) in 2005, and that SCAG’s 2016 RTP/SCS plan would achieve per capita emissions of 21.4 lbs/day in 2020 (i.e., a reduction of 8 percent from 2005 levels) and 19.5 lbs/day in 2035 (i.e., a reduction of 18 percent from 2005 levels) (see excerpt below).<sup>15</sup>

**TABLE 3.8.4-3  
SB 375 ANALYSIS**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)	2040 (Plan)
Resident population (per 1,000)	17,161	19,060	21,475	22,116
CO <sub>2</sub> emissions (per 1,000 tons)	204.0*	203.6**	206.0**	203.0**
Per capita emissions (pounds/day)	23.8	21.4	19.5	18.7
% difference from Plan (2020) to Baseline (2005)				-8%*
% difference from Plan (2035) to Baseline (2005)				-18%***
% difference from Plan (2040) to Baseline (2005)				-22%***

**NOTE:**  
 \* Based on EMFAC2007  
 \*\* Based on EMFAC2014  
 \*\*\* Included off-model adjustments for 2035 and 2040

**SOURCE:**  
 SCAG modeling, 2015  
 Southern California Association of Governments. 5 November 2015. *Item No. 1 Staff Report: 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) – Proposed Major Components*. Available at: <http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

In March 2018, CARB adopted updated targets requiring a 19 percent decrease in VMT for the SCAG region by 2035. This goal is reflected in SCAG’s Draft 2020 RTP/SCS,<sup>16</sup> in which the 2020 RTP/SCS Draft PEIR updates the per capita emissions to 21.3 lbs/day in 2020 and 18.8 lbs/day in 2035 (see excerpt below).<sup>17</sup>

**Table 3.8-10  
SB 375 Analysis**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)
Resident population (per 1,000)	17,161	19,194	21,110
CO <sub>2</sub> emissions (per 1,000 tons)	204.0 <sup>(a)</sup>	204.5 <sup>(b)</sup>	195.6 <sup>(b)</sup>
Per capita emissions (pounds/day)	23.8	21.3	18.8
% difference from Plan (2020) to Baseline (2005)			-8%
% difference from Plan (2035) to Baseline (2005)			-19% <sup>(c)</sup>

**Note:**  
 (a) Based on EMFAC2007  
 (b) Based on EMFAC2014 and SCAG modeling, 2019  
 (c) Includes off-model adjustments for 2035 and 2045  
 Source: SCAG modeling, 2019.  
<http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

<sup>14</sup> SCAG (Apr. 2016) 2016 RTP/SCS, p. 8, 15, 153, 166, <http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS.pdf>.

<sup>15</sup> SCAG (11/24/15) 2016 RTP/SCS Draft PEIR, p. 3.8-37 – 3.8-38, [http://scagrtpscs.net/Documents/2016/peir/draft/2016dPEIR\\_Complete.pdf](http://scagrtpscs.net/Documents/2016/peir/draft/2016dPEIR_Complete.pdf).

<sup>16</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, p. 9, 48, 138, [https://www.connectsocial.org/Documents/Draft/dConnectSoCal\\_Draft-Plan.pdf](https://www.connectsocial.org/Documents/Draft/dConnectSoCal_Draft-Plan.pdf).

<sup>17</sup> SCAG (Nov. 2019) 2020 RTP/SCS Draft PEIR, p. 3.8-73 – 3.8-74, [https://www.connectsocial.org/Documents/PEIR/draft/dPEIR\\_ConnectSoCal\\_Complete.pdf](https://www.connectsocial.org/Documents/PEIR/draft/dPEIR_ConnectSoCal_Complete.pdf).

In order to evaluate consistency with this SB 375 objective and SCAG’s 2016-2040 RTP/SCS performance-based goals, SWAPE calculated the Project’s per-capita CO<sub>2</sub> emissions from passenger and light duty vehicles (calculations attached hereto as Exhibit A). First, total annual GHG mobile emissions were multiplied by the percentage of auto and light-duty truck fleet mix, then converted into total pounds per day, then divided by the estimated service population of 413. The below table shows the per capita emissions for the Project based on SWAPE’s modeling (see table below and Attachment B).

<b>CO<sub>2</sub>e Per Capita Emissions from Passenger &amp; Light-Duty Trucks, Exceedances under RTP/SCS Performance-Based SB 375 Goals</b>	
<b>Sources</b>	<b>Project</b>
	<b>SWAPE Project Modeling</b>
Annual Mobile Emissions (MT CO <sub>2</sub> e/year)	2,907.27
Passenger & Light-Duty Fleet Mix (%)	79.55%
Daily CO <sub>2</sub> e Emissions (lbs/day)	13,968.65
Service Population	413
<b>Per Capita Emissions (lbs/day)</b>	<b>33.82</b>
21.3 lbs/day/SP (2020 Goal) Exceeded?	<b>Yes</b>
18.8 lbs/day/SP (2035 Goal) Exceeded?	<b>Yes</b>

As shown in the above table, when utilizing SWAPE modeling, the Project would result in 33.82 pounds per day per service population (“lbs/day/SP”) emissions. This exceeds both SCAG’s 2020 and 2035 targets of 21.3- and 18.8-lbs/day/SP, respectively, indicating that the Project is inconsistent with SB 375 and SCAG’s RTP/SCS.

**ii. SB 375 RTP/SCS Daily VMT Per Capita Target**

A “significant metric since the passage of SB 375” has been the reduction of vehicle miles traveled (“VMT”) from automobiles and light trucks per capita.<sup>18</sup> According to the SCAG, the land use strategies outlined in the RTP/SCS are designed to reduce GHGs and VMTs both regionally and county-wide, and provides projected VMT targets in the form of performance-based objectives.<sup>19</sup> Under the SCAG’s 2016 RTP/SCS, daily VMT per capita should decrease from 22.8 VMT in 2012 to 20.5 VMT by 2040 for the entire SCAG region. For Los Angeles County specifically, daily VMT per capita should drop from 21.5 to 18.4 VMT during that same period. Under the SCAG’s Draft 2020 RTP/SCS, daily VMT per capita in the SCAG region should decrease from 23.2 VMT in 2016 to 21.0 VMT by 2045 with daily VMT per capita in Los Angeles County should decrease from 22.2 to 19.6 VMT during that same period.<sup>20</sup>

<sup>18</sup> SCAG (Ap. 2016) 2016 RTP/SCS, Appendix Performance Measures, p. 12, 16, [http://scagrtpscsc.net/Documents/2016/final/f2016RTPSCS\\_PerformanceMeasures.pdf](http://scagrtpscsc.net/Documents/2016/final/f2016RTPSCS_PerformanceMeasures.pdf); see also 2016 RTP/SCS, p. 160, 180, <http://scagrtpscsc.net/Documents/2016/final/f2016RTPSCS.pdf>.

<sup>19</sup> *Ibid*, p. 167.

<sup>20</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, pp. 132, [https://www.connectsocial.org/Documents/Draft/dConnectSoCal\\_Draft-Plan.pdf](https://www.connectsocial.org/Documents/Draft/dConnectSoCal_Draft-Plan.pdf).



Here, however, the SPCE fails to consider any of the abovementioned performance-based VMT targets.

In order to evaluate consistency with the RTP/SCS’s performance-based VMT reduction targets, SWAPE calculated the Project’s VMT from passenger and light duty vehicles (calculations attached hereto as Exhibit A). First, annual VMTs from passenger automobile and light-duty vehicle were calculated based on the CalEEMod default fleet mix, converted into daily VMT, and divided by the estimated service population of 413. The below table shows the daily VMT per capita for the Project based on SWAPE’s modeling (see table below and Attachment C).

<b>Daily VMT Per Capita from Passenger &amp; Light-Duty Trucks, Exceedances under RTP/SCS Performance-Based SB 375 Target</b>	
<b>Sources</b>	<b>Project</b>
	<b>SWAPE Modeling</b>
Annual VMT from Auto & Light-Duty Vehicles	5,305,391
Daily VMT from Auto & Light-Duty Vehicles	14,535
Service Population	413
Daily VMT Per Capita	35.19
<b>2016 RTP/SCS Benchmarks, SCAG-Wide</b>	
22.8 VMT (2012 Baseline) Exceed?	<b>Yes</b>
20.5 VMT (2040 Target) Exceed?	<b>Yes</b>
<b>2016 RTP/SCS Benchmarks, Los Angeles County</b>	
21.5 VMT (2012 Baseline) Exceed?	<b>Yes</b>
18.4 VMT (2040 Target) Exceed?	<b>Yes</b>
<b>2020 RTP/SCS Benchmarks, SCAG-Wide</b>	
23.2 VMT (2016 Baseline) Exceed?	<b>Yes</b>
21.0 VMT (2045 Target) Exceed?	<b>Yes</b>
<b>2020 RTP/SCS Benchmarks, Los Angeles County</b>	
22.2 VMT (2016 Baseline) Exceed?	<b>Yes</b>
19.6 VMT (2045 Target) Exceed?	<b>Yes</b>

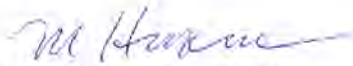
As shown in the above table, based on a service population of 413, the Project would result in 35.19 daily VMT per capita from passenger auto and light-duty truck vehicles. This exceeds the SCAG targets under the 2016 RTP/SCS, including the 22.8 daily VMT 2012 baseline benchmark and 20.5 daily VMT 2040 target provided in the RTP/SCS. Furthermore, the Project’s 35.19 daily VMT per capita exceeds baseline and target year benchmarks specific to Los Angeles County under the 2016 RTP/SCS. Similarly, the Project would exceed all SCAG and Los Angeles County specific benchmarks and targets under SCAG’s Draft 2020 RTP/SCS. Thus, based on SWAPE’s modeling, the Project would exceed both the 2012 and 2016 baseline VMT per capita values as well as both the 2040 and 2045 VMT per capita targets for



both Los Angeles County and the SCAG region as a whole, indicating that the Project conflicts with the 2016 RTP/SCS and SB 375.

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

## EXHIBIT A

**GHG CALCUALTIONS: SWAPE PROJECT**

Line (L)	Value	Unit
<b>VMT Per Vehicle Type</b>		
1	6,669,438	Project Total VMT
<b>Total Annual GHG Emissions</b>		
2	23.315	Amortized Emissions (MT CO2e/year) from Construction (CalEEMod Output, Tbl. 2.1, Mitigated Construction [Calc: (Total Construction Emissions) / (30 years)])
3	4562.998	Emissions (MT CO2e/year) from Operations (CalEEMod Output, Tbl. 2.2, Mitigated Operational)
4	4,585.31	Total Emissions (MT CO2e/year) from Construction + Operation
<b>Total Emissions From Passenger and Light Duty Vehicles</b>		
5	2,907.27	Mobile Emissions (MT CO2e/year) (CalEEMod Output, Tbl. 2.2, Mitigated Operational).
6	6,669,438	Project Total VMT (see L1)
7	79.55%	Passenger and Light-Duty VMT Fleet Mix
8	5,305,391	VMT from Passenger & Light-Duty Vehicles**** [Calc: (L6*L7)]
9	2,312.67	Passenger and Light Duty Vehicle Emissions (MT CO2e/year) [Calc: (L5*L7)]
10	13,968.65	Passenger and Light-Duty Vehicle Emissions (Total lbs CO2e/day) [Calc: (L9 converted into lbs) / (365 days)]
11	413	Service Population [346 residents + 67 long-term jobs]
12	33.82	Per Service Population Emissions (lbs CO2e/day/SP)
<b>Daily VMT Per Capita From Passenger and Light Duty Vehicles</b>		
13	5,305,391	VMT from Passenger & Light-Duty Vehicles**** (see L8)
14	14,535	Daily VMT from Passenger & Light-Duty Vehicles
15	413	Service Population [346 residents + 67 long-term jobs]
16	35.19	Daily VMT Per Capita [(Calc: L14/L15)]

## **EXHIBIT B**

CO <sub>2</sub> e Per Capita Emissions from Passenger & Light-Duty Trucks,	
Exceedances under RTP/SCS Performance-Based SB 375 Goals	
Sources	Project
	SWAPE Modeling
Annual Mobile Emissions (MT CO <sub>2</sub> e/year)	2,907.27
Passenger & Light-Duty Fleet Mix (%)	79.55%
Daily CO <sub>2</sub> e Emissions (lbs/day)	13,968.65
Service Population	413
<b>Per Capita Emissions (lbs/day)</b>	<b>33.82</b>
21.3 lbs/day/SP (2020 Goal) Exceeded?	<b>Yes</b>
18.8 lbs/day/SP (2035 Goal) Exceeded?	<b>Yes</b>



**EXHIBIT C**

<b>Daily VMT Per Capita from Passenger &amp; Light-Duty Trucks, Exceedances under RTP/SCS Performance-Based SB 375 Target</b>	
<b>Sources</b>	<b>Project</b>
	<b>SWAPE Modeling</b>
Annual VMT from Auto & Light-Duty Vehicles	5,305,391
Daily VMT from Auto & Light-Duty Vehicles	14,535
Service Population	413
Daily VMT Per Capita	35.19
<b>2016 RTP/SCS Benchmarks, SCAG-Wide</b>	
22.8 VMT (2012 Baseline) Exceed?	<b>Yes</b>
20.5 VMT (2040 Target) Exceed?	<b>Yes</b>
<b>2016 RTP/SCS Benchmarks, Los Angeles County</b>	
21.5 VMT (2012 Baseline) Exceed?	<b>Yes</b>
18.4 VMT (2040 Target) Exceed?	<b>Yes</b>
<b>2020 RTP/SCS Benchmarks, SCAG-Wide</b>	
23.2 VMT (2016 Baseline) Exceed?	<b>Yes</b>
21.0 VMT (2045 Target) Exceed?	<b>Yes</b>
<b>2020 RTP/SCS Benchmarks, Los Angeles County</b>	
22.2 VMT (2016 Baseline) Exceed?	<b>Yes</b>
19.6 VMT (2045 Target) Exceed?	<b>Yes</b>

SOURCES

\*\*\*\*

**VMT from Passenger & Light-Duty Vehicles (Line 8)**

Land Use [a]	Mitigated Annual VMT [a]	Autos & Light-Duty Vehicles (LDA)	
		Fleet Mix % [b]	VMTs [c]
<b>Project (SWAPE Modeling)</b>			
Apartments Mid Rise	2,687,590	79.55%	2,137,919
City Park	4,728	79.55%	3,761
Enclosed Parking with Elevator	-	79.55%	-
Hotel	2,343,135	79.55%	1,863,912
Quality Restaurant	1,633,985	79.55%	1,299,799
<b>Total</b>	<b>6,669,438</b>		<b>5,305,391</b>

Notes:

[a] CalEEMod Output, Tbl. 4.2 Trip Summary Information

[b] CalEEMod Output, Tbl. 4.4 Fleet Mix

[c] Calculated: (Mitigated Annual VMT) x (LDA, LDT1, LDT2 Percentage)



Technical Consultation, Data Analysis and  
Litigation Support for the Environment

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## **Matthew F. Hagemann, P.G., C.Hg., QSD, QSP**

**Geologic and Hydrogeologic Characterization  
Investigation and Remediation Strategies  
Litigation Support and Testifying Expert  
Industrial Stormwater Compliance  
CEQA Review**

### **Education:**

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.

B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

### **Professional Certifications:**

California Professional Geologist

California Certified Hydrogeologist

Qualified SWPPP Developer and Practitioner

### **Professional Experience:**

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 – 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

**Senior Regulatory and Litigation Support Analyst:**

With SWAPE, Matt’s responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 150 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt’s duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.



- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

**Executive Director:**

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

**Hydrogeology:**

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nationwide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

### **Policy:**

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, *Oxygenates in Water: Critical Information and Research Needs*.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

principles into the policy-making process.

- Established national protocol for the peer review of scientific documents.

### **Geology:**

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

### **Teaching:**

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

### **Invited Testimony, Reports, Papers and Presentations:**

**Hagemann, M.F.**, 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

**Hagemann, M.F.**, 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

**Hagemann, M.F.**, 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Colorado.

**Hagemann, M.F.**, 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

**Hagemann, M.F.**, 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

**Hagemann, M.F.**, 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

**Hagemann, M.F.**, 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

**Hagemann, M.F.**, 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

**Hagemann, M.F.**, 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

**Hagemann, M.F.**, 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

**Hagemann, M.F.**, 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

**Hagemann, M.F.**, 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

**Hagemann, M.F.**, 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

**Hagemann, M.F.**, 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

**Hagemann, M.F.**, 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

**Hagemann, M.F.**, 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

**Hagemann, M.F.**, 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

**Hagemann, M.F.**, 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

**Hagemann, M.F.**, 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

**Hagemann, M.F.**, 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

**Hagemann, M.F.**, and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

**Hagemann, M.F.**, 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

**Hagemann, M.F.**, 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

**Hagemann, M.F.**, and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

**Hagemann, M.F.**, Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

**Hagemann, M. F.**, Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

**Hagemann, M.F.**, 1994. Groundwater Characterization and Clean up at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

**Hagemann, M.F.** and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

**Hagemann, M.F.**, 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

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**Hagemann, M.F.**, 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

**Other Experience:**

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

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***Paul Rosenfeld, Ph.D.****Principal Environmental Chemist***Chemical Fate and Transport & Air Dispersion Modeling****Risk Assessment & Remediation Specialist****Education**

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

**Professional Experience**

Dr. Rosenfeld has over 25 years' experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from unconventional oil drilling operations, oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, and many other industrial and agricultural sources. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at dozens of sites and has testified as an expert witness on more than ten cases involving exposure to air contaminants from industrial sources.

## **Professional History:**

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner  
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)  
UCLA School of Public Health; 2003 to 2006; Adjunct Professor  
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator  
UCLA Institute of the Environment, 2001-2002; Research Associate  
Komex H<sub>2</sub>O Science, 2001 to 2003; Senior Remediation Scientist  
National Groundwater Association, 2002-2004; Lecturer  
San Diego State University, 1999-2001; Adjunct Professor  
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager  
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager  
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor  
King County, Seattle, 1996 – 1999; Scientist  
James River Corp., Washington, 1995-96; Scientist  
Big Creek Lumber, Davenport, California, 1995; Scientist  
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist  
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

## **Publications:**

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health*. 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P.**, (2015) Modeling the Effect of Refinery Emission On Residential Property Value. *Journal of Real Estate Research*. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.**, Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

**Rosenfeld, P.E.** & Feng, L. (2011). *The Risks of Hazardous Waste*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution*, 123 (17), 319-327.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

**Rosenfeld, P.E.**, J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

**Rosenfeld, P. E.**, M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

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**Rosenfeld, P.E.**, and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

**Rosenfeld P. E.**, J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004*. New Orleans, October 2-6, 2004.

**Rosenfeld, P.E.**, and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

**Rosenfeld, P.E.**, and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

**Rosenfeld, P. E.**, Grey, M. A., Sellev, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

**Rosenfeld, P.E.**, Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS-6), Sacramento, CA Publication #442-02-008.

**Rosenfeld, P.E.**, and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

**Rosenfeld, P.E.**, and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality*. 29, 1662-1668.

**Rosenfeld, P.E.**, C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

**Rosenfeld, P.E.**, and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

**Rosenfeld, P.E.**, and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and **P. Rosenfeld**. (1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

**Rosenfeld, P. E.** (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

**Rosenfeld, P. E.** (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

**Rosenfeld, P. E.** (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

**Rosenfeld, P. E.** (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

**Rosenfeld, P. E.** (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

## **Presentations:**

**Rosenfeld, P.E.**, Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society*. Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

**Rosenfeld, P.E.** (April 19-23, 2009). Perfluorooctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

**Rosenfeld, P.E.** (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States” Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

**Rosenfeld, P. E.** (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23<sup>rd</sup> Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

**Rosenfeld, P. E.** (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23<sup>rd</sup> Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

**Rosenfeld, P. E.** (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23<sup>rd</sup> Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

**Rosenfeld P. E.** (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

**Rosenfeld P. E.** (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florida, Alabama. *The AEHS Annual Meeting*. Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition*. Lecture conducted from Boston Massachusetts.

**Paul Rosenfeld Ph.D.** (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference*. Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

**Paul Rosenfeld Ph.D.** (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

**Paul Rosenfeld Ph.D.** (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel in Irvine, California.

**Paul Rosenfeld Ph.D.** (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference*. Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

**Paul Rosenfeld Ph.D.** (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

**Paul Rosenfeld Ph.D.** (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

**Paul Rosenfeld Ph.D.** (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

**Paul Rosenfeld, Ph.D.** and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

**Paul Rosenfeld, Ph.D.** (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.



**Paul Rosenfeld, Ph.D.** (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

**Rosenfeld, P. E.**, Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

**Paul Rosenfeld, Ph.D.** and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants..* Lecture conducted from Hyatt Regency Phoenix Arizona.

**Paul Rosenfeld, Ph.D.** (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

**Paul Rosenfeld, Ph.D.** (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

**Rosenfeld, P.E.** and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

**Rosenfeld, P.E.** and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

**Rosenfeld, P.E.** and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington.

**Rosenfeld, P.E.** and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conference*. Lecture conducted from Indianapolis, Maryland.

**Rosenfeld, P.E.** (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation*. Lecture conducted from Anaheim California.

**Rosenfeld, P.E.** (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest*. Lecture conducted from Ocean Shores, California.

**Rosenfeld, P.E.** (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

**Rosenfeld, P.E.**, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

**Rosenfeld, P.E.**, and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

**Rosenfeld, P.E.**, C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell*. Lecture conducted from Seattle Washington.

**Rosenfeld, P.E.**, C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest*. Lecture conducted from Lake Chelan, Washington.

**Rosenfeld, P.E.**, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

**Rosenfeld, P.E.**, C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

## **Teaching Experience:**

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

## **Academic Grants Awarded:**

California Integrated Waste Management Board. \$41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: \$10,000 grant awarded to San Diego State University. Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. \$100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. \$20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: \$10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: \$15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. \$500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

**Exhibit E: Photos of the Alley taken by Appellant Margaret Flores**







A person wearing a purple hoodie and grey shorts is walking across the road.

A black Hyundai car with license plate AMTE614 is stopped in the middle of the road.

A black SUV is parked behind a wall. A sign on its roof reads "ASSIGNED SEAT" and "CUREY".

A dark sedan is partially visible on the right side of the road.

The rear of a white car is visible on the left side of the road.

ASSIGNED SEAT  
CUREY

AMTE614























**Exhibit F: Letter of Jason Asch, 10-22-19 in Opposition to Project, Detailing Circulation Issues Posed by Project (see page 2 of letter)**

October 22, 2019

**VIA EMAIL**

To: Michelle Carter  
michelle.carter@lacity.org

Re: **Letter of Opposition to 638 S. La Brea Avenue, Hotel Mixed Use Project**

Dear Michelle,

My name is Jason Asch and I am the owner of Diamond Foam and Fabric, which has occupied several buildings adjacent to the hotel mixed-used project at 638 S. La Brea Avenue for the past 35 years. Commencing in 1984, and until very recently, I owned the warehouse buildings at 611-617 S. La Brea Avenue, immediately adjacent to the proposed development. I am currently a tenant at 623 and 627 S. La Brea, where part of my business is still in operation. As such, I have years of experience with the traffic circulation and parking conditions in the immediate area of the proposed project. I also have considerable experience with the proponents of the project, Cohen Goldstein Investment Strategies ("CGI").

To say that I have grave concerns about the project as currently proposed is an understatement. Let's start with the parking issues. It is clear that 199 total parking spaces are grossly insufficient to accommodate users of the finished hotel mixed-use project. Already, street parking for area residents and local businesses is extremely limited. There is a marijuana store on the northwest corner of 6<sup>th</sup> Street and La Brea Avenue with no parking, as well as a Brewery on the southeast corner of 6<sup>th</sup> Street and La Brea with no parking. Further, street parking on La Brea is prohibited between 4:00 and 6:00 p.m. to accommodate heavy rush hour traffic, and once parking is permitted at 6:00 p.m., the spaces are swooped up by valets parking cars for nearby restaurants. In addition, when the La Brea Metro Station is operational, commuters will need somewhere to park in order to take the Metro.

If CGI's proposal is accepted as currently proposed, with its grossly insufficient parking spaces, the project will commandeer every square inch of street parking left (if any) and make living and working in the area unsustainable. The project should be modified to increase the availability of parking on the property, perhaps including a motor court between the hotel lobby and residential lobby, and an off-site parking lot

sufficient to accommodate all guests, as opposed to monopolizing what little parking is still available to the public in the area.

Another glaring problem with the proposed project is its unrealistic reliance on what is essentially a one-lane alley between La Brea Avenue and Detroit Street to handle the significant flow of traffic arriving and departing from the project's lobby areas and subterranean parking area. The narrow alley in question is already overburdened by cars entering and exiting the residential parking garages serving apartments on Detroit Street and cars exiting the businesses along La Brea Avenue from the rear. As a person who has used that alley several times a day for 35 years, I can attest to the fact that even without additional traffic from the proposed project, use of that alley as an exit is problematic in both directions.

It is difficult for two cars traveling in opposite directions down the alley to pass each other. Usually, one car needs to pull over and wait. Moreover, when traveling north up the alley, it is difficult to enter the flow of traffic on 6<sup>th</sup> Street (even to turn right) because vehicles waiting for the light on 6<sup>th</sup> and La Brea are typically backed up on 6<sup>th</sup> Street past the alley. After waiting for traffic at the light to start moving, turning right is eventually possible, but turning left is nearly impossible due to the oncoming traffic. (It is also prohibited during rush hour). The result will likely be that traffic exiting from the proposed project will back up, causing delays and blocking resident's access to their garages, and eventually flow onto 6<sup>th</sup> Street going east, and then south onto La Brea Avenue.

Traveling south down the alley from the proposed project to Detroit (a one-way street with parking on both sides of the street), motorists can only turn right from the alley, sending them north on Detroit and then onto 6<sup>th</sup> street, thereby increasing the line-up of traffic on 6<sup>th</sup> Street and the flow of traffic onto La Brea Avenue going south. Based upon my years of experience using this alley, I believe that the traffic circulation plan surrounding the project, as currently proposed, will lead to impenetrable gridlock in the area of 6<sup>th</sup> and La Brea.

During rush hour, cars traveling on 6th from either direction are prohibited from turning left on La Brea. Over the years, I have seen numerous traffic accidents resulting from people ignoring this rule and turning left onto La Brea across oncoming traffic. I believe that the proposed project, with its reckless plan for funneling outgoing traffic onto 6th Street will result in a massive increase in traffic congestion at that intersection and the resulting driver frustration will give rise to more illegal left turns and traffic collisions.

Another concern that should be investigated before this project is approved is that it is being built in an existing methane zone. I know this because I have previously explored building in the area and have been advised that that west side of La Brea Avenue is a methane area, which may prohibit subterranean parking. The proposed project assumes that subterranean parking is permissible in the area, which many not be the case. The issue should be thoroughly investigated before approval of the plan so that there are no surprise changes to the project once it is underway.

In sum, the current design proposal threatens the viability of existing businesses and residences as well as public safety and sanity. The project as proposed is short-sighted and reckless. It puts a big developer's greed above the interests of the existing community. It needs to be seriously reconsidered, researched and redesigned with the interests of the broader public in mind.

Best,

Jason Asch













## **Deposition and/or Trial Testimony:**

In the United States District Court For The District of New Jersey

Duarte et al. *Plaintiffs*, vs. United States Metals Refining Company et. al. *Defendant*.

Case No.: 2:17-cv-01624-ES-SCM

Rosenfeld Deposition. 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division

M/T Carla Maersk, *Plaintiffs*, vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS “Conti Perdido”  
*Defendant*.

Case No.: 3:15-CV-00106 consolidated with 3:15-CV-00237

Rosenfeld Deposition. 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica

Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants

Case No.: No. BC615636

Rosenfeld Deposition, 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica

The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants

Case No.: No. BC646857

Rosenfeld Deposition, 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado

Bells et al. Plaintiff vs. The 3M Company et al., Defendants

Case: No 1:16-cv-02531-RBJ

Rosenfeld Deposition, 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112<sup>th</sup> Judicial District

Phillip Bales et al., Plaintiff vs. Dow Agrosiences, LLC, et al., Defendants

Cause No 1923

Rosenfeld Deposition, 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa

Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants

Cause No C12-01481

Rosenfeld Deposition, 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois

Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants

Case No.: No. 0i9-L-2295

Rosenfeld Deposition, 8-23-2017

In The Superior Court of the State of California, For The County of Los Angeles

Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC

Case No.: LC102019 (c/w BC582154)

Rosenfeld Deposition, 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division

Brenda J. Cooper, et al., *Plaintiffs*, vs. Meritor Inc., et al., *Defendants*

Case Number: 4:16-cv-52-DMB-JVM

Rosenfeld Deposition: July 2017

In The Superior Court of the State of Washington, County of Snohomish  
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants  
Case No.: No. 13-2-03987-5  
Rosenfeld Deposition, February 2017  
Trial, March 2017

In The Superior Court of the State of California, County of Alameda  
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants  
Case No.: RG14711115  
Rosenfeld Deposition, September 2015

In The Iowa District Court In And For Poweshiek County  
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants  
Case No.: LALA002187  
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County  
Jerry Dovico, et al., Plaintiffs vs. Valley View Sine LLC, et al., Defendants  
Law No.: LALA105144 - Division A  
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County  
Doug Pauls, et al., et al., Plaintiffs vs. Richard Warren, et al., Defendants  
Law No.: LALA105144 - Division A  
Rosenfeld Deposition, August 2015

In The Circuit Court of Ohio County, West Virginia  
Robert Andrews, et al. v. Antero, et al.  
Civil Action NO. 14-C-30000  
Rosenfeld Deposition, June 2015

In The Third Judicial District County of Dona Ana, New Mexico  
Betty Gonzalez, et al. Plaintiffs vs. Del Oro Dairy, Del Oro Real Estate LLC, Jerry Settles and Deward  
DeRuyter, Defendants  
Rosenfeld Deposition: July 2015

In The Iowa District Court For Muscatine County  
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant  
Case No 4980  
Rosenfeld Deposition: May 2015

In the Circuit Court of the 17<sup>th</sup> Judicial Circuit, in and For Broward County, Florida  
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.  
Case Number CACE07030358 (26)  
Rosenfeld Deposition: December 2014

In the United States District Court Western District of Oklahoma  
Tommy McCarty, et al., Plaintiffs, v. Oklahoma City Landfill, LLC d/b/a Southeast Oklahoma City  
Landfill, et al. Defendants.  
Case No. 5:12-cv-01152-C  
Rosenfeld Deposition: July 2014



In the County Court of Dallas County Texas  
Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant*.  
Case Number cc-11-01650-E  
Rosenfeld Deposition: March and September 2013  
Rosenfeld Trial: April 2014

In the Court of Common Pleas of Tuscarawas County Ohio  
John Michael Abicht, et al., *Plaintiffs*, vs. Republic Services, Inc., et al., *Defendants*  
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)  
Rosenfeld Deposition: October 2012

In the United States District Court of Southern District of Texas Galveston Division  
Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs*, vs. BP Products North America, Inc., *Defendant*.  
Case 3:10-cv-00622  
Rosenfeld Deposition: February 2012  
Rosenfeld Trial: April 2013

In the Circuit Court of Baltimore County Maryland  
Philip E. Cvach, II et al., *Plaintiffs* vs. Two Farms, Inc. d/b/a Royal Farms, Defendants  
Case Number: 03-C-12-012487 OT  
Rosenfeld Deposition: September 2013

# **Exhibit C**

## **Zoning Administrator's Determination**

**(Case No. ZA-2019-1744-CU-  
MCUP-SPR-TOC)**

ESTINEH MAILIAN  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG  
HENRY CHU  
JONATHAN A. HERSHEY, AICP  
THEODORE L. IRVING, AICP  
CHARLES J. RAUSCH JR.  
CHRISTINA TOY LEE



ERIC GARCETTI  
MAYOR

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

planning.lactiy.org

January 15, 2021

Gidi Cohen (A) (O)  
La Brea Bliss, LLC  
6300 Canoga Avenue, #1100  
Woodland Hills, CA 91367

Dana Sayles (R)  
ThreeSixty  
11287 West Washington Boulevard  
Culver City, CA 90230

CASE NO. ZA-2019-1744-CU-MCUP-SPR-TOC  
TRANSIT ORIENTED COMMUNITIES AFFORDABLE  
HOUSING INCENTIVE PROGRAM, CONDITIONAL  
USE AND SITE PLAN REVIEW

Related Case: VTT-82618-CN

623 – 671 South La Brea Avenue

Wilshire Planning Area

Zone : C2-1

C.D. : 4 - David E. Ryu

D.M. : 135B181

CEQA : ENV-2019-1736-SCPE

Legal Description: Lots 38 - 49; Tract 5273

### Sustainable Communities Project CEQA Exemption

The City of Los Angeles City Council determined at its October 14, 2020 meeting that based on the whole of the administrative record, the Project is statutorily exempt from CEQA as a Sustainable Communities Project ("SCP") pursuant to PRC 21155.1.

### DETERMINATION – Transit Oriented Communities Affordable Housing Incentive Program

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22-A,31, I hereby:

**Approve** an 80% increase in density consistent with the provisions of the Transit Oriented Communities Affordable Housing Incentive Program along with the following two (2) incentives for a Tier 4 project with a total of 121 dwelling units, including 14 units reserved for Extremely Low Income (ELI) Household occupancy for a period of 55 years;

- a. **Setbacks.** To permit the use of all of the yard requirements for the RAS3 Zone;
- b. **Open Space.** To permit a 25% reduction in the required open space;

### DETERMINATION – Site Plan Review

Pursuant to the LAMC Section 16.05, I have reviewed the proposed project and I hereby:

**Conditionally Approve** a Site Plan Review for the construction, use and maintenance of a new, eight-story, mixed-use building with 121 dwelling units, 125 hotel guestrooms, and 13,037 square feet of commercial space in the C2-1 Zone;

**DETERMINATION – Conditional Use**

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a Master Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site and off-site consumption; and

Pursuant to Los Angeles Municipal Code Section 12.24-W, 24, I hereby APPROVE:

a Conditional Use to permit a hotel within 500 feet of a residential zone.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

## CONDITIONS OF APPROVAL

### Transit Oriented Communities Affordable Housing Incentive Program Conditions

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.22-A,31, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Base Incentives.**
  - a. **Residential Density.** The project shall be limited to a maximum density of 121 residential units, including On-site Restricted Affordable Units.
  - b. **Floor Area Ratio (FAR).** The project is permitted to a maximum FAR of 4.25 to 1 for the dwelling units in the C2-1 Zone.
  - c. **Parking.**
    - i. **Automobile Parking.** The project shall provide a minimum of zero automobile parking spaces per unit.
    - ii. **Bicycle Parking.** Bicycle parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the bicycle parking requirements has been requested or granted herein.
    - iii. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth pursuant to LAMC Section 12.22-A,25.
    - iv. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by HCIDLA.
3. **Additional Incentive.**
  - a. **Setbacks.** The project shall be permitted the use of any or all of the yard requirements for the RAS3 Zone.





9. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping.
10. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
11. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
12. **Parking.**
  - a. **Automobile Parking.** The project shall provide a total of 185 parking spaces.
  - b. **Bicycle Parking.** The project shall provide a total of 110 long-term and 48 short-term bicycle parking spaces.
13. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
14. **Solar Panels.** Solar panels shall be installed on the project's rooftop space to be connected to the building's electrical system. A minimum 15% of the roof area shall be reserved for the installation of a solar photovoltaic system, to be installed prior to the issuance of a certificate of occupancy, in substantial conformance with the plans stamped "Exhibit A".

### **Sustainable Communities Project CEQA Exemption Conditions**

15. **Density.** The project shall be limited to a maximum density of 200 residential dwelling units in compliance with the requirements for a Sustainable Communities Project as required by Public Resources Code (PRC) Section 21155.1.
16. **Sustainability.** The buildings shall be a minimum of 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region.
17. **Affordability.**
  - a. At least 20 percent of the housing will be sold to families of moderate income, or not less than 10 percent of the housing will be rented to families of low income, or not less than 5 percent of the housing is rented to families of very low income, or
  - b. The transit priority project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.

18. **Cultural Resources.** Prior to the commencement of ground disturbing activities, a Cultural Resources Monitoring Plan (Monitoring Plan) shall be prepared. The Monitoring Plan shall include, but not be limited to, monitoring protocol for ground-disturbing activities; a construction worker training program; and discovery and processing protocol for inadvertent discoveries of cultural resources or Tribal Cultural Resources. The plan shall identify the areas of sensitivity determined for cultural resources and Tribal Cultural Resources that require monitoring and detail a protocol for determining circumstances in which additional, or reduced levels of monitoring (e.g., spot checking) may be appropriate. Specifically, the Monitoring Plan shall include a framework for assessing the geoarchaeological setting to determine whether undisturbed sediments (i.e., 'native' sediments) capable of preserving archaeological remains are present adjacent to or beneath those sediments disturbed by urban development, and the depth at which these sediments would no longer be capable of containing archaeological material and thereby cease to require an archaeological monitoring to be present. Because of the overall sensitivity for archaeological resources affiliated with Native American occupation, the Monitoring Plan shall consider the extent of existing disturbances and determine the presence of cultural resources within those or surrounding native sediments. The plan shall identify the process for contacting tribal groups in the event of inadvertent discovery of archaeological resources, Tribal Cultural Resources, or human remains.
19. **Archaeological Resources.** In the event that archaeological resources (sites, features, artifacts, or fossilized material) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified specialist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.
20. **Dewatering and Groundwater Management Plan.**
- A Dewatering and Groundwater Management Plan (DGMP) shall be prepared and implemented to provide a framework under which work can proceed safely and contaminated groundwater can be properly handled, treated, and disposed of at a licensed disposal facility. Proper handling of the contaminated groundwater would be required regardless of the contamination source.
  - In the unlikely event that contaminated groundwater is discovered, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) prior to the issuance of a use of land or building permit, or issuance of a change of occupancy.
21. **Asbestos-Containing Materials and Lead-Based Paint.**
- Disturbance of any ACM material would be handled in accordance with applicable local and state regulations (which include SCAQMD Rule 1403 and Cal/OSHA Asbestos Construction Standard Title 8 CCR 1529).

- Disturbance of any LBP materials would be handled in accordance with CDPH regulations in residential or public buildings and the US Department of Housing and Urban Development (HUD) and 2010 Toxic Substances Control Act (TSCA) Renovation, Repair and Painting Rule (RRP) in pre-1978 target housing and child-occupied facilities. DOSH or Cal/OSHA requirements must also be followed where employees may be occupationally exposed to lead.
22. **Methane Report.** Due to the potential environmental risk associated with construction in Methane Buffer Zones, a Methane Assessment Report shall be conducted prior to the redevelopment of the Project Site.
23. **Construction Management Plan.**
- A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
  - All delivery truck loading and unloading shall take place on site.
  - The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
  - Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
  - Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
  - The Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
24. Construction and Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
25. To the maximum extent possible, demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
26. The project contractor shall use power construction equipment with noise shielding and muffling devices.

27. The project contractor shall erect a temporary noise-attenuating sound barrier along the perimeter of the Project Site. The sound wall shall be a minimum of 8 feet in height to block the line-of-site of construction equipment and off site receptors at the ground level. The sound barrier shall include  $\frac{3}{4}$  inch plywood or other sound absorbing material capable of achieving a 10-dBA reduction in sound level.
28. During structural framing, the project contractor shall utilize temporary portable acoustic barriers, partitions, or acoustic blankets to effectively block the line-of-sight between noise producing equipment and the adjacent residential land uses for purposes of ensuring noise levels at the adjacent residential land uses does not exceed 5 dBA over the ambient noise levels.
29. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels. Any reasonable complaints shall be rectified within 24 hours of their receipt.
30. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
31. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

### **Administrative Conditions**

32. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
33. **Covenant.** Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.



34. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
35. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
36. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
37. **Department of Building & Safety.** The granting of this determination does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
38. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
39. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
40. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
41. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

#### **Conditional Use and Master Conditional Use Permit Conditions**

42. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

43. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
44. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
45. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
46. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with 3,855 square feet of proposed hotel club/pool deck on the roof deck; a 4,392 square feet of proposed hotel restaurant on the ground floor; 1,813 square feet of hotel lobby area and the sale of a full line of alcoholic beverages for on-site and off-site consumption in conjunction with 8,645 square feet of the proposed restaurant/retail space on the ground floor. The total combined maximum floor area of the restaurant and retail tenant spaces shall not exceed 13,037 square feet of interior floor area.
47. **Hours.** Hours of operation for all the restaurants shall be limited from 7:00 a.m. to 2:00 a.m., daily.
48. **Master Plan Approval (MPA) Requirement.** Each individual tenant shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization. The purpose of the Master Plan Approval determination is to review the mode and character of each proposed establishment in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application.
49. A camera surveillance system shall be installed to monitor the interior, entrance, exits and exterior areas and all common areas on the premises. Recorded tapes/images shall be maintained for a minimum period of 30 days.
50. Any music, sound or noise which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible beyond the subject premises. At any time during the term of the grant a City inspector may visit the site during operating hours to measure the noise levels using a calibrated decibel/sound level meter. If, upon inspection, it is found that the noise level exceeds those allowed by the Citywide Noise Ordinance, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
51. There shall be no admission or cover charge required to enter any of the authorized restaurant premises.

52. The applicant(s) shall comply with Section 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting ashes or cigarette/cigar butts within the interior of the premises.
53. Lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible within the establishment.
54. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
55. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
56. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
57. All tenants of the premises authorized herein shall be provided with a copy of these conditions which shall also be referenced in any lease or contract and which shall be maintained and posted on the premises and available upon request by any enforcement agency.

#### **ADMINISTRATIVE CONDITIONS**

58. **MViP – Monitoring Verification and Inspection Program**. Prior to the effectuation of this grant, fees required per L.A.M.C section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City. At anytime a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file. The owner/operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
59. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
60. At any time during the period of validity of this grant, if it is determined that the operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application together with associated fees. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as

conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

61. A covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.

62. **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. Actions include 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.

### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, West Los Angeles Development Services Center, or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (310) 231-2901, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.



Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

### **TRANSFERABILITY**

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

### **APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **FEBRUARY 1, 2021**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

**Development Services Center-Metro**  
 Figueroa Plaza  
 201 North Figueroa St, 4th Floor  
 Los Angeles, CA 90012  
 (213) 482-7077

**Development Services Center-Valley**  
 Valley Constituent Service Center  
 6262 Van Nuys Boulevard, Room 251  
 Van Nuys, CA 91401  
 (818) 374-5050

**Development Services Center-  
 West Los Angeles**  
 1828 Sawtelle Blvd. 2<sup>nd</sup> Floor  
 Los Angeles, CA. 90025  
 (310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

### NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the staff assigned to this case. 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. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on October 23, 2019, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use approval under the provisions of Section 12.24-W have been established by the following facts:

### **BACKGROUND**

The subject property is comprised of 12 contiguous lots consisting of 47,323 net square feet of lot area having a frontage of 440 feet along La Brea Avenue and a frontage of 440 feet along the alley and a lot depth of 105 feet. The subject property is currently developed with commercial buildings and surface parking. A portion of the subject property (Lot 49) is currently controlled by MTA during the construction of the Wilshire/La Brea train station and will revert back to the control of the property owner at the completion of construction.

The subject property is zoned C2-1 within the Wilshire Community Plan with a General Commercial land use designation and is located within Transit Oriented Communities (TOC), Tier 4 area. The site is located 4.09 kilometers from the Puente Hills Blind Thrust Fault. The site is not located within a flood zone, a liquefaction area a landslide, or a Special Grading Area; however, the site is located in a Methane Zone.

The proposed project includes the demolition of the existing commercial buildings and the construction, use, and maintenance of a new eight-story, 201,123 square-foot mixed-use building with 121 residential dwelling units and 125 hotel guest rooms. The proposed project will include a total 18 dwelling units set aside for Extremely Low Income Households (or 15% of the proposed density) and one (1) unit set aside for Moderate Income Households as the applicant has volunteered to provide an additional four (4) units for Extremely Low Income Households and one (1) unit for Moderate Income Households. The building will be constructed with seven (7) residential and hotel levels above one (1) level of ground floor residential and hotel lobbies and commercial uses and two (2) levels of subterranean parking. The project includes six (6) three-bedroom units, 37 two-bedroom units, 78 one-bedroom units, 13,037 square feet of commercial space and a total of 10,921 square feet of open space. The proposed project includes 130,138 square feet of residential space and

70,985 square feet of hotel/commercial/retail space. As proposed the project includes a total of approximately 201,123 square feet of floor area, resulting in a FAR of 4.25:1.

The project will provide 185 vehicle parking spaces within one (1) level of ground floor and two (2) levels of subterranean parking. The project will also provide a total of 158 bicycle parking spaces including 110 long-term spaces and 48 short-term spaces. Vehicular access to the site is provided via two (2) driveways along La Brea Avenue, one (1) ingress-only driveway and one (1) ingress/egress driveway with access to the subterranean parking. Two (2) points of access are via the public alley, one (1) egress-only and one (1) ingress/egress with access to the subterranean parking. Pedestrian access to the hotel and residential lobbies is located off of La Brea Avenue.

The project is located in Tier 4 of a Transit Oriented Communities Incentive Area and therefore, pursuant to the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines), by setting aside 11% of the total number of dwelling units for Extremely Low Income Households, the project is eligible for the Base Incentives (Residential Density, Floor Area Ratio, and Automobile Parking), and by setting aside 11% of the base number of dwelling units the project is entitled to three (3) Additional Incentives. The request includes two (2) Additional Incentives.

The subject property is zoned C2-1 which allows a residential density of one (1) dwelling unit per 400 square feet of lot area. Additionally, the zone allows for a guest room density of one (1) guest room per 200 square feet of lot area. The project proposes to utilize 25,000 square feet of lot area for the purposes of calculating the total number of guest rooms which is 125 guest rooms (25,000 square feet of lot area divided by 200 square feet). The remaining 26,886 square feet of lot area is used for calculating the density of residential units which allows for 68 base units (26,886 square feet of lot area divided by 400 square feet). Pursuant to the TOC Guidelines, the project is eligible for an 80% density increase from the base density the project is permitted a maximum of 234 total residential units. The allowance of an 80% increase in base residential units (68 units) pursuant to the TOC Guidelines allows for 123 residential units. The project proposes a total of 121 residential units and 125 guestrooms.

**Density Calculation**

Land Uses	Calculation	Density
<b>Multi-Family Residential</b>		
<b>Dwelling Units</b>	26,886 square feet 26,866/400 = 67.165 (68 base density) 68*80% = 54.4 (rounded up to 55 units) 68+55 = 123	123 units
<b>Commercial</b>		
<b>Hotel</b>	25,000 square feet (25,000/200 =125)	125 guestrooms
<b>(47,323 + 4,543 (½ of the abutting alley))</b>		<b>51,886 square feet</b>
<b>TOTAL LOT AREA</b>		

In addition, as the project is located in Tier 4, the project is eligible for the Base Incentive to allow a parking at a ratio of zero (0) parking spaces per unit, or no parking spaces for the residential units. The project is required to provide 67 parking code required parking spaces for the proposed hotel guest rooms. Additionally, the project may reduce the nonresidential parking by up to 40 percent or 78 parking spaces. The project includes a total of 185 automobile parking spaces and a total of 158 bicycle parking spaces (48 short-term and 110 long-term bicycle parking spaces) within the ground floor and two (2) levels of subterranean parking.

The Additional Incentives requested are found on the Menu of Incentives and include: 1) to permit the use of all of the yard requirements for the RAS3 Zone, and 2) to permit a 25% decrease in required open space.

## **SURROUNDING PROPERTIES**

Surrounding uses are within multiple residential and commercial zones and are generally developed with a combination of commercial and residential multi-family structures. The property to the north abutting the site is zoned C2-1 and is developed with two-story commercial building and associated parking. The properties to east across La Brea Avenue are zoned C2-1 and are developed with commercial uses and associated parking. The property to the south across the alley is zoned [Q]C4-2-CDO and is currently being improved with the future Metro Purple Line Wilshire/La Brea Station. The properties to the west across the alley are developed with multi-story multi-family residential building in the [Q]R4-1 zone.

## **STREETS**

La Brea Avenue, abutting the property to the east, is designated as an Avenue I dedicated to a width of 100 feet, and is improved with asphalt roadway, curb, gutter, concrete sidewalks, street trees, and on-site metered parking.

The alley 15-foot public alley is improved with asphalt roadway.

Previous relevant cases on the subject property:

Case No. VTT-82618-CN – The applicant filed a concurrent request for the subdivision of 12 lots into five (5) commercial condominium units, including one (1) residential condominium with 121 dwelling units, one (1) hotel condominium with 125 guest rooms, two (2) commercial retail condominiums, and one (1) parking condominium. On October 22, 2020, the Advisory Agency approved Vesting Tentative Tract Map No. 82618-CN located at 623-671 South La Brea Avenue, for the subdivision of 12 lots into five (5) commercial condominium units, including one (1) residential condominium with 121 dwelling units, one (1) hotel condominium with 125 guest rooms, two (2) commercial condominiums, and one (1) parking condominium, in the Wilshire Community Plan. The decision was subsequently appealed on October 30, 2020.

Cases on Surrounding Properties:

Case No. ZA-2018-540-CUB – On August 20, 2018, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant, located at 5115 West Wilshire Boulevard.

Case No. ZA-2017-1223-CUB – On July 24, 2017, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a new restaurant, located at 5400 West Wilshire Boulevard and 707 South Cloverdale Avenue.

Case No. ZA-2017-113-ZV-CUB – On June 14, 2017, the Zoning Administrator approved a Variance from Section 12.26-E,5 of the L.A.M.C. to allow code required parking spaces to be provided off-site by a lease agreement in lieu of a recorded covenant; and approved a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed restaurant and microbrewery, located at 600 South La Brea Avenue.

Case No. ZA-2012-3528-CUB-ZV – On October 24, 2013, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a restaurant and the sale and dispensing of beer and wine for off-site consumption in conjunction with the sale of gift and picnic baskets only; and, a conditional use to permit a deviation from the operating hours established by Section 12.22-A,23 of the Municipal Code for a Commercial Corner Development, and approved a Variance from Section 12.26-E to permit 18 required parking spaces to be provided off-site through a lease in lieu of a recorded covenant, located at 460 – 468 South La Brea Avenue.

Case No. ZA-2012-218-CUB – On August 21, 2012, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed new restaurant, located at 5358 West Wilshire Boulevard.

Case No. ZA-2011-1705-CUB – October 6, 2011, the Zoning Administrator approved a Conditional Use to permit the continued sale of beer and wine for on-site consumption in conjunction with the expansion of an existing restaurant from 2,000 square feet to 4,600 square feet, in the [T][Q]C4-2D Zone, located at 5115 Wilshire Boulevard.

Case No. ZA-2010-2498-CUB-CUX-ZV-ZAD – On August 11, 2011, the Zoning Administrator approved a request to permit continued sale and dispensing of a full line of alcoholic beverages for on-site consumption with patron dancing and entertainment, in conjunction with an existing restaurant/bar (Busby's); approved a Zone Variance from Section 12.16-A12(a)(4) to allow continued use of two pool/billiard tables and one bumper pool table; and a Variance from Section 12.16-A12(a)(8) to allow continued use of four arcade games in the C4 Zone; and dismissed a Zoning Administrator's Determination to allow shared parking with the adjacent restaurant, located at 5368-5370 Wilshire Boulevard since the applicant informed the Zoning Administrator that the subject premise complies with the parking requirements and a shared parking or other parking approval is not necessary, located at 5364 Wilshire Boulevard.

## **PUBLIC CORRESPONDENCE**

- Correspondences date October 30, 2019, January 14, 2020, January 24, 2020, and February 5, 2020 was received from Jamie Hall, on behalf of Unite Here Local 11, opposing the project and the associated environmental case.
- Correspondences dated October 22, 2019, January 3, 2020, January 13, 2020, and February 7, 2020, form Fix the City, opposing the proposed project.
- Email correspondence was received from Karen Bruce, on October 22, 2019, in opposition of the project.
- Letter dated October 22, 2019, was received from the Miracle Mile Residential Association in opposition of the proposed project.
- Letter dated October 22, 2019, from Jason Asch, opposing the proposed project with concerns regarding parking and other environmental concerns.
- Letter dated October 21, 2019, was received from Alyssa Ashton Shah, in opposition of the proposed project.
- Letter dated October 21, 2019, was received from Keith Nakata in opposition of the proposed project with concerns regarding parking, noise and lighting.
- Letter dated August 14, 2019, was received from Captain Timothy T. Nordquist, LAPD with recommended alcohol operation conditions if the proposed project is approved.
- Correspondence was received from the Mid City West Community Council in support of the application with recommended conditions.



- Phone call received from David McCauley, resident, with concerns regarding the size of the proposed building.
- Correspondence was received from Barbara Gallen with concerns regarding the proximity of the proposed hotel use to existing residential buildings and vehicular circulation throughout the site specifically ingress and egress and the impacts to the adjoining alley.
- Correspondence was received from Jeffrey Roth, resident, with concerns regarding potential noise and parking impacts.
- Correspondence was received from Jonathon Most, resident, with concerns about traffic impacts in the alley and parking.
- Email correspondence was received from David Brust, with concerns regarding the use of the alley by the proposed project.
- Email correspondence was received from Barbara Spicer, adjacent businessowner, in opposition stating that construction of the proposed project and other nearby construction will cause an “extreme inconvenience and stress and possible loss of business”.
- Approximately 500 email correspondences in opposition were received related to the environmental case ENV-2019-1736-SCPE (Council File – 19-1533) with concerns regarding misuse of TOC, creation of a “luxury” hotel and concerns that the City is rushing the environmental review process.
- Approximately, 25 email correspondences were received in support of the proposed project.

## **PUBLIC HEARING**

The joint Deputy Advisory Agency and Zoning Administrator public hearing was on October 23, 2019 at downtown Los Angeles City Hall. The public hearing was held by Nick Hendricks as the Deputy Advisory Agency and by Associate Zoning Administrator Fernando Tovar. The hearing was attended by the applicant, the applicant’s representative, and members of the public.

## **TRANSIT ORIENTED COMMUNITIES**

Pursuant to the voter-approved Measure JJJ, Los Angeles Municipal Code (LAMC) 12.22-A,31 was added to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program (TOC Program). The Measure requires the Department of City Planning to create TOC Affordable Housing Incentive Program Guidelines (TOC Guidelines) for all Housing Developments located within a ½-mile (or 2,640-foot) radius of a Major Transit Stop. These Guidelines provide the eligibility standards, incentives, and other necessary components of the TOC Program consistent with LAMC 12.22-A,31.

A qualifying TOC Project shall be granted Base Incentives with regard to increased residential density, increased floor area ratio, and reduced automobile parking requirements. In addition to these Base Incentives, an eligible project may be granted Additional Incentives with regard to yards and setbacks, open space, lot coverage, lot width, averaging, density calculation, height, and developments in public facilities zones. Up to three (3) Additional Incentives may be granted in exchange for providing the requisite set aside of affordable housing as enumerated in the TOC Guidelines.

The proposed project is located less than a ½ mile from the future Wilshire Boulevard/La Brea Avenue Los Angeles Metro Purple Line Rail station and is therefore defined as a Major Transit Stop. Furthermore, as the project will set aside 11% of the total number of units for Extremely Low Income Households and meets all other eligibility requirements of the TOC Affordable Housing Incentive Program, the project is entitled to the Base Incentives including an 80 percent increase in density, increase in FAR, and reduction in parking.

In addition, as the Wilshire Boulevard and La Brea Avenue intersection which contains the Los Angeles Metro Purple Line Rail station is approximately 250 feet from the subject property the project is located within Tier 4 of the TOC Guidelines. Therefore, as the project will set aside 11% of the base number of units for Extremely Low Income Households, the project is entitled to three (3) Additional Incentives. The applicant is requesting two (2) Additional Incentives.

Given the above, the proposed project includes the following Base and Additional Incentives for a qualifying Tier 4 Project:

**Tier 4 Base Incentives:**

- a. **Density:** The subject property is zoned C2-1 and limited to a maximum residential density of one (1) dwelling unit per 400 square feet of lot area. Additionally, the zone allows for a guest room density of one (1) guest room per 200 square feet of lot area. At a total lot area of 51,886 square feet in size (including half of the abutting alley) the property has a base density of 130 units (51,886 square feet of lot area divided by 400 square feet) or 259 guest rooms (51,886 square feet of lot area divided by 200 square feet). Pursuant to the TOC Guidelines, the project is eligible for an 80% density increase from the base density the project is permitted a maximum of 234 total residential units. The project proposes to utilize 25,000 square feet of lot area for the purposes of calculating the total number of guest rooms which is 125 guest rooms (25,000 square feet of lot area divided by 200 square feet). The remaining 26,886 square feet of lot area is used for calculating the density of residential units which allows for 68 base units (26,886 square feet of lot area divided by 400 square feet). The allowance of an 80% increase in base residential units pursuant to the TOC Guidelines allows for 123 residential units. The project proposes a total of 121 residential units and 125 hotel guestrooms.
- b. **Floor Area Ratio (FAR):** The subject property is zoned C2-1 and limited to an FAR of 1.5 to 1. As an eligible Housing Development, the project is entitled to a 55 percent FAR increase, or 4.25 to 1 in a commercial zone, whichever is greater for residential density. As proposed, the project has a maximum FAR of 4.25 to 1.
- c. **Parking:** Pursuant to LAMC Section 12.21-A,4, the proposed 121 residential dwelling units would be required to provide a total of 206 automobile parking spaces. As an Eligible Housing Development, the project is eligible for zero (0) parking spaces per unit, or no parking spaces for the residential units. The project is required to provide 67 parking code required parking spaces for the proposed hotel guest rooms. Additionally, the project may reduce the non-residential parking by up to 40 percent or 81 parking spaces. The project includes a total of 185 valet automobile parking spaces and a total of 158 bicycle parking spaces (48 short-term and 110 long-term bicycle parking spaces) within one (1) one ground floor and two (2) levels of subterranean parking.

**Tier 4 Additional Incentives:**

- a. **Setbacks.** Eligible Housing Developments located in any commercial zone may utilize any or all of the yard requirements for the RAS3 zone per LAMC 12.10.5. In this case, the project would be required to provide side and rear yard conforming to the requirements of the C2-1 Zone for portions of buildings erected and used for residential purposes, which includes five-foot side yards, and a four-foot rear yard. The project, as proposed, will provide yard requirements conforming to the RAS3 zone which includes a 15-foot rear yard along the alley, a 0-foot front yard along La Brea Avenue, and 0-foot side yard for the ground floor portion of the building with 5-foot side yards at the residential levels.

- b. **Open Space.** Eligible Housing Developments in Tier 4 may utilize a 25% decrease in required open space, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "O". As proposed, the project will be providing 11,074 square feet of open space in lieu of the required 13,475 square feet.

## HOUSING REPLACEMENT

Pursuant to LAMC Section 12.22-A,31(b)(1), a Housing Development located within a Transit Oriented Communities (TOC) Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets any applicable replacement requirements of California Government Code Section 65915(c)(3) (California State Density Bonus Law).

Assembly Bill 2222 (AB 2222) amended the State Density Bonus Law to require applicants of density bonus projects filed as of January 1, 2015 to demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households.

On September 28, 2016, Governor Brown signed Assembly Bill 2556 (AB 2556) which further amended the State Density Bonus Law. The amendments took effect on January 1, 2017. AB 2556 clarifies the implementation of the required replacement of affordable units in Density Bonus projects, first introduced by AB 2222. AB 2556 further defines "equivalent size" to mean that as a whole, the new units must contain at least the same total number of bedrooms as the units being replaced.

Pursuant to the Determination made by the Housing and Community Investment Department (HCIDLA) dated February 4, 2016, the proposed project is not required to provide replacement units. However, 14 units restricted to Extremely Low Income Households are proposed through the Transit Oriented Communities Affordable Housing Incentive Program project. This is reflected in the Conditions of Approval. Refer to the Transit Oriented Communities Affordable Housing Incentive Program Background section of this determination for additional information.

## TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS

To be an eligible Transit Oriented Communities (TOC) Housing Development, a project must meet the Eligibility criteria set forth in Section IV of the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines). A Housing Development located within a TOC Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets all of the following requirements, **which it does**:

1. ***On-Site Restricted Affordable Units.*** *In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project.*
  - a. *Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) income households, 11% of the total number of dwelling units shall be affordable to Very Low (VL) income households, or 20% of the total number of dwelling units shall be affordable to Lower Income households.*

- b. Tier 2 - 9% ELI, 12% VL or 21% Lower.
- c. Tier 3 - 10% ELI, 14% VL or 23% Lower.
- d. Tier 4 - 11% ELI, 15% VL or 25% Lower.

The project site is located within a Tier 4 Transit Oriented Communities Affordable Housing Incentive Area. As part of the proposed development, the project is required to reserve a total of 14 on-site dwelling units for Extremely Low Income Households, which is 11 percent of the 121 total dwelling units proposed as part of the Housing Development. As such, the project meets the eligibility requirement for On-Site Restricted Affordable Units.

2. **Major Transit Stop.** *A Housing Development shall be located on a lot, any portion of which must be located within 2,640 feet of a Major Transit Stop, as defined in Section II and according to the procedures in Section III.2 of the TOC Guidelines.*

As defined in the TOC Guidelines, a Major Transit Stop is a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. The stations or bus routes may be existing, under construction or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP). The subject property is located less than a ½ mile from the future Wilshire Boulevard/La Brea Avenue Los Angeles Metro Purple Line Rail station and is therefore defined as a Major Transit Stop. Furthermore, as the project will set aside 11% of the total number of units for Extremely Low Income Households and meets all other eligibility requirements of the TOC Affordable Housing Incentive Program, the project is entitled to the Base Incentives. Therefore, the project meets the eligibility requirement for proximity to a Major Transit Stop.

3. **Housing Replacement.** *A Housing Development must meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Department of Housing and Community Investment (HCIDLA) prior to the issuance of any building permit. Replacement housing units required per this section may also count towards other On-Site Restricted Affordable Units requirements.*

Pursuant to the Determination made by the Housing and Community Investment Department (HCIDLA) dated February 4, 2016, the proposed project is not required to provide replacement units. However, 14 units restricted to Extremely Low Income Households are proposed through the Transit Oriented Communities Affordable Housing Incentive Program project. Additionally, the applicant has volunteered to provide an addition four (4) dwelling units for Extremely Low Income Households and one (1) unit for Moderate Income Households. Therefore, the project meets the eligibility requirement for providing replacement housing consistent with California Government Code Section 65915(c)(3).

4. **Other Density or Development Bonus Provisions.** *A Housing Development shall not seek and receive a density or development bonus under the provisions of California Government Code Section 65915 (state Density Bonus law) or any other State or local program that provides development bonuses. This includes any development bonus or other incentive granting additional residential units or floor area provided through a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Plan Implementation Overlay (CPIO), Specific Plan, or overlay district.*

There are no additional requests for density or development bonuses under the provisions of the State Density Bonus Law or any other State or local program that provides development bonuses, including, but not limited to a General Plan Amendment, Zone Change, Height

District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Implementation Overlay (CPIO), Specific Plan, or overlay district. Therefore, the project meets this eligibility requirement.

5. **Base Incentives and Additional Incentives.** *All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI of the TOC Guidelines. Up to three Additional Incentives listed in Section VII of the TOC Guidelines may be granted based upon the affordability requirements described below. For the purposes of this section below “base units” refers to the maximum allowable density allowed by the zoning, prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in Section IV.1 above (except Moderate Income units).*

- a. *Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.*

As an Eligible Housing Development, the project is eligible to receive the Base Incentives listed in the TOC Guidelines. The project may be granted two (2) Additional Incentives for reserving at least 7% of the base units for Extremely Low Income Households. Base units are the maximum allowable density allowed by the zone, prior to any requests for increase in density provided by the Guidelines. The subject site is zoned C2-1 with a General Commercial land use designation and has a base density of 68 units. The project is setting aside 14 units for Extremely Low Income Households, which equates to 11% of the total 121 dwelling units. The project is requesting two (2) Additional Incentives to permit a 25% reduction in the required open space and authorization to utilize the RAS3 zone setbacks for any and all yards. As such, the project meets the eligibility requirements for both Base and Additional Incentives.

6. **Projects Adhering to Labor Standards.** *Projects that adhere to the labor standards required in LAMC 11.5.11 may be granted two Additional Incentives from the menu in Section VII of these Guidelines (for a total of up to five Additional Incentives).*

The project is not seeking additional incentives beyond the three (3) permitted as a means of reserving at least 11% of the base units for Extremely Low Income Households. Therefore, the project is not required to adhere to the labor standards required in LAMC Section 11.5.11; this eligibility requirement does not apply.

7. **Multiple Lots.** *A building that crosses one or more lots may request the TOC Incentives that correspond to the lot with the highest Tier permitted by Section III above.*

The proposed building crosses 12 lots; however, the lots are located within Tier 4 of the Transit Oriented Communities Affordable Housing Incentive Area. Therefore, this eligibility requirement does not apply.

8. **Request for a Lower Tier.** *Even though an applicant may be eligible for a certain Tier, they may choose to select a Lower Tier by providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier and be limited to the Incentives available for the lower Tier.*

The applicant has not selected a Lower Tier and is not providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier. Therefore, this eligibility requirement does not apply.

9. **100% Affordable Housing Projects.** *Buildings that are Eligible Housing Developments that consist of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit or units shall, for purposes of these Guidelines, be eligible for one increase in Tier than otherwise would be provided.*

The project does not consist of 100 percent On-Site Restricted Affordable units. It is not eligible for or seeking an increase in Tier. As such, this eligibility requirement does not apply.

#### **TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM /AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS**

Pursuant to LAMC Section 12.22-A,31(e), the Director of Planning shall review a Transit Oriented Communities Affordable Housing Incentive Program project application in accordance with the procedures outlined in LAMC Section 12.22-A,25(g).

- a. **The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels. There was no substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law.

The list of base incentives in the Transit Oriented Communities Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program Ordinance was adopted to include various types of relief that minimize restrictions on the size of the project. The base incentives are required to provide for affordable housing costs because the incentives by their nature may result in increasing the scale of the project. The additional incentives requested for a reduction in the required open space and the use of the RAS3 yards requirement would result in building design or construction efficiencies that provide for affordable housing costs. As a result of the prescribed incentives, it is likely that the Director will always conclude that the incentives are required for such projects to provide for affordable housing units as identified by the TOC Guidelines.

**Setbacks.** The requested use of the RAS3 Zone yard requirements is expressed in the Menu of Incentives in the Transit Oriented Communities Guidelines. The requested incentive will allow the developer to utilize more lot area to provide housing units reserved for Extremely Low Income Households and increase the overall density of the project site. This incentive supports the applicant's decision to set aside 14 dwelling units for Extremely Low Income Households.



**Open Space.** The requested reduction of the required open space is expressed in the Menu of Incentives in the Transit Oriented Communities Guidelines. The requested incentive will allow the developer to utilize more floor area to provide housing units reserved for Extremely Low Income Households and the incentive requested will result in building design or construction efficiencies that facilitate affordable housing costs. This incentive supports the applicant's decision to set aside 14 dwelling units for Extremely Low Income Households.

- b. The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There has been no evidence provided that indicated that the proposed incentives will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)).

The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The proposed project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines. Therefore, there is no substantial evidence that the proposed project will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources.

- c. The incentives/waivers are contrary to state or federal law.**

There is no substantial evidence in the record that the proposed incentives/waivers are contrary to state or federal law.

## **SITE PLAN REVIEW FINDINGS**

- 1. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The Los Angeles General Plan sets forth goals, objectives, and policies that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. While the General Plan sets out a long-range vision and guide to future development, the 35 Community Plans provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General

Plan objectives. The project site is located in the Wilshire Community Plan area and is not subjected to any applicable specific plans.

### **Wilshire Community Plan**

The subject property is located within the Wilshire Community Plan which was updated by the City Council on September 19, 2001. The Wilshire Community Plan designates the subject property for General Commercial land uses, corresponding to the RAS3, RAS4, C1.5, C2, and C4 Zones. The subject property is zoned C2-1. The proposed project is consistent with the following goals, objectives and policies of the Community Plan:

Goal 1: Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Wilshire community.

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 1-1.1: Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character or would otherwise diminish quality of life.

Policy 1-1.3: Provide for adequate Multiple Family residential development.

Objective 1-2: Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1: Encourage higher density residential uses near major public transportation centers.

Objective 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Policy 1-3.1: Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods.

Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.

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

Policy 1-4.2: Ensure that new housing opportunities minimize displacement of residents.

Policy 1-4.3: Encourage multiple family residential and mixed-use development in commercial zones.

Goal 2: Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character.

Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

Policy 2-1.2: Protect existing and planned commercially zoned areas, especially in Regional Commercial Centers, from encroachment by stand alone residential development by adhering to the community plan land use designations.

Policy 2-1.3: Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

Objective 2-2: Promote distinctive commercial districts and pedestrian-oriented areas.

Policy 2-2.2: Encourage large mixed-use projects to incorporate facilities beneficial to the community such as libraries, childcare facilities, community meeting rooms, senior centers, police sub-stations, and/or other appropriate human service facilities as part of the project.

Policy 2-2.3: Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first-floor street frontage of structures, including mixed use projects located in Neighborhood Districts.

Objective 2-3: Enhance the visual appearance and appeal of commercial districts.

Policy 2-3.1: Improve streetscape identity and character through appropriate controls of signs, landscaping, and streetscape improvements; and require that new development be compatible with the scale of adjacent neighborhoods.

The proposed project protects the surrounding residential neighborhoods from encroachment by higher density residential uses by allowing for the development of a mixed-use building along a commercial corridor with 121 dwelling units, including 14 units required to be reserved for Extremely Low Income Households, on lots zoned for commercial uses. Additionally, the project is required to provide an addition four (4) dwelling units for Extremely Low Income Households and one (1) unit for Moderate Income Households. The project increases the housing stock and satisfies the needs and desires of all economic segments of the community by maximizing the opportunity for individual housing choice. The project also incorporates retail, restaurant, and other neighborhood serving uses on the first floor along the street frontage enhancing the pedestrian environment. Additionally, the subject property is located approximately 250 feet from the future Wilshire/La Brea Purple Line Metro Station, thereby reducing vehicular trips to and from the project site and congestion around the site. Therefore, the project is consistent with the Wilshire Community Plan.

The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The proposed project will result in the development of a mixed-use building that will provide 121 dwelling units, including 14 units reserved for Extremely Low Income Households, and 70,985 square feet of commercial space including the proposed hotel component thereby contributing toward and facilitating the City's long-term economic viability and vision for a more liveable city. Additionally, the project is required to provide an addition four (4) dwelling units for Extremely Low Income Households and one (1) unit for Moderate Income Households.

The project is proper in relation to the project's location within the General Commercial land use designation, and its proximity to light rail transit stations and corridors (within ½ mile of the Wilshire/La Brea Metro Purple Line Station). The approval of the requested TOC allows for more intense use of the subject property, while reducing vehicular trips to and from the project, vehicle miles traveled, and air pollution.

The project site is currently developed with commercial uses. The development of the site will enable the City to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by allowing controlled growth away from such neighborhoods and districts. Therefore, the proposed 121-unit mixed use building with 70,985 square feet of commercial space is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

The **Housing Element** is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1: Housing Production and Preservation.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Objective 1.4: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.4.1: Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The proposed project implements the Housing Element by increasing the housing supply consistent with the General Commercial land use designation. The site is currently developed with existing commercial uses. The approval of the request would permit 121 units through the TOC process with 14 units set aside for Extremely Low Income Households. An additional four (4) units set aside for Extremely Low Income Households and one (1) unit set aside for Moderate Income Household is required. As such, the project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of

different housing types (one, two, and three-bedroom rental units) that address the needs of the city's households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. La Brea Avenue, abutting the property to the east, is designated as an Avenue I dedicated to a width of 100 feet, and is improved with asphalt roadway, curb, gutter, concrete sidewalks, street trees, and on-site metered parking. The project as designed will support the development of these Networks and meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Vehicular access to the site is provided via two (2) driveways along La Brea Avenue, one (1) ingress-only driveway and one (1) ingress/egress driveway with access to the subterranean parking. Two (2) points of access are via the public alley, one (1) egress-only and one (1) ingress/egress with access to the subterranean parking. Pedestrian access to the hotel and residential lobbies is located off of La Brea Avenue. The existing driveways will be removed.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to existing regional transit services (within ½ mile of the Metro Purple Line Wilshire/La Brea Station) will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of air quality. The adjacency of the regional transit services along with the creation of 121 dwelling units, ties the proposed project into a regional network of transit and housing.

In addition, the project will provide a total of 110 long-term and 48 short-term bicycle parking spaces in storage rooms located within the subterranean and ground floor parking levels to provide bicyclists with convenient, secure, and well-maintained bicycle parking facilities.

Policy 5.4 Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC to immediately accommodate electric vehicles within the parking areas.



Therefore, the project is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

Goal 5 Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1 It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, a minimum of 15% of the project roof area shall be reserved for the installation of a solar photovoltaic system. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and does not conflict with any applicable regulations or standards.

2. **The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The subject property is comprised of 12 contiguous lots consisting of 47,323 net square feet of lot area having a frontage of 440 feet along La Brea Avenue and a frontage of 440 feet along the alley and a lot depth of 150 feet. The subject property is currently developed with commercial use. The subject property is zoned C2-1 within the Wilshire Community Plan with a General Commercial land use designation and is located within Transit Oriented Communities (TOC), Tier 4 area.

Surrounding uses are within multiple residential and commercial zones and are generally developed with a combination of commercial and residential multi-family structures. The property to the north butting the site is zoned C2-1 and is developed with two-story commercial building and associated parking. The properties to east across La Brea Avenue are zoned C2-1 and are developed with commercial uses and associated parking. The property to the south across the alley is zoned [Q]C4-2-CDO and is currently being improved with the future Metro Purple Line Wilshire/La Brea Station. The properties to the west across the alley are developed with multi-story multi-family residential building in the [Q]R4-1 zone.

The proposed 201,123 square foot (4.25:1 FAR), 8-story mixed-use building located on a 47,323 square foot lot is compatible with the existing and future surrounding developments. The table below includes a list of existing or approved developments within approximately 1,000 feet of the subject site.

<b>Address</b>	<b>Floor Area</b>	<b>FAR</b>	<b>Height</b>
<i>Proposed Project</i>	<i>201,123 sq. ft.</i>	<i>4.25:1</i>	<i>8 stories</i>
5200 – 5224 Wilshire Boulevard	472,500 sq. ft.	3.4:1:1	6 stories
5100 Wilshire Boulevard	170,048 sq. ft.	3:1	6 stories
5115 Wilshire Boulevard	175,000 sq. ft.	3:1	6 stories
5217 – 5231 Wilshire Boulevard	-	-	6-12 stories

The proposed project is the construction, use, and maintenance of a new, eight-story, 201,123 square-foot mixed-use building with 121 dwelling units, including 18 dwelling units set aside for Extremely Low Income Households and one (1) unit set aside for Moderate Income Households and two (2) levels of subterranean parking.

The project includes six (6) three-bedroom units, 37 two-bedroom units, and 78 one-bedroom units, 13,037 square feet of commercial/retail space and a total of 10,921 square feet of open space. Pursuant to LAMC Section 12.21-G, the project as proposed is required to provide 13,475 square feet of open space. With the requested TOC additional incentive for the 25 percent reduction in open space the proposed project is required to provide 10,106 square feet of open space. The project provides approximately 10,921 square feet total of open space, which includes a 3,397 square foot common area and pool deck on the eighth floor, and a total of 2,527 square feet recreation/amenity rooms throughout the proposed building. The proposed project also includes 5,150 square feet of private balconies. Additionally, the project includes 881 square feet of landscaped area distributed throughout the common area/pool deck.

The project will provide a total of 185 residential automobile parking spaces located within the ground floor and two (2) subterranean levels. Vehicular access to the site is provided via two (2) driveways along La Brea Avenue, one (1) ingress-only driveway and one (1) ingress/egress driveway with access to the subterranean parking. Two (2) points of access are via the public alley, one (1) egress-only and one (1) ingress/egress with access to the subterranean parking. All private residential parking spaces and the commercial parking spaces would be accessed via the driveways.

Height, Bulk, and Setbacks

The project is zoned C2-1 and proposes a maximum height of 97 feet and 10 inches. The C2 zone does not have a maximum height limit.

The project has a maximum FAR of 4.25:1. The C2 zone has a maximum permitted FAR of 1.5:1. The FAR of 4.25:1 has been granted in conjunction with the TOC request with the provision of providing 11% of the total density or 14 units for Extremely Low Income Households.

The project has been granted the use of any or all of the yard requirements for the RAS3 Zone. The proposed project will provide a 0-foot front yard along La Brea Avenue, 0-foot side yards at the ground floor and 5-foot side yards at residential levels, and a 15-foot rear yard along the alley. As such, the project complies with the required setbacks.

The height, bulk, and setbacks of the subject project are consistent with the existing development in the immediate surrounding area and with the underlying C2-1 Zone. Therefore, in conjunction with the TOC request, and consideration of other development in the area, the project is consistent with the surrounding.

### Parking

As an Eligible Housing Development, the project is eligible for zero (0) parking spaces per unit, or no parking spaces for the residential units. The project is required to provide 67 parking code required parking spaces for the proposed hotel guest rooms. Additionally, the project may reduce the non-residential parking by up to 40 percent or 81 parking spaces. The project includes a total of 185 valet automobile parking spaces and a total of 158 bicycle parking spaces (48 short-term and 110 long-term bicycle parking spaces) within one (1) one ground floor and two (2) levels of subterranean parking.

The parking is located within the building and therefore will not be visible from La Brea Avenue. There are seven (7) parking spaces located at ground level that is visible from the public alley. Vehicular access to the site is provided via two (2) driveways along La Brea Avenue, one (1) ingress-only driveway and one (1) ingress/egress driveway with access to the subterranean parking. Two (2) points of access are via the public alley, one (1) egress-only and one (1) ingress/egress with access to the subterranean parking. Pedestrian access to the hotel and residential lobbies is located off of La Brea Avenue.

Therefore, the parking facilities will be compatible with the existing and future developments in the neighborhoods.

### Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate building, entrances, walkways and parking areas. As conditioned, the project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

### On-Site Landscaping

The project will provide approximately 10,921 square feet total of open space, which includes a 3,397 square foot common area and pool deck on the eighth floor, and a total of 2,527 square feet of residential recreation/amenity rooms throughout the proposed building. The proposed project also includes 5,150 square feet of private balconies. Additionally, the project includes 881 square feet of landscaped area distributed throughout the common area/pool deck.

The project has been conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Divisions' requirements. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

### Loading/Trash Area

The development is not required to provide a loading area pursuant to LAMC Section 12.21-C.6. Waiting areas and drop areas will be on the ground level. Tenants moving in or out of the building will be able to park moving trucks on the street level adjacent to the parking entrance and the lobby.

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. Compliance with these regulations will allow the project to be compatible with existing and future development. Additionally, service area for trash collection is to be located on all upper floors. Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

As described above and as depicted within the plans and elevations submitted with the instant application, the project consists of an eight-story, mixed-use building, with parking on-site for residents and commercial parking spaces, lighting, landscaping, trash collection, and other pertinent improvements, that is compatible with existing and future development in the surrounding area.

**3. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The project proposes provide a variety of unit types which includes: six three-bedroom units, 78 one-bedroom units, and 37 two-bedroom units. Pursuant to LAMC Section 12.21-G, the project as proposed is required to provide 13,475 square feet of open space. With the requested TOC additional incentive for the 25 percent reduction in open space the proposed project is required to provide 10,106 square feet of open space. The project provides approximately 10,921 square feet total of open space, which includes a 3,244 square foot common area and pool deck on the eighth floor, and a total of 2,527 square feet recreation/amenity rooms throughout the proposed building. The proposed project also includes 5,150 square feet of private balconies. Additionally, the project includes 642 square feet of landscaped area distributed throughout the common area/pool deck.

### **BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a Conditional Use Permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the authorization to allow a hotel use within 500 feet of a residential zone and the sale of a full line of alcoholic beverages for on-site and off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

### **CONDITIONAL USE FINDINGS**

**4. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

#### Sale of Alcoholic Beverages

The subject property is comprised of 12 contiguous lots consisting of 47,323 net square feet of lot area having a frontage of 440 feet along La Brea Avenue and a frontage of 440 feet along the alley and a lot depth of 150 feet. The property is zoned C2-1 with a land use designation of General Commercial. The site is located within the Wilshire Community Plan and fronts on La Brea Avenue. The subject site is improved with commercial retail buildings and a surface parking lot. The site is located within a Transit Priority Area in the City of Los Angeles.

The proposed project includes the demolition of the existing commercial buildings and the construction of a new, eight-story, 201,123 square-foot mixed-use building comprised of residential dwelling units, hotel guestrooms and 13,037 square feet of commercial/retail space and a total of 10,921 square feet of open space. The applicant is requesting a Master Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with 3,855 square feet of proposed hotel club/pool deck on the roof deck; a 4,392 square feet of proposed hotel restaurant on the ground floor; 1,813 square feet of hotel lobby area and the sale of a full line of alcoholic beverages for on-site and off-site consumption in conjunction with 8,645 square feet of the proposed restaurant/retail space on the ground floor. All restaurants seeking to utilize the requested MCUP will have hours of operation from 7:00 a.m. to 2:00 a.m., daily. The request also includes the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed retail space with a combined floor area of 13,037 square feet.

The Master Conditional Use provides an umbrella entitlement with conditions that will apply to the subject property and in general to all venues. Additionally, each venue is required to file for individual Plan Approval applications which will provide more detail concerning the mode and character of each restaurant and establish operational conditions tailored to the specific use.

The subject site is located along a heavily traveled commercial corridor. The proposed uses, which consists of restaurants and a proposed retail space that will activate the commercial component of the proposed development and encourage and promote street-level activity along La Brea Avenue and will complement nearby uses. Approval of the request will provide the opportunity for enhanced dining options within walking distance for nearby residents, employees and visitors of the area and support a more pedestrian friendly environment. Additionally, each individual restaurant tenant is required to file a Master Plan Approval determination in order to utilize the authorization. The Master Plan Approval determination will consider the mode and character of each proposed establishment in detail and tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval.

#### Hotel

The proposed project includes the demolition of the existing commercial buildings and surface parking and the construction, use, and maintenance of a new, eight-story, 201,123 square-foot mixed-use building with 121 residential dwelling units and 125 hotel guest rooms. The building will be constructed with seven (7) residential and hotel levels above one (1) level of ground floor residential and hotel lobbies and commercial uses and two (2) levels of subterranean parking, 13,037 square feet of commercial space and a total of 10,921 square feet of open space. The proposed project includes 130,138 square feet of residential space and 70,985 square feet of hotel/commercial/retail space. As proposed the project includes a total of approximately 201,123 square feet of floor area, resulting in a FAR of 4.25:1 and a building height of 97 feet and 10 inches. The mixed-use development including the hotel component will be compatible with the surrounding community.

A hotel within 500 feet of an R Zone will enhance the built environment by strengthening the existing mixed-use neighborhood made up of commercial and residential uses. The hotel will be developed on a site that is zoned C2-1 and will replace existing commercial uses. The built environment will be improved with an eight-story building that will be constructed within 250 feet from the Wilshire/La Brea Purple Line Metro Station and will include direct pedestrian entrances oriented to the sidewalk. The project's hotel component will be a benefit for the surrounding area with neighborhood serving ground floor retail. The ground floor retail will benefit the local community by providing additional shopping options to the neighborhood. There are currently no hotels similar in scale to the project located in close proximity and the proposed project will add to the diversity of short-term stay options for visitors. The project will have a mix of room types, allowing the hotel to serve a variety of guest at several price points. The guest rooms range in size from 263 to 1,026 square feet. The project will also be required to be a minimum of 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and the building and landscaping are designed to achieve 25 percent less water usage than the average household use in the region, helping to improve the built environment in the surrounding neighborhood.

5. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

#### Sale of Alcoholic Beverages

The establishment of a mixed-use development will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. The subject site is improved with commercial buildings and a surface parking lot comprised of 12 contiguous lots consisting of 47,323 net square feet of lot area located along La Brea Avenue. The property is zoned C2-1 with a General Commercial land use designation within the Wilshire Community Plan. The proposed project includes the demolition of the existing structures and the construction of an eight-story mixed-use building including residential dwelling units, hotel guestrooms, commercial/retail space and associated subterranean parking.

The applicant seeks a Master Conditional Use Permit to authorize the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with new restaurants and the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed commercial/retail space, a total of 13,037 square feet. The surrounding land uses consist of a mix of residential, and commercial uses. The property to the north abutting the site is zoned C2-1 and is developed with two-story commercial building and associated parking. The properties to east across La Brea Avenue are zoned C2-1 and are developed with commercial uses and associated parking. The property to the south across the alley is zoned [Q]C4-2-CDO and is currently being improved with the future Metro Purple Line Wilshire/La Brea Station. The properties to the west across the alley are developed with multi-story multi-family residential building in the [Q]R4-1 zone.

The proposed restaurants and the commercial retail space will be an added amenity to the proposed mixed-use building and will be compatible with the surrounding area. No dancing is proposed. The proposed restaurants and retail will be neighborhood serving. As conditioned, the mode and character of the restaurants is not expected to result in excessive alcohol consumption and is not expected to generate any noise or nuisance activity. As stated, the Master Conditional Use permit provides an umbrella entitlement with conditions that will apply to the subject property and in general to all venues. Additionally, each venue will be required to file for a Plan Approval which will detail the operational conditions tailored



to the specific use. Floor plans, seating limitations, entertainment, and the mode and character of each individual operations, will be addressed and enforced through the imposition of site-specific conditions. The conditions of the grant and of subsequent Plan Approvals will ensure that the location and other characteristics of the proposed use will be compatible with and will not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

### Hotel

The project site is comprised of 12 lots with frontage along La Brea Avenue. Surrounding properties are generally developed with commercial uses fronting La Brea Avenue with residential uses to the rear across the public alley. The northern abutting property is zoned C2-1 and is developed with commercial uses. The eastern properties across La Brea Avenue are zoned C2-1 and are improved with commercial and associated parking uses. The southern adjoining property across the public alley is zoned [Q]C4-2-CDO and will be the Wilshire/La Brea Purple Line Metro Station that is currently under construction. The western adjoining properties across the public alley are zoned [Q]R4-1 and are developed with multi-story multi-family residential buildings.

As proposed and conditioned, the project will redevelop the subject site with an eight-story mixed-use development with the subject hotel component that is compatible in use and scale with the surrounding community. The project complies with the provisions of the Transit Oriented Communities Program and LAMC requirements for such development in the C2-1 zone, including density, height and floor area ratio. Hotels are considered are restricted by the underlying C2 zone to a maximum of one guest room for every 200 square feet of lot area. The project proposes to utilize 25,000 square feet of lot area for the purposes of calculating the total number of guest rooms which is 125 guest rooms (25,000 square feet of lot area divided by 200 square feet). The building will be compatible with the surrounding neighborhood. Further, the proposed development will provide on-site trash storage, loading areas, and parking to minimize potential impacts on surrounding streets. Access to the two-level subterranean parking lot will be off of La Brea Avenue and the public alley.

The hotel will increase the economic vitality of the area by redeveloping an underutilized site. The property is located in a Transit Priority Area and is within 250 feet of the Wilshire/La Brea Purple Line Metro Station that is currently under construction. As conditioned herein, the hotel component of the mixed-use development is not anticipated to adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

**6. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The City of Los Angeles' General Plan consists of elements that dictates policies that provides the regulatory environment in managing the City and addressing environmental issues. The subject site is zoned C2-1 and is located in the Wilshire Community Plan Area, and a Transit Priority Area in the City of Los Angeles.

The grant allows a MCUP to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with proposed restaurants. All restaurants seeking to utilize the requested MCUP will have hours of operation from 7:00 a.m. to 2:00 a.m., daily. Additionally, the grant allows the sale of a full line of alcoholic beverages for off-

site consumption in conjunction with a proposed retail space with a combined floor area of 13,037 square feet.

The Wilshire Community Plan Map designates the property for General Commercial land use with the corresponding zones of C1 .5, C2, C4, P, RAS3, and RAS4, and limited to Height District No. 1. The land use designation and surrounding zoning permits for a variety of mixed commercial and residential uses including the proposed mixed-use development with restaurants and commercial retail space. The Wilshire Community Plan does not clearly discuss alcohol sales however, the conditional authorization for the sale and dispensing of alcoholic beverages for on-site consumption within the subject site is allowed through the approval of the Zoning Administrator, subject to certain findings.

The purpose of the Wilshire Community Plan is to promote an arrangement of land uses, streets and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community in conformance with the goals, policies and objectives of local and regional plans and policies.

The existing use of the subject site is consistent with and aids to advance the following goal, objective, and policy identified in the Wilshire Community Plan.

*Goal 2 Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire Community through well-designed, safe and accessible areas, while preserving historic and cultural character.*

*Objective 2-1 Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.*

*Policies 2-1.3 Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.*

The availability of the sale and dispensing of a full line of alcoholic beverages for on and off-site consumption is often an expected amenity of restaurants and retail space. Moreover, the continued use will contribute to furthering the development of the area. Therefore, the use of the subject site conforms to the intent, purpose, and provisions of the General Plan and the Wilshire Community Plan and advances the goals and policies and intent of the plan by offering a service that will address the needs of the visitors and residents in the community.

**7. The proposed use will not adversely affect the welfare of the pertinent community.**

The Wilshire Community Plan area encompasses several commercial thoroughfares that provide residents with a variety of service uses. The availability of amenities such as on-site and off-site consumption of alcoholic beverages encourages the success of a local businesses such as restaurants and neighborhood retail. The location of the site is convenient to the residents, visitors, and employees of the surrounding area because the proposed mixed-use development will be located along heavily traveled major streets. The commercial component including the hotel restaurants and retail space will be easily accessible by multiple forms of transportation including public transportation. The subject site is also connected to major thoroughfares such as La Brea Avenue and Wilshire Boulevard.

The Zoning Administrator has imposed conditions to safeguard peaceful enjoyment and quality of life for neighboring properties. The applicant will be responsible for assuring behavior on the subject property that will adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses and will ensure that the subject site does not become a nuisance to the community. The subject site has been conditioned to address the potential impacts that may arise as a result of the sale and dispensing of alcohol for on-site and off-site consumption. Moreover, the grant requires security measures to ensure that the use is compatible with the surrounding area and not cause an adverse effect on the neighboring communities.

All future operators are required to file a Plan Approval prior to alcohol service to allow for the imposition of additional conditions as applicable to the type of venue. The grant incorporates several conditions which have been imposed to maintain compatibility with the character of the immediate neighborhood. There are no requests for patron dancing. Moreover, the imposed conditions and the requirement of a Plan Approval by operators will ensure that the use is desirable to the public convenience and general welfare of local patrons, tourists and residents within close proximity and not adversely affect the welfare of the pertinent community.

8. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California Department of Alcoholic Beverage Control ("ABC") licensing criteria, three (3) on-sale and one (1) off-sale alcoholic beverage licenses are allocated to subject Census Tract No. 2151.02. Data provided on the ABC's License Query System indicate that there are 10 existing on-site and one (1) existing off-site alcoholic beverage licenses within the subject Census Tract.

According to statistics provided by the Los Angeles Police Department Wilshire Division, which has jurisdiction over the subject property within Crime Reporting District No. 735, a total of 128 crimes were reported in 2019 (116 Part I Crimes and 12 Part II Arrests) compared to the citywide average of 170 crimes and arrests and the high crime average of 204 crimes for 2019. In 2019, there were (0) Forgery/Counterfeit, (1) Fraud/Embezzlement, (0) Receive Stolen Property, (0) Weapon (carry/poss), (0) Prostitution/Allied, (0) Sex (except rape/prst), (0) Against Family/Child (4) Narcotics, (0) Liquor Law, (0) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (0) Gambling, and (2) DWI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. The subject site is located within a Census Tract where the number of active on-site ABC licenses exceeds ABC guidelines. The subject site is also located along a heavily traveled commercial corridor. The data regarding the crime rate in the reporting

district where the subject site is located is below the City average and no evidence was submitted for the record establishing any link between the subject site and the area's crime rate.

The request is to authorize the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with proposed restaurants/lounges and the sale of a full line of alcoholic beverages for off-site consumption. The restaurants are full service restaurants with an emphasis on food service. The sale and dispensing of a full line of alcoholic beverages in the restaurants is not expected to result in any nuisance activity or contribute to the area's crime rate. No dancing will be conducted on the premises. Each individual tenant is required to file a Plan Approval application in order to utilize this entitlement and review and tailor specific conditions for each tenant to minimize any potential adverse impacts on the area. The conditions of this grant and subsequent plan approval applications will ensure the use remains compatible with surrounding uses and improvements. Therefore, approval of the request will not contribute to the area's crime and will not result in an undue concentration of licensed premises.

**9. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The project site is zoned for commercial uses and will be utilized as such with the proposed use of the subject site. There are residential uses located within a 1000-foot radius of the subject site. The project is consistent with the zoning and in keeping with the existing uses adjacent to the proposed mixed-use development. The surrounding neighborhood is characterized with a mixture of commercial and residential uses. The Zoning Administrator has considered the distance of the subject establishment from the residentially zoned communities and sensitive uses. The conditions of the grant address safety, noise and security to protect the health, safety and welfare of the community. The availability of a full line of alcoholic beverages within the restaurants and the retail space will contribute to the development of the community and will serve residents and the local employees as well as visitors. Therefore, as conditioned the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

**FLOOD ZONE**

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas outside of a flood zone.

Inquiries regarding this matter shall be directed to Michelle Carter, Planning Staff for the Department of City Planning at (213) 978-1262.



CHRISTINA TOY LEE  
Associate Zoning Administrator

CTL:ON:MC:bk

cc: Councilmember - Nithya Raman  
Fourth Council District  
Adjoining Property Owners  
Interested Parties

# Entitlement Set

15 December 2020

639 South La Brea Ave.  
Los Angeles, CA



Designer:  
Morris Adjmi Architects  
[www.ma.com](http://www.ma.com)



Architect:  
Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)



Landscape Architect:  
TGP Inc. Landscape Architecture  
[www.tgpinc.net](http://www.tgpinc.net)

**EXHIBIT "A"**  
Page No. 1 of 30  
Case No. ZA-2019-1744





**MA**  
Designer:  
Morris Adjmi Architects  
www.ma.com

**TS**  
Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

View North on S. La Brea Ave.

15 December 2020

**EXHIBIT "A"**  
Page No. 2 of 30  
Case No. ZA-2019-1744

**Project Name:**  
639 South La Brea

**Address:**  
639-671 S. La Brea Ave  
Los Angeles, CA 90036

**Owner and Applicant:**  
La Brea Blks, LLC  
6390 Canoga Ave, STE 1100  
Woodland Hills, CA 91367

**Designer:**  
Morris Adjmi Architects  
60 Broad Street, 32nd Floor  
New York, NY 10004

**Architect:**  
Togawa Smith Martin, Inc.  
444 S. Flower Street, suite 1220  
Los Angeles, CA 90071

**Legal Description**  
The land referred to herein is situated in the City of Los Angeles, in the county of Los Angeles, State of California, and is described as follows:  
Lot 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 of Tract NO. 5273 M B 55-52, in the City of Los Angeles, County of Los Angeles, State of California

**Zoning:**  
Existing Zone: C2-1  
Proposed Zone: C2-1

**Lot Area**  
Total Lot Area to determine Density  
Includes 1/2 the width of the Alley  
51,866 SF

Lot Area to determine FAR  
47,323 SF

**Maximum Density Permits:**  
Hotel Density per LAMC (200 SF/Dwelling Unit) 259  
Residential Density per LAMC (400 SF/Dwelling Unit) 130  
Residential Density with TOC Tier 4 80% Bonus 234

**Proposed Density**  
Hotel Key Count 125  
Residential Unit Count 121

**Floor Area**  
Allowable Residential FAR 4.25:1  
Allowable Non-Residential FAR 1.5:1

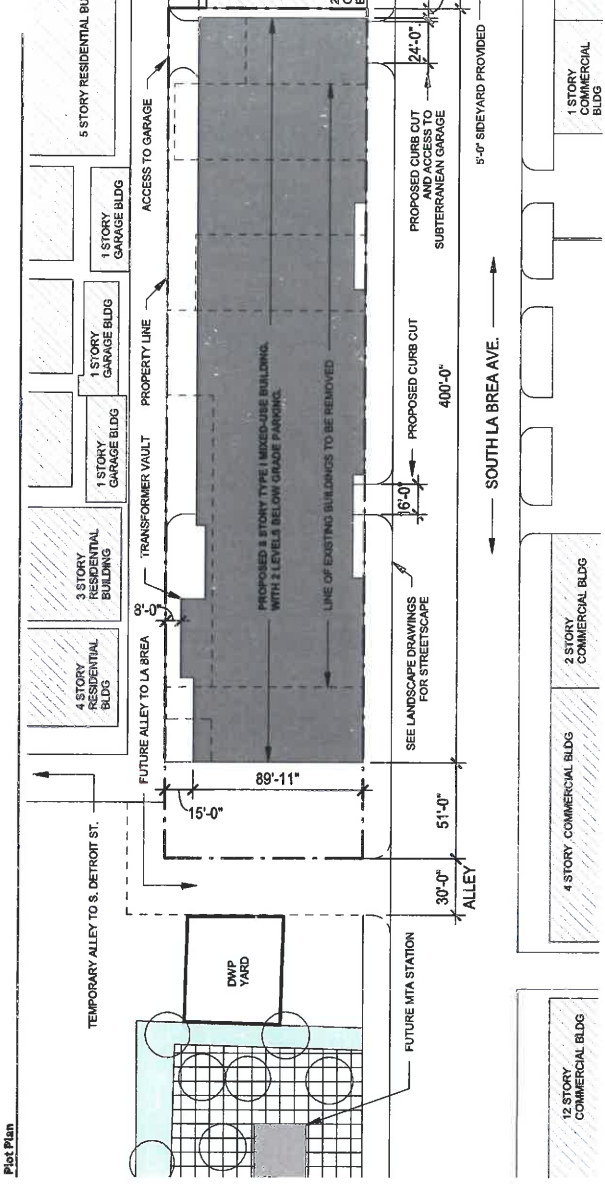
Proposed Project FAR 4.25:1  
Proposed Net Project Floor Area 201,123 SF

Proposed Residential FAR 2.75:1  
Proposed Net Residential Floor Area 130,138 SF

Proposed Non-Residential FAR 1.5:1  
Proposed Net Hotel Floor Area 57,948 SF  
Proposed Net Commercial Floor Area 13,037 SF

**Maximum Height Permitted**  
Foot Elevation 97'-10"  
Top of Parapet 99'-10"  
Top of Bulkhead 114'-10"

**Number of Stories**  
Above Grade 8  
Below Grade 2



Automobile Parking Requirements	Required	Proposed
Residential (TOC Tier 4)	0	0
Hotel (LAMC 12.21.A.4a)	30	30
1 space per guest room (1-30 guest rooms)	15	15
1 space per 2 guest rooms (31-60 guest rooms)	22	22
1 space per 3 guest rooms (60+ guest rooms)	81	81
Restaurant (1 Space per 100 SF - 13,037/100)	14	14
ADA and EV Stalls	148	148
<b>Total</b>	<b>148</b>	<b>148</b>

Required	Proposed
Front 0'-0" at C-2	0'-0"
Sides 0'-0" at C-2, 5'-0" at Residential	5'-0"
Rear 4'-0" Utility Easement	15'-0"

Required Open Space	Required
1 Bed - 78 Units x 100 SF	7,800 SF
2 Bed - 37 Units x 125 SF	4,625 SF
3 Bed - 6 Units x 175 SF	1,050 SF
<b>Total</b>	<b>13,475 SF</b>

Proposed Open Space	Proposed
Common Space	3,357 SF
Recreation Rooms (max 25% of Open Space Requirement)	2,927 SF
Private Balconies (103 x 50 SF = 5,150 SF) (Max of 1/2 Open Space Req.)	5,150 SF
<b>Total</b>	<b>11,074 SF</b>

Landscaping Requirement	Proposed
25% of Common to be Planted	869 SF
Proposed Planted area	881 SF

Tree Requirement	Proposed
One 24" Box Tree per Four Apts.	31 Trees

**Project Summary**  
15 December 2020

**Project:**  
639 South La Brea Ave.  
Los Angeles, CA

**Architect:**  
Togawa Smith Martin  
www.tsminc.com

**Designer:**  
Morris Adjmi Architects  
www.msa.com



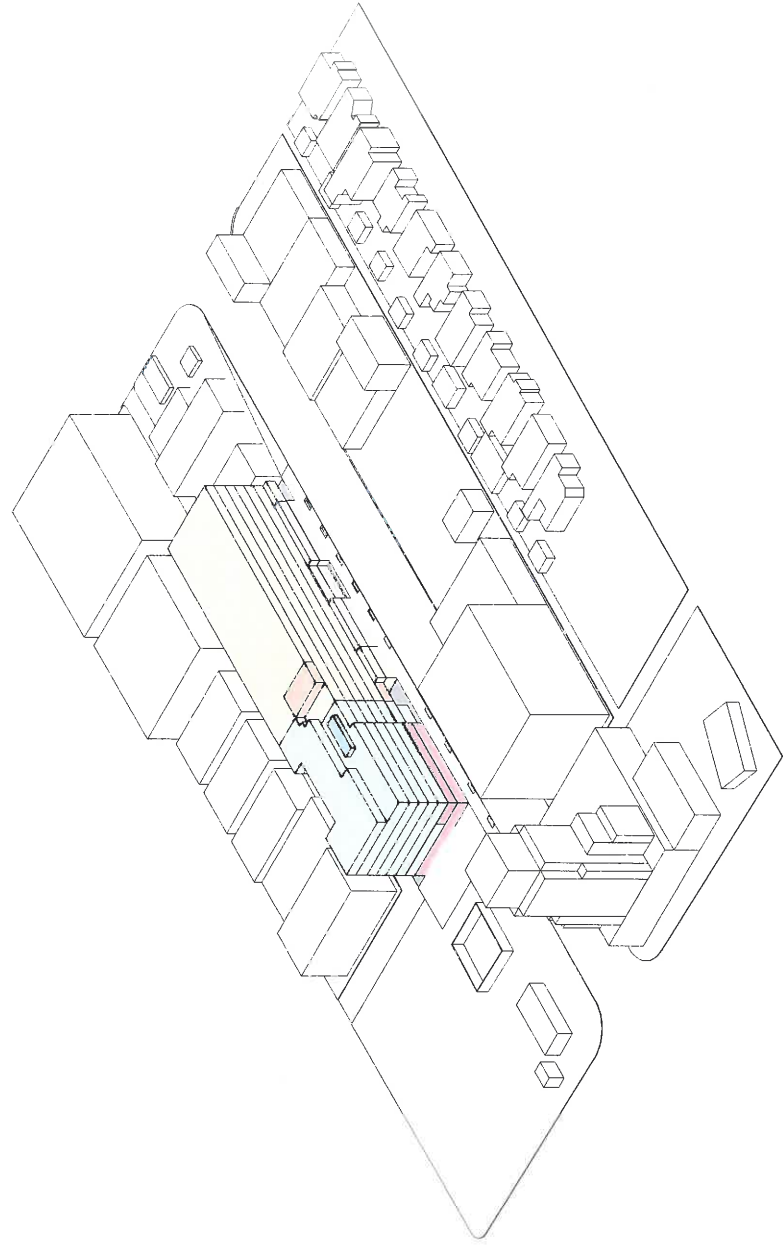
**EXHIBIT "A"**  
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PROPOSED RESIDENTIAL FLOOR AREA		
LEVEL	NET AREA	CONSTRUCTION
LEVEL 8	16,723 SF	TYPE I
LEVEL 7	19,357 SF	TYPE I
LEVEL 6	19,357 SF	TYPE I
LEVEL 5	19,357 SF	TYPE I
LEVEL 4	19,357 SF	TYPE I
LEVEL 3	19,357 SF	TYPE I
LEVEL 2	13,199 SF	TYPE I
LEVEL 1	2,695 SF	TYPE I
CELLAR 1	368 SF	TYPE I
CELLAR 2	368 SF	TYPE I
<b>PROPOSED RESIDENTIAL FLOOR AREA</b>	<b>130,138 SF</b>	
<b>PROPOSED RESIDENTIAL FAR</b>	<b>2,76:1</b>	

PROPOSED COMMERCIAL FLOOR AREA		
LEVEL	NET AREA	CONSTRUCTION
LEVEL 8	5,774 SF	TYPE I
LEVEL 7	8,410 SF	TYPE I
LEVEL 6	8,410 SF	TYPE I
LEVEL 5	8,410 SF	TYPE I
LEVEL 4	8,410 SF	TYPE I
LEVEL 3	8,410 SF	TYPE I
LEVEL 2	5,152 SF	TYPE I
LEVEL 1	17,463 SF	TYPE I
CELLAR 1	273 SF	TYPE I
CELLAR 2	273 SF	TYPE I
<b>PROPOSED COMMERCIAL FLOOR AREA</b>	<b>70,985 SF</b>	
<b>PROPOSED COMMERCIAL FAR</b>	<b>1.5:1</b>	

<b>PROPOSED PROJECT FAR</b>	<b>4.25:1</b>
-----------------------------	---------------

PROPOSED GROSS AREA		
LEVEL	GROSS	CONSTRUCTION
LEVEL 8	25,758 SF	TYPE I
LEVEL 7	30,617 SF	TYPE I
LEVEL 6	30,617 SF	TYPE I
LEVEL 5	30,617 SF	TYPE I
LEVEL 4	30,617 SF	TYPE I
LEVEL 3	30,617 SF	TYPE I
LEVEL 2	18,415 SF	TYPE I
LEVEL 1	30,738 SF	TYPE I
CELLAR 1	41,967 SF	TYPE I
CELLAR 2	41,967 SF	TYPE I
<b>PROPOSED PROJECT GROSS AREA</b>	<b>311,930 SF</b>	



- Legend
- Restaurant / Retail
  - Hotel
  - Amenities
  - Condo
  - Parking / Services

**MA**  
 Designer:  
 Morris Adjmi Architects  
 www.ma.com

**ISM**  
 Architect:  
 Togawa Smith Martin  
 www.tsminc.com

Project:  
 639 South La Brea Ave.  
 Los Angeles, CA

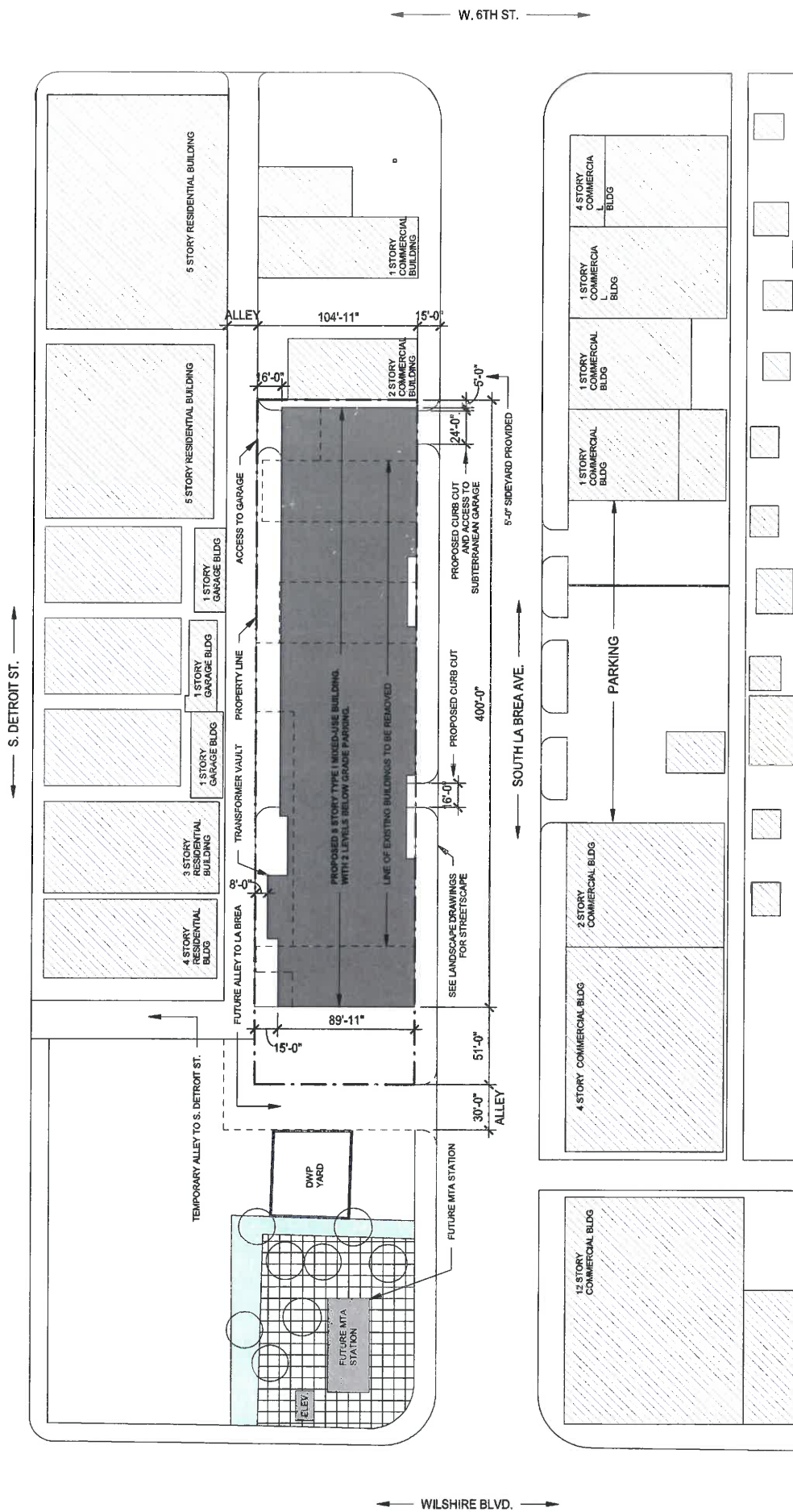
**Proposed Floor Area**  
 15 December 2020

4

**EXHIBIT "A"**

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Designer:  
Morris Adjmi Architects  
www.ma.com



Architect:  
Togawa Smith Martin  
www.tsmc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Plot Plan  
15 December 2020

0" 10' 20' 50' 100'

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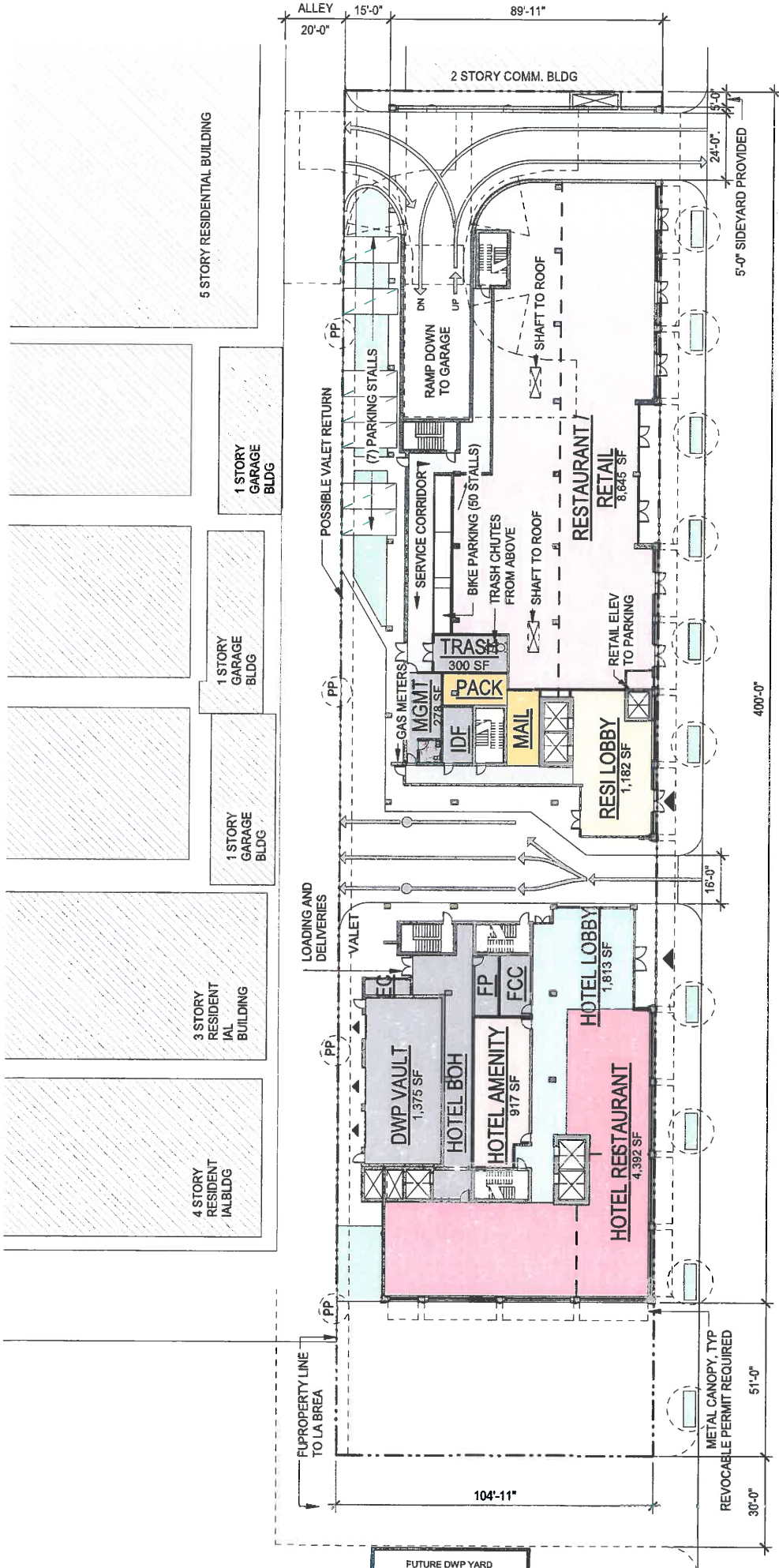












**EXHIBIT A**

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**Level 1 Plan**  
15 December 2020

**Project:**  
639 South La Brea Ave.  
Los Angeles, CA

**Architect:**  
Togawa Smith Martin  
www.tsminc.com

**Designer:**  
Morris Adjmi Architects  
www.ma.com



S. LA BREA AVE.

400'-0"

51'-0"

REVOCALE PERMIT REQUIRED  
METAL CANOPY, TYP

104'-11"

FUTURE DWP YARD

2 STORY COMM. BLDG

5 STORY RESIDENTIAL BUILDING

1 STORY GARAGE BLDG

1 STORY GARAGE BLDG

1 STORY GARAGE BLDG

3 STORY RESIDENTIAL BUILDING

4 STORY RESIDENTIAL BUILDING

LOADING AND DELIVERIES

VALET

DWP VAULT  
1,375 SF

HOTEL BOH

HOTEL AMENITY  
917 SF

HOTEL RESTAURANT  
4,392 SF

HOTEL LOBBY  
1,813 SF

GAS METERS

MGMT  
272 SF

IDF

MAIL

RESI LOBBY  
1,182 SF

RETAIL ELEV TO PARKING

RESTAURANT

RETAIL  
8,645 SF

POSSIBLE VALET RETURN

(7) PARKING STALLS

RAMP DOWN TO GARAGE

TRASH CHUTES FROM ABOVE

SHAFT TO ROOF

SHAFT TO ROOF

RESTAURANT

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

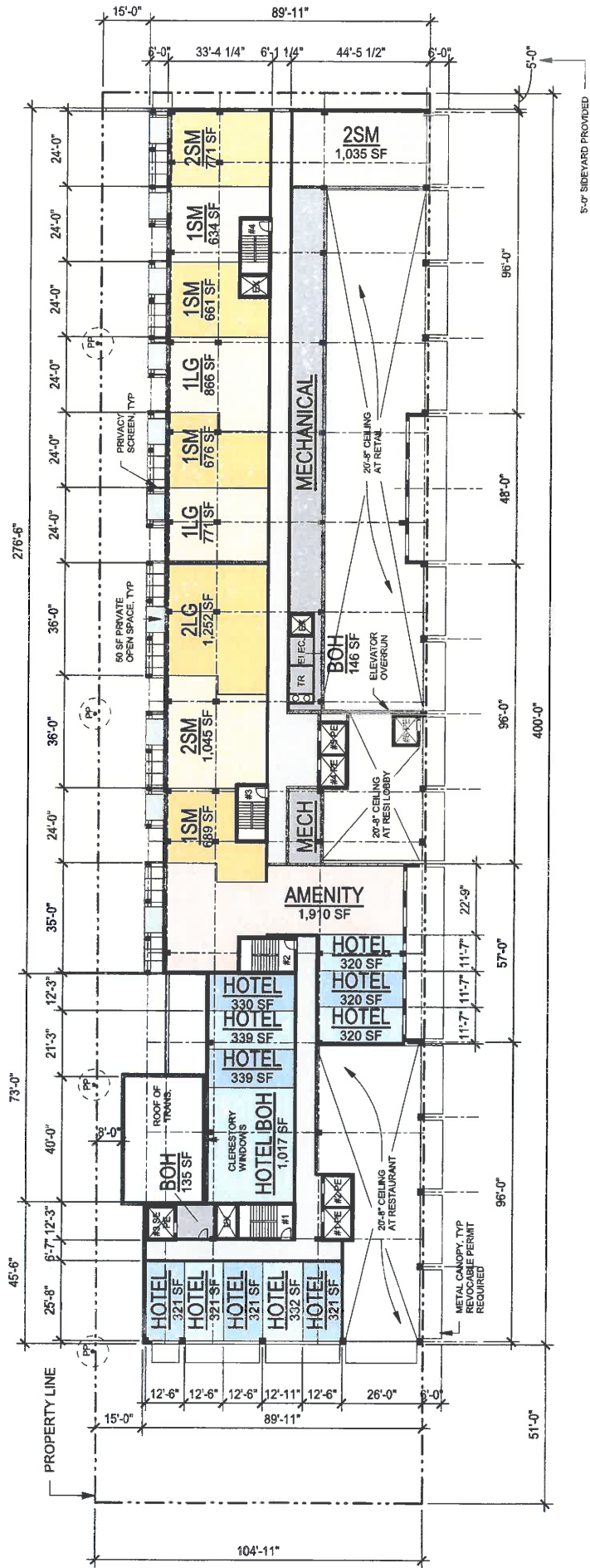
RETAIL

RETAIL

HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>

Count Per Type  
% Per Type  
Avg SF Per Type



Designer:  
Morris Adjmi Architects  
www.ma.com

Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Level 2 Plan  
15 December 2020

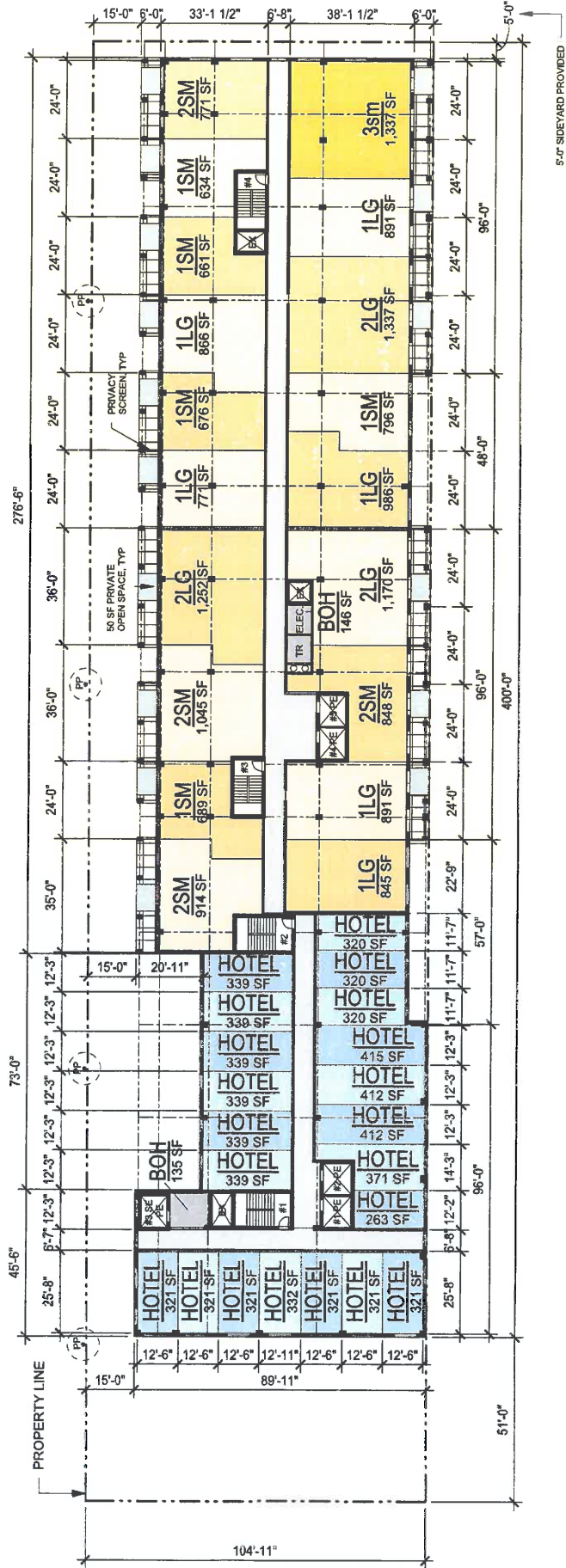
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HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>
			<b>Avg SF Per Type</b>

Count Per Type  
% Per Type  
Avg SF Per Type



Designer:  
Morris Adjmi Architects  
www.ma.com

Architect:  
Togawa Smith Martin  
www.tsmnc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Level 3 Plan  
15 December 2020

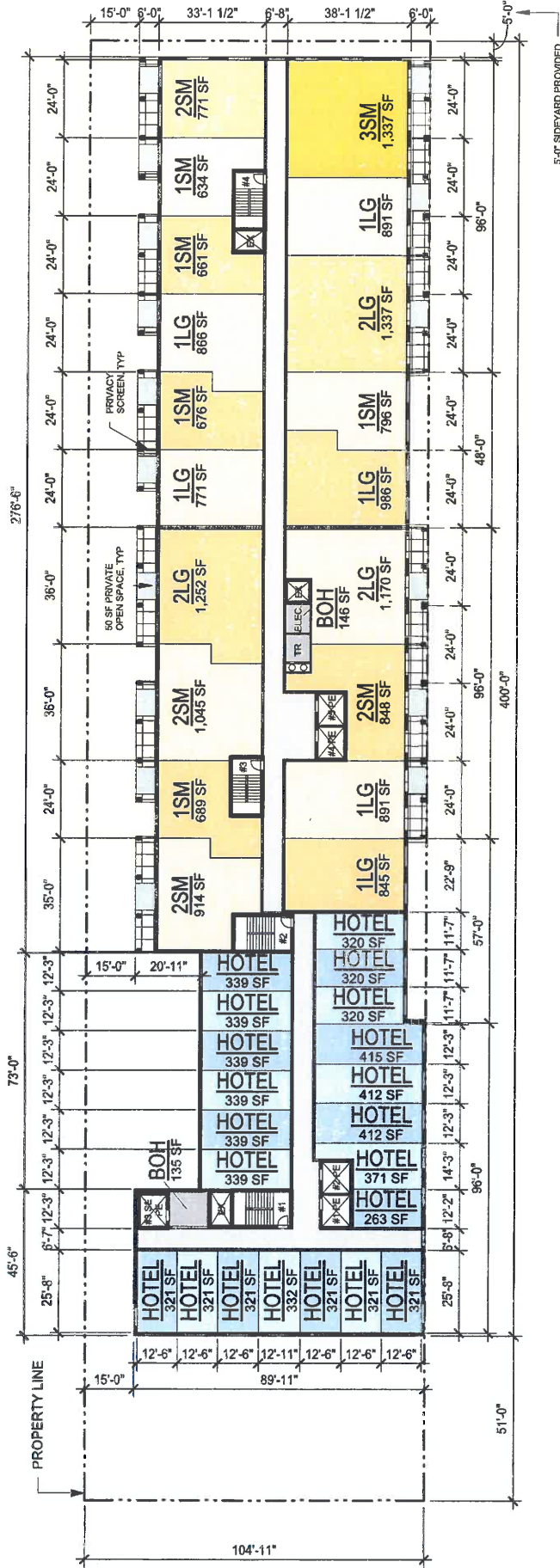
0' 8' 16' 32' 48'

EXHIBIT "A"  
Page No. 11 of 30  
Case No. 24-2019-1744

HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>

Count Per Type  
% Per Type  
Avg SF Per Type



**MA**  
 Designer:  
 Morris Adjmi Architects  
 www.ma.com

**ISM**  
 Architect:  
 Togawa Smith Martin  
 www.tsminc.com

Project:  
 639 South La Brea Ave.  
 Los Angeles, CA

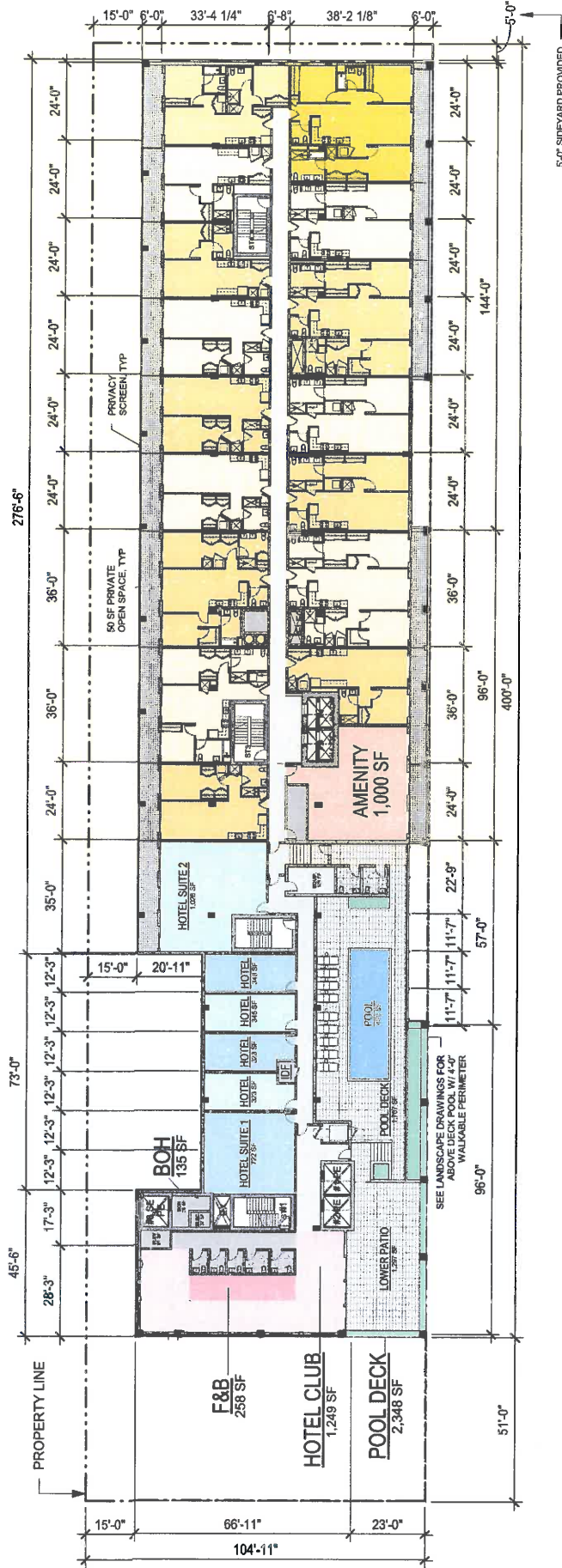
Levels 4-7 Typical Plan  
 15 December 2020

12  
**EXHIBIT 'A'**  
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 Case No. LA-2019-1744

HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>
			<b>Avg SF Per Type</b>

Count Per Type  
% Per Type  
Avg SF Per Type



Designer:  
Morris Adjmi Architects  
www.ma.com



Architect:  
Togawa Smith Martin  
www.tsminc.com



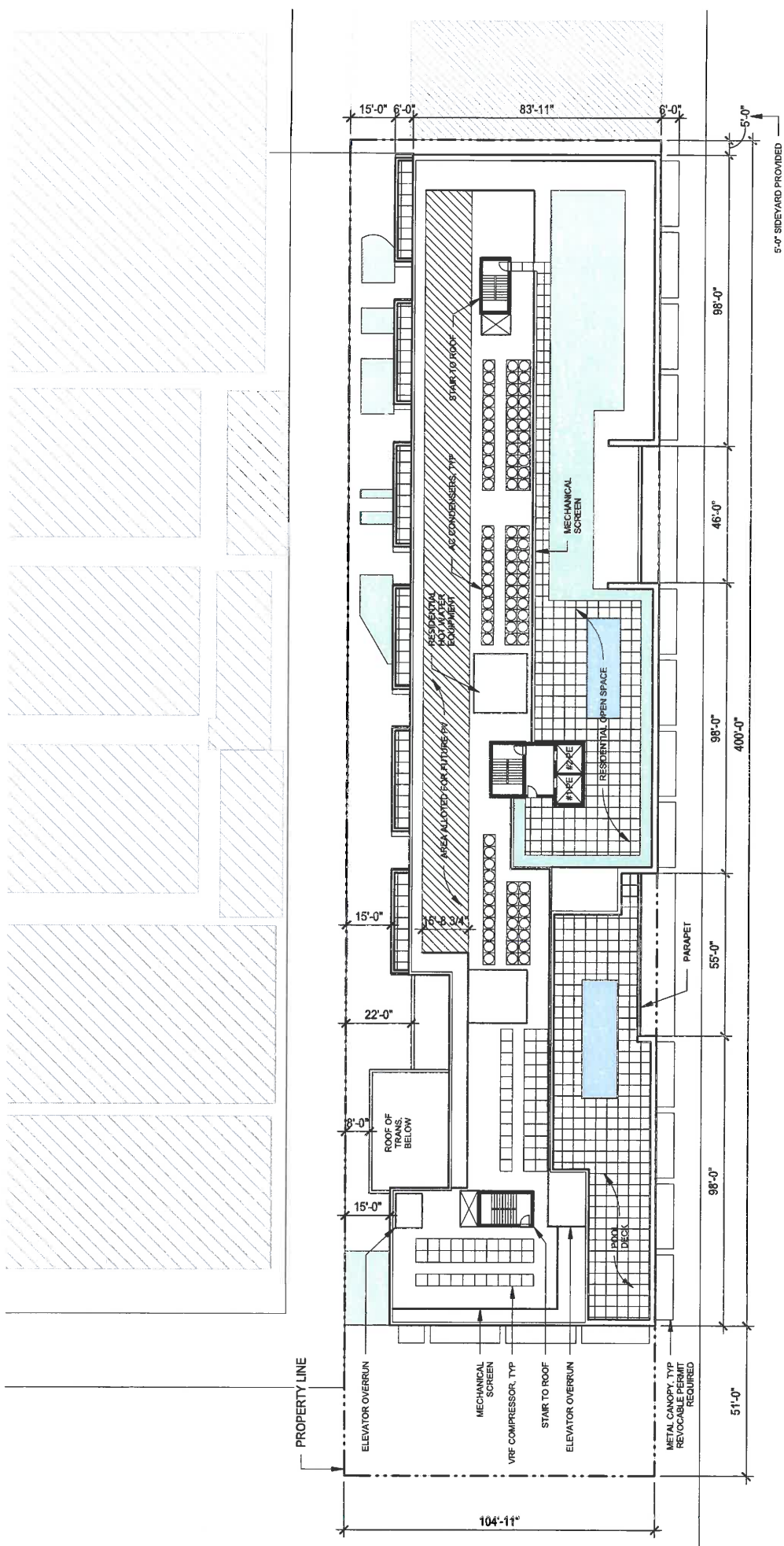
Project:  
639 South La Brea Ave.  
Los Angeles, CA

Level 8 Plan  
15 December 2020



**EXHIBIT "A"**  
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Case No. ZA 2019-1744





14

0' 8' 16' 32' 48'

**EXHIBIT 14**

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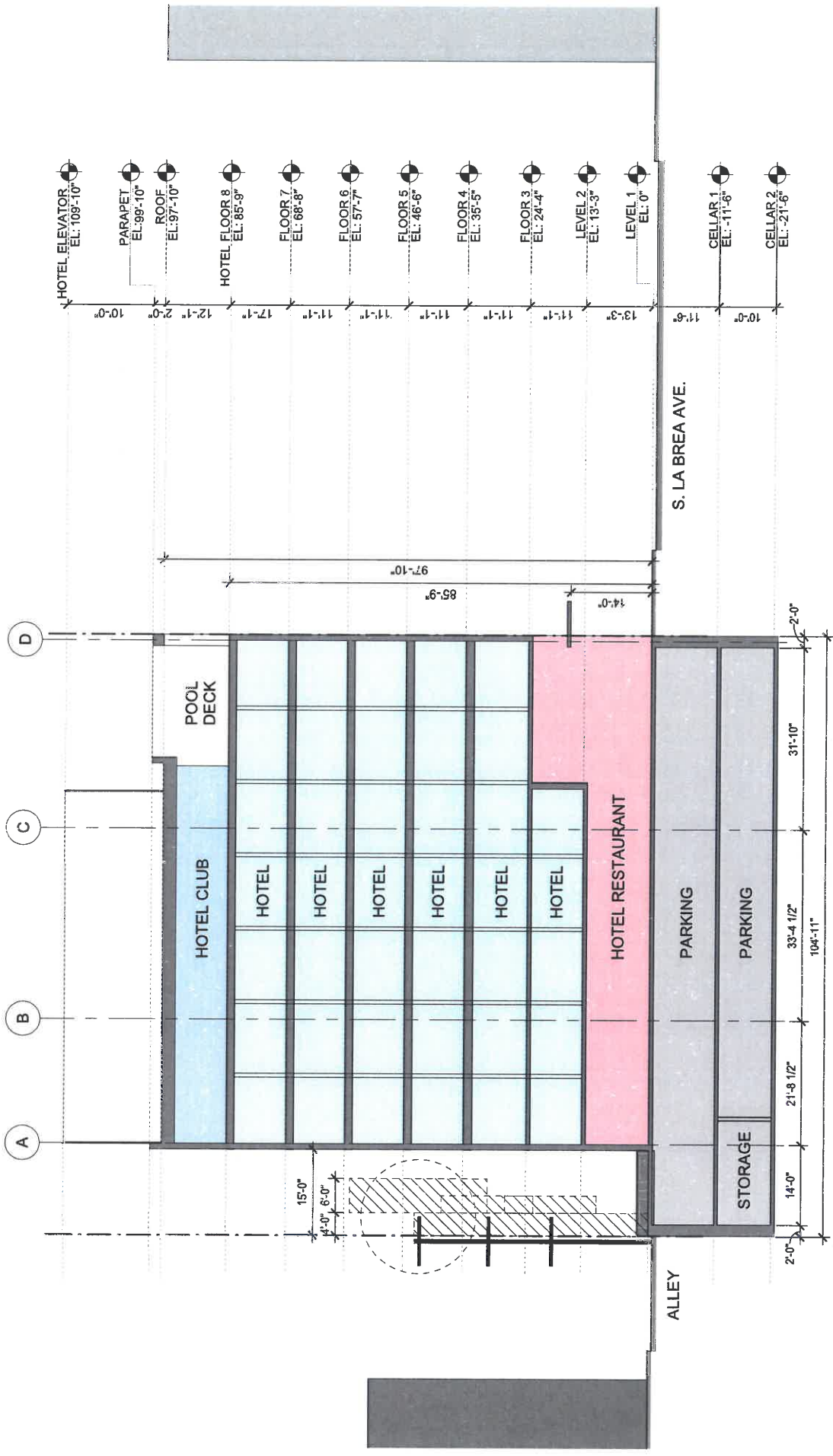
**Roof Plan**  
15 December 2020

**Project:**  
639 South La Brea Ave.  
Los Angeles, CA

**Architect:**  
Togawa Smith Martin  
www.tsminc.com

**Designer:**  
Morris Adjmi Architects  
www.ma.com





**Section 1 at Hotel and Hotel Restaurant**

15 December 2020

Project:  
639 South La Brea Ave.  
Los Angeles, CA

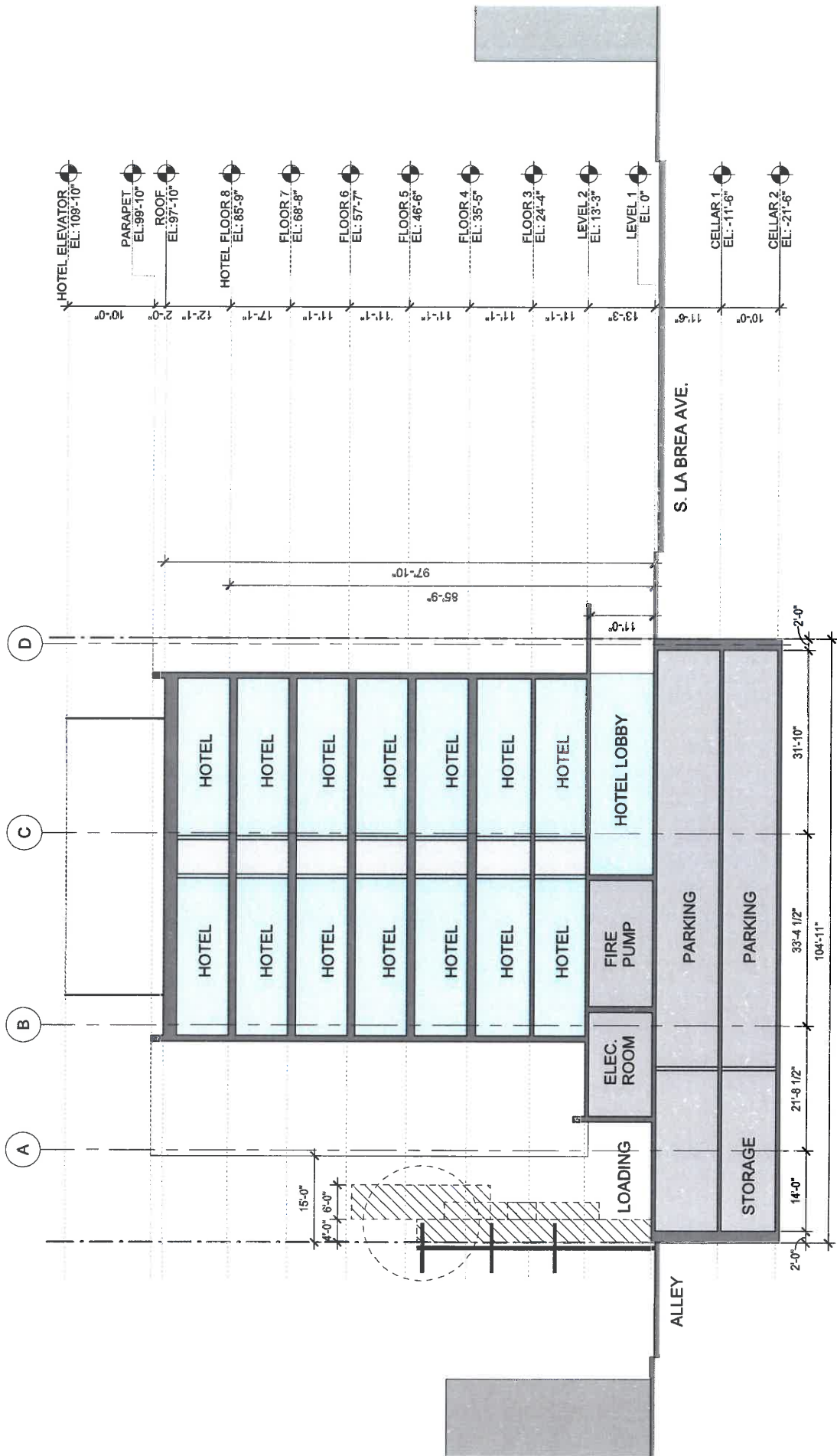
Architect:  
Togawa Smith Martin  
www.tsminc.com

Designer:  
Morris Adjmi Architects  
www.ma.com



EXHIBIT "A" 15  
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Designer:  
**MA**  
 Morris Adjmi Architects  
 www.ma.com

Architect:  
**SM**  
 Togawa Smith Martin  
 www.tsminc.com

Project:  
 639 South La Brea Ave.  
 Los Angeles, CA

Section 3 at Hotel Lobby  
 15 December 2020

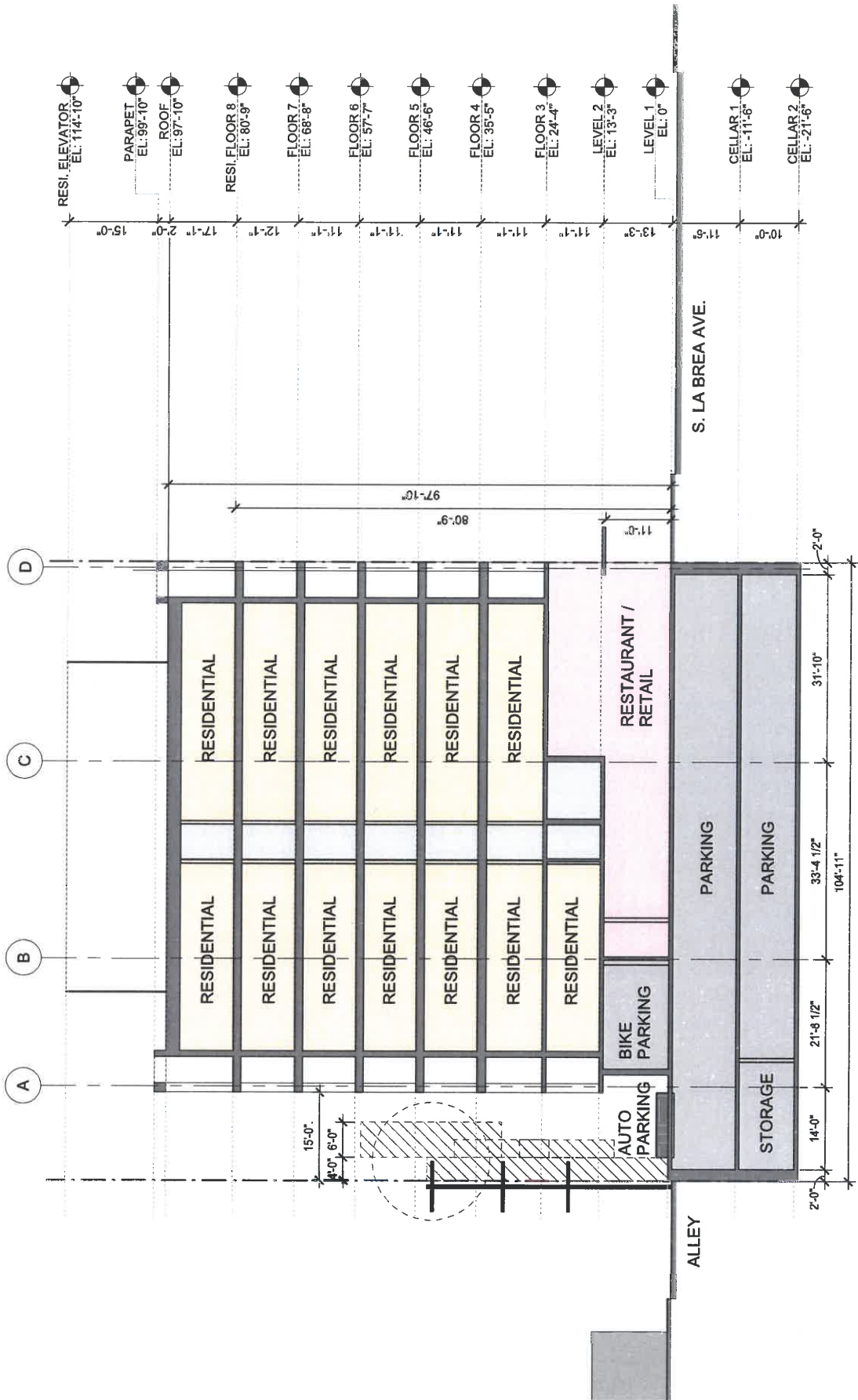
17


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**Designer:**  
 Morris Adjmi Architects  
 www.ma.com

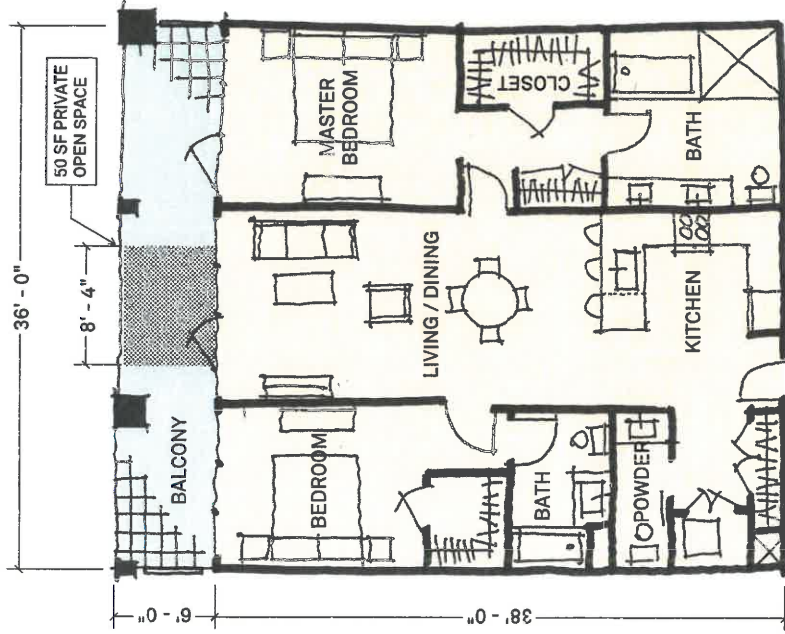

**Architect:**  
 Togawa Smith Martin  
 www.tsminc.com

**Project:**  
 639 South La Brea Ave.  
 Los Angeles, CA

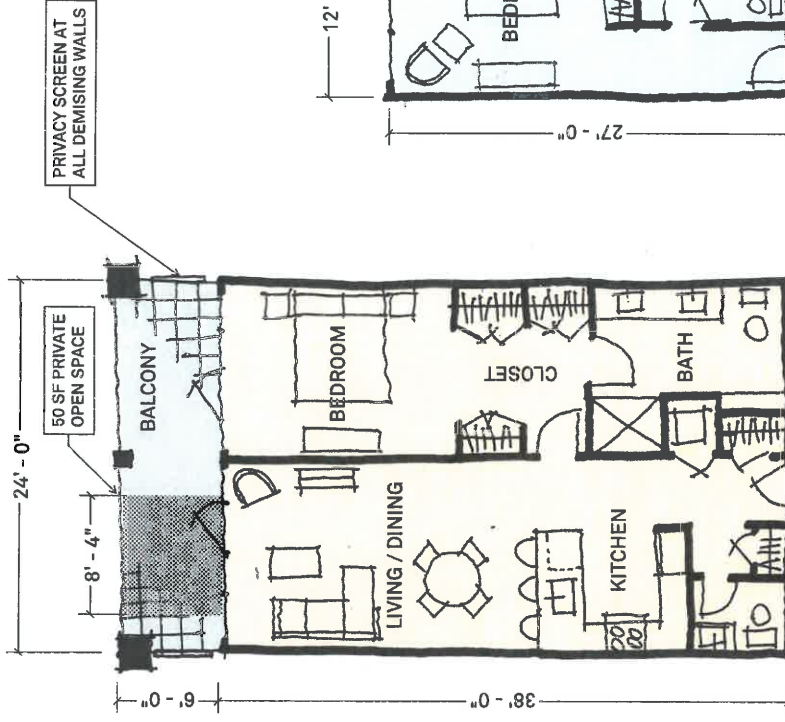
**Section 5 at Retail and Residential**  
 15 December 2020

19  
**EXHIBIT "A"**  
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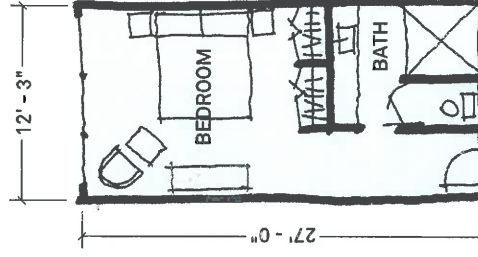




1 TYPICAL TWO BEDROOM / TWO BATH UNIT



2 TYPICAL ONE BEDROOM / ONE BATH UNIT



3 TYPICAL HOTEL SUITE



Designer:  
Morris Adjmi Architects  
www.ma.com



Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

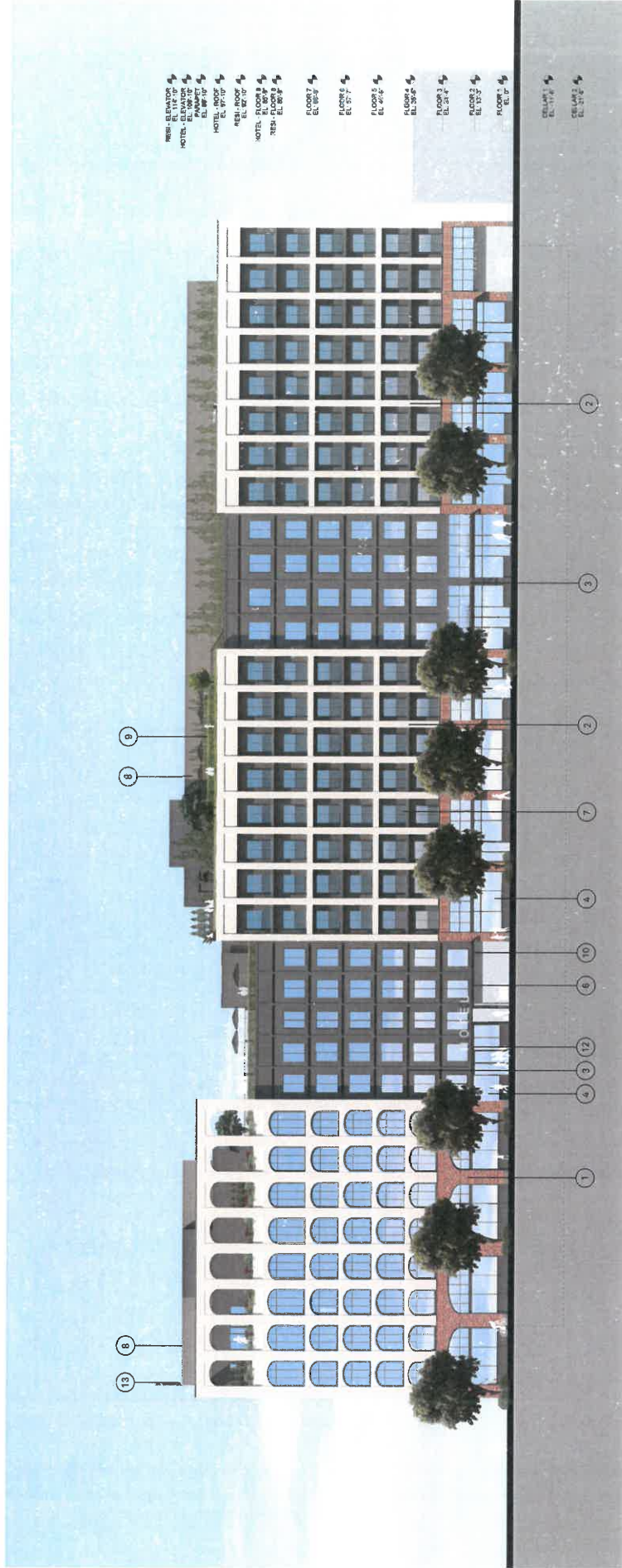
### Typical Unit Plans

15 December 2020



20

**EXHIBIT "A"**  
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- PERK. ELEVATOR EL. 104' 0"
- HOTEL. EL. 104' 0"
- HOTEL. EL. 102' 0"
- HOTEL. EL. 100' 0"
- HOTEL. EL. 98' 0"
- HOTEL. EL. 96' 0"
- HOTEL. EL. 94' 0"
- HOTEL. EL. 92' 0"
- HOTEL. EL. 90' 0"
- HOTEL. EL. 88' 0"
- HOTEL. EL. 86' 0"
- HOTEL. EL. 84' 0"
- HOTEL. EL. 82' 0"
- HOTEL. EL. 80' 0"
- HOTEL. EL. 78' 0"
- HOTEL. EL. 76' 0"
- HOTEL. EL. 74' 0"
- HOTEL. EL. 72' 0"
- HOTEL. EL. 70' 0"
- HOTEL. EL. 68' 0"
- HOTEL. EL. 66' 0"
- HOTEL. EL. 64' 0"
- HOTEL. EL. 62' 0"
- HOTEL. EL. 60' 0"
- HOTEL. EL. 58' 0"
- HOTEL. EL. 56' 0"
- HOTEL. EL. 54' 0"
- HOTEL. EL. 52' 0"
- HOTEL. EL. 50' 0"
- HOTEL. EL. 48' 0"
- HOTEL. EL. 46' 0"
- HOTEL. EL. 44' 0"
- HOTEL. EL. 42' 0"
- HOTEL. EL. 40' 0"
- HOTEL. EL. 38' 0"
- HOTEL. EL. 36' 0"
- HOTEL. EL. 34' 0"
- HOTEL. EL. 32' 0"
- HOTEL. EL. 30' 0"
- HOTEL. EL. 28' 0"
- HOTEL. EL. 26' 0"
- HOTEL. EL. 24' 0"
- HOTEL. EL. 22' 0"
- HOTEL. EL. 20' 0"
- HOTEL. EL. 18' 0"
- HOTEL. EL. 16' 0"
- HOTEL. EL. 14' 0"
- HOTEL. EL. 12' 0"
- HOTEL. EL. 10' 0"
- HOTEL. EL. 8' 0"
- HOTEL. EL. 6' 0"
- HOTEL. EL. 4' 0"
- HOTEL. EL. 2' 0"
- HOTEL. EL. 0' 0"

**MATERIALS LEGEND**

- 1 BRICK 1
- 2 BRICK 2
- 3 METAL PANEL CLADDING
- 4 ALUMINUM STOREFRONT
- 5 ALUMINUM WINDOWS
- 6 METAL CANOPY
- 7 METAL GUARDRAILS
- 8 METAL MECHANICAL SCREEN
- 9 PLANTINGS AT MECHANICAL SCREEN
- 10 LIGHTING AT SOFFIT/WAINING
- 11 WALL SIGN 1, TYP (47 SF x8)
- 12 WALL SIGN 2 (54 SF x1)
- 13 WALL SIGN 3 (694 SF x1)

**East Elevation (S. La Brea Ave.)**  
15 December 2020

**Project:**  
639 South La Brea Ave.  
Los Angeles, CA

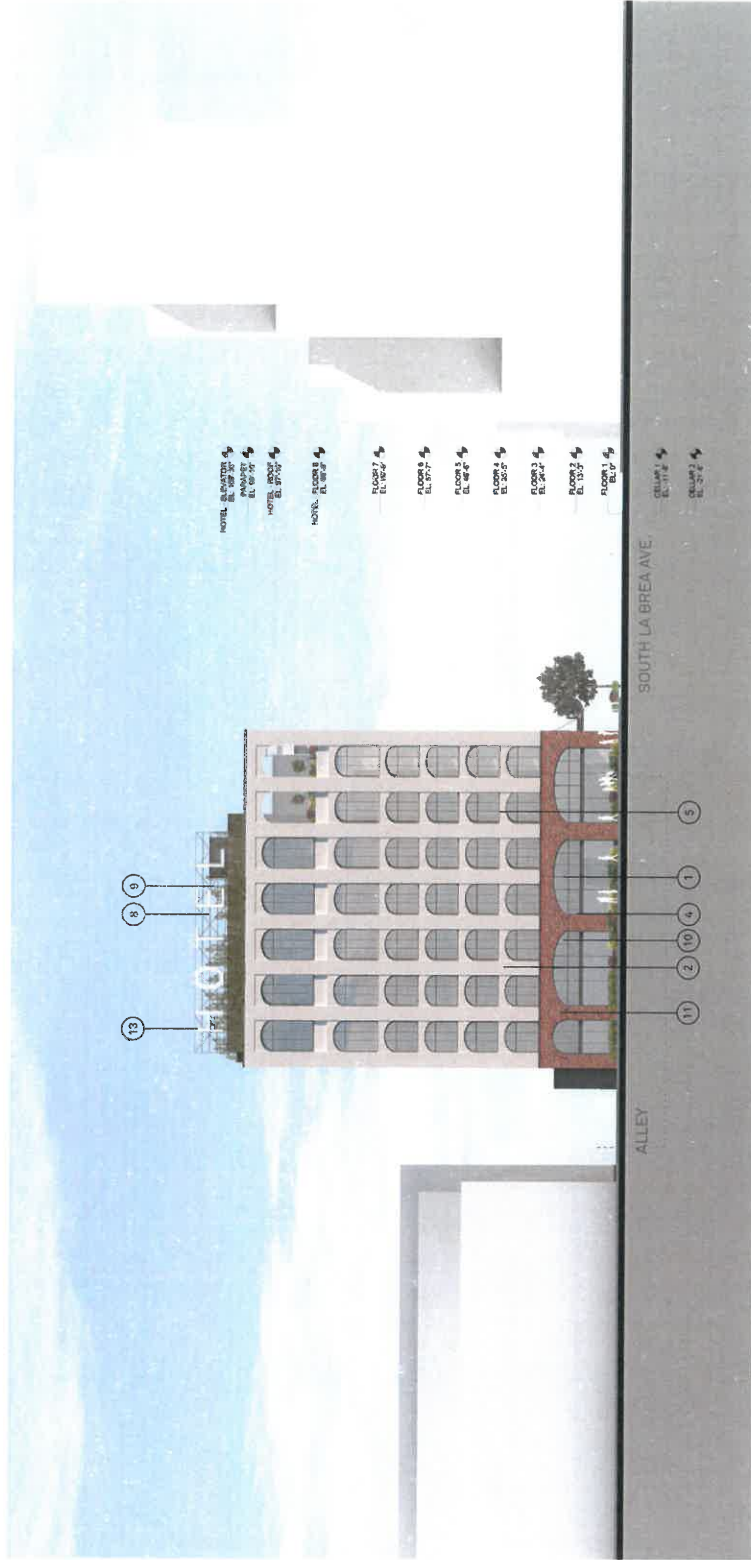
**Architect:**  
Togawa Smith Martin  
www.tsminc.com

**Designer:**  
Morris Adjmi Architects  
www.ma.com



EXHIBIT "A"

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**MATERIALS LEGEND**

- 1 BRICK 1
- 2 BRICK 2
- 3 METAL PANEL CLADDING
- 4 ALUMINUM STOREFRONT
- 5 ALUMINUM WINDOWS
- 6 METAL CANOPY
- 7 METAL GUARDRAILS
- 8 METAL MECHANICAL SCREEN
- 9 PLANTINGS AT MECHANICAL SCREEN
- 10 LIGHTING AT SOFFIT/AWNING
- 11 WALL SIGN 1, TYP (67 SF x6)
- 12 WALL SIGN 2 (64 SF x1)
- 13 WALL SIGN 3 (494 SF x1)

Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Designer:  
Morris Adjmi Architects  
www.ma.com



**South Elevation (from Wilshire Blvd.)**

15 December 2020

22

EXHIBIT A

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Designer:  
Morris Adjmi Architects  
[www.ma.com](http://www.ma.com)



Architect:  
Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)

Project:  
639 South La Brea Ave.  
Los Angeles, CA

### Perspective Elevation

15 December 2020

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Designer:  
Morris Adjimi Architects  
[www.ma.com](http://www.ma.com)



Architect:  
Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)

Project:  
639 South La Brea Ave.  
Los Angeles, CA

View North on S. La Brea Ave.

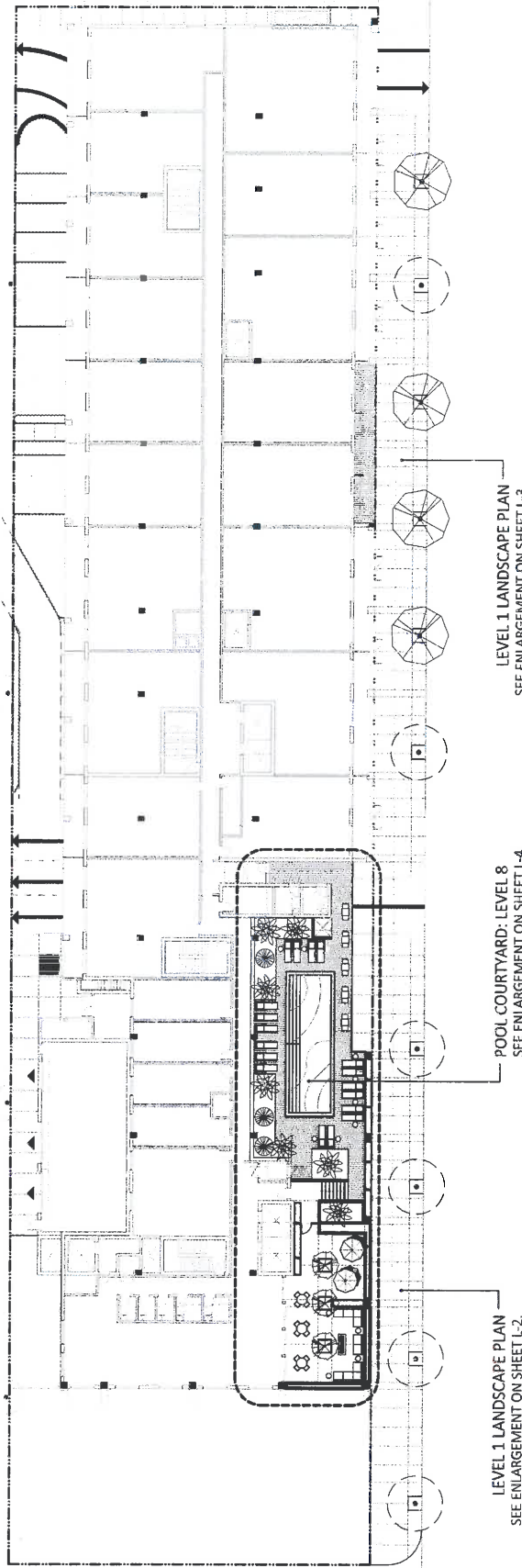
15 December 2020







ALLEY



S. LA BREA AVE.

**TREE COUNT SUMMARY**

TOTAL NO. OF UNITS PROPOSED	= 121
TOTAL NO. OF TREES REQUIRED (1-24" BOX TREE PER 4 UNITS)	= 31
NO. OF 24" BOX TREES PROPOSED ON LEVEL 1 (INCLUDING STREET TREES)	= 4
NO. OF 24" BOX TREES PROPOSED ON LEVEL 8	= 27
TOTAL NO. OF 24" BOX TREES PROPOSED	= 31

**COMMON OPEN SPACE LANDSCAPING**

TOTAL COMMON OPEN SPACE:	= 3,397 S.F.
PLANTING IN COMMON OPEN SPACE PROPOSED:	= 881 S.F.
25% OF COMMON OPEN SPACE TO BE PLANTED	= 849 S.F.

- GENERAL NOTES:**
1. ALL LANDSCAPE AREAS WILL BE IRRIGATED BY A HIGH EFFICIENCY IRRIGATION W/ SMART IRRIGATION CONTROLS.
  2. ALL IRRIGATION SHALL COMPLY WITH CITY OF LOS ANGELES REQUIREMENTS.
  3. IRRIGATION DESIGN WILL INCORPORATE EPA WATERWISE REQUIREMENTS.
  4. STREET TREES SHALL BE SELECTED AND INSTALLED PER CITY OF LOS ANGELES REQUIREMENTS.
  5. ALL NEW PLANTED AREAS TO BE IRRIGATED FOR WATER CONSERVATION.
  6. THERE ARE NO PROTECTED TREES ON THE SITE.

**WATER CONSERVATION STATEMENT:**

ALL LANDSCAPE WILL BE SPECIFIED, PLANTED & IRRIGATED ACCORDING TO LANDSCAPE DESIGN PRINCIPLES WHICH INCLUDE THE PREDOMINANT USE OF GROUPING PLANTS WITH SIMILAR WATER REQUIREMENTS TOGETHER, MINIMIZING PRECIPITATION LOSS, DIRT MULCH, SEPARATE VALVES FOR IRRIGATION AND OVERHEAD COVER AREA AND RAIN SHUT OFF DEVICES. THIS PROJECT WILL COMPLY WITH THE STATE WATER CONSERVATION ORDINANCE EFFECTIVE JANUARY 1, 2011.

Landscape Architect:  
TGP Inc. Landscape Architecture  
www.tgpinc.net

Project:  
639 South La Brea  
Los Angeles, CA

Composite Landscape Plan  
15 December 2020

0 16' 32' 1/32" = 1'-0"

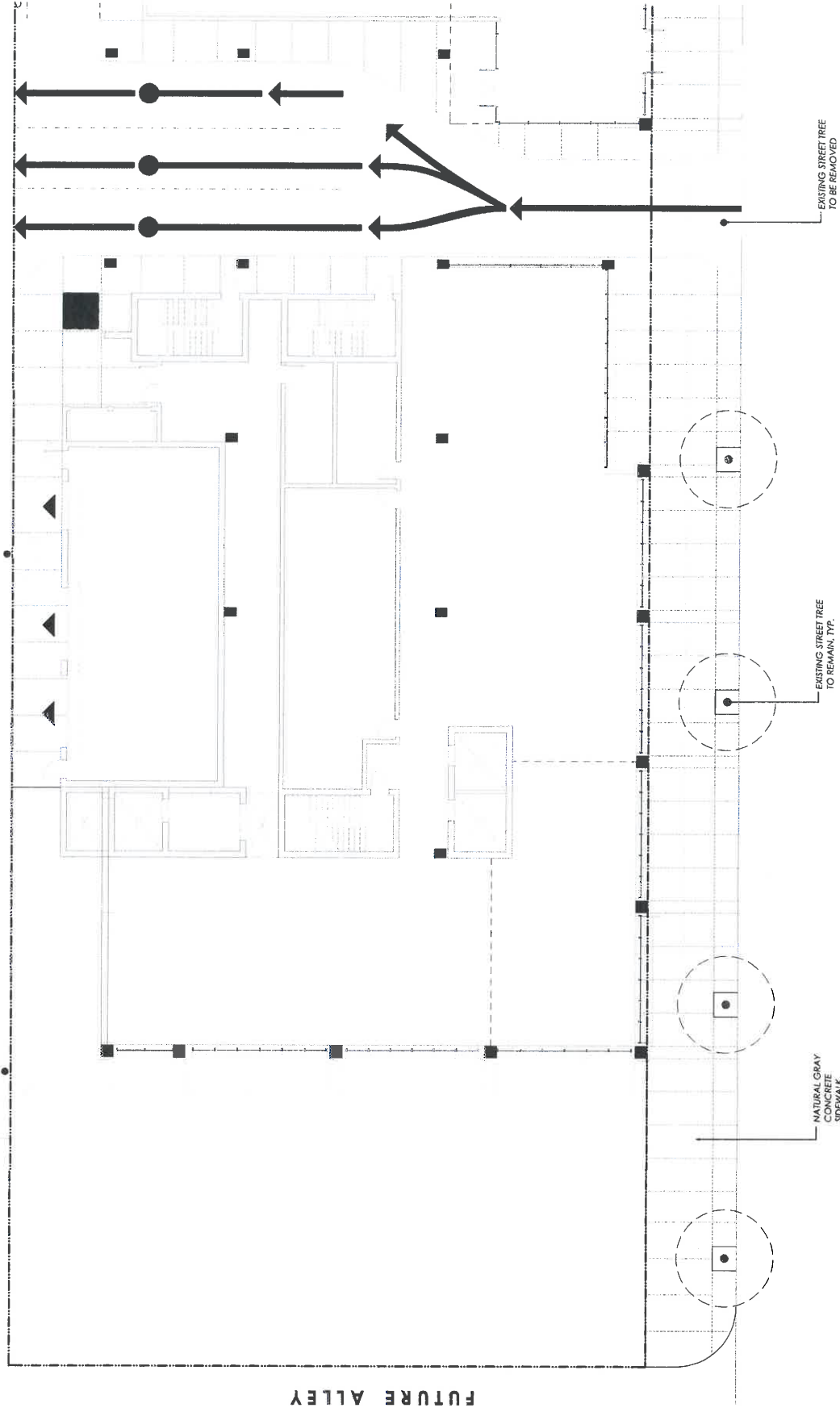
EXHIBIT A

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Case No. LA 2019-1744

26

ALLEY



FUTURE ALLEY

Landscape Architect:

TGP Inc. Landscape Architecture  
www.tgpinc.net

Project:  
639 South La Brea  
Los Angeles, CA

### Level 1 Hotel - Landscape Plan

15 December 2020



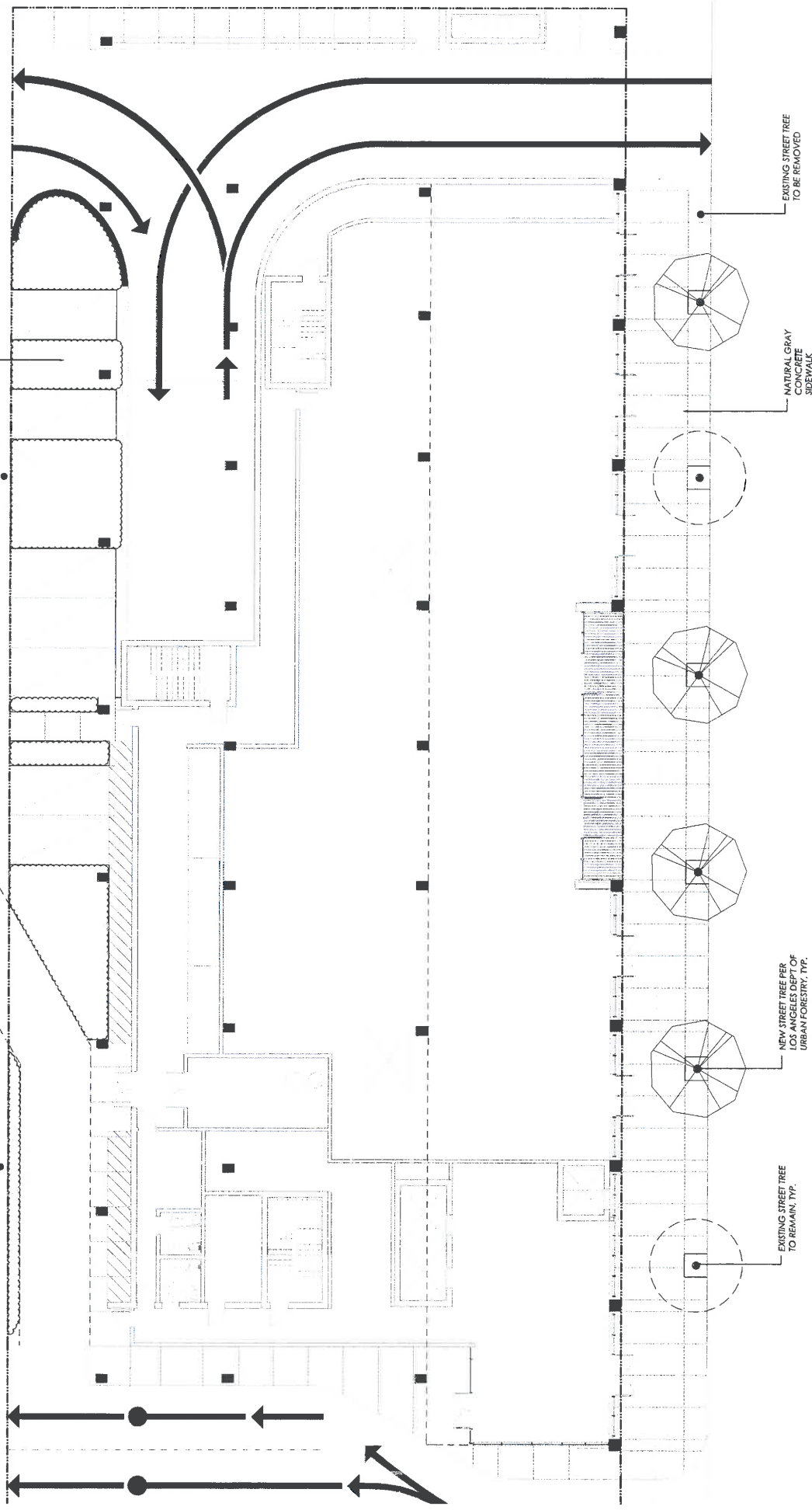
1/16" = 1'-0"

0 8' 16'

**EXHIBIT "A"**  
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 Case No. FA-2019-1744

ALLEY

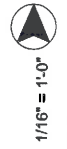
PLANTING AREAS, TYP.



**S. LA BREA AVE.**  
**Level 1 Residential - Landscape Plan**  
 15 December 2020

**Project:**  
 639 South La Brea  
 Los Angeles, CA



**Landscape Architect:**  
 TGP Inc. Landscape Architecture  
 www.tgpinc.net










**EXHIBIT 'A'**  
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TREES - LEVEL 8

			
ARCHONTOFLOBIK CUNNINGHAMIANA "BIG PALM"	CITRUS SPECIES	PODOCARPUS HENKELII "LONG-LEAF YELLOWWOOD"	PODOCARPUS LATIFOLIUS "YELLOWWOOD"

SHRUBS & SUCCULENTS - LEVEL 8

						
BOUGAINVILLEA SPECIES "BOUGAINVILLEA"	CITRUS SPECIES "ROCKROSE"	LAVANDULA SPECIES "LAVENDER"	MYRTUS COMMUNIS "MYRTLE"	ROSEMARINUS OFFICINALIS SPECIES "ROSMARY"	SALVIA OFFICINALIS SPECIES "SAGE"	TEUCRIUM SPECIES "GERMANDER"

SHRUBS & SUCCULENTS - LEVEL 8

				
AEONIUM SPECIES "AEONIUM"	ALOE SPECIES "ALOE"	ANGONANTHOS SPECIES "KANGAROO PAW"	ECHIVERIA SPECIES "ECHIVERIA"	SEDUM SPECIES "STONECROP"

NOTE: PLANTS SHALL BE CHOSEN FROM THIS SELECTION. ALL PLANT TYPES MAY NOT BE SPECIFIED.





# COVID-19 UPDATE

## Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

### OPTION 1: Online Appeal Portal

([planning.lacity.org/development-services/appeal-application-online](http://planning.lacity.org/development-services/appeal-application-online))

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

**Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment.** On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

### OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

#### **Metro DSC**

(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012

#### **Van Nuys DSC**

(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401

#### **West Los Angeles DSC**

(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

# **Exhibit D**

## **Project Plans**

# Entitlement Set

15 December 2020

639 South La Brea Ave.  
Los Angeles, CA



Designer:  
Morris Adjmi Architects  
[www.ma.com](http://www.ma.com)



Architect:  
Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)



Landscape Architect:  
TGP Inc. Landscape Architecture  
[www.tgpinc.net](http://www.tgpinc.net)

**EXHIBIT "A"**  
Page No. 1 of 30  
Case No. ZA-2019-1744



**MA**  
Designer:  
Morris Adjmi Architects  
www.ma.com

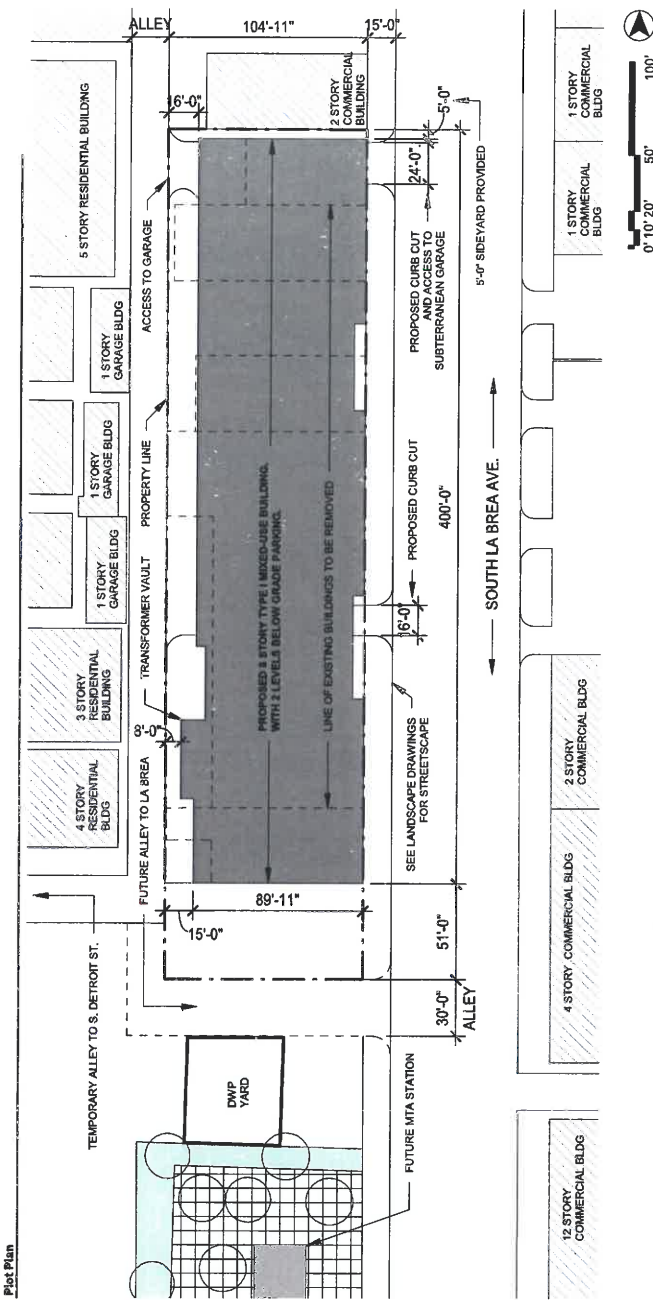
**TS**  
Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

View North on S. La Brea Ave.  
15 December 2020

**EXHIBIT "A"**  
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Case No. ZA-2019-1744





**Project Name:**  
639 South La Brea

**Address:**  
639-671 S. La Brea Ave  
Los Angeles, CA 90036

**Owner and Applicant:**  
La Brea Blks, LLC  
6390 Canoga Ave, STE 1100  
Woodland Hills, CA 91367

**Designer:**  
Morris Adjmi Architects  
60 Broad Street, 32nd Floor  
New York, NY 10004

**Architect:**  
Togawa Smith Martin, Inc.  
444 S. Flower Street, suite 1220  
Los Angeles, CA 90071

**Legal Description:**  
The land referred to herein is situated in the City of Los Angeles, in the county of Los Angeles, State of California, and is described as follows:  
Lot 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 of Tract NO. 5273 M B 55-52, in the City of Los Angeles, County of Los Angeles, State of California

**Zoning:**  
Existing Zone: C2-1  
Proposed Zone: C2-1

**Lot Area:**  
Total Lot Area to determine Density  
Includes 1/2 the width of the Alley  
51,866 SF

Lot Area to determine FAR  
47,323 SF

**Maximum Density Permits:**  
Hotel Density per LAMC (200 SF/Dwelling Unit) 259  
Residential Density per LAMC (400 SF/Dwelling Unit) 130  
Residential Density with TOC Tier 4 80% Bonus 234

**Proposed Density:**  
Hotel Key Count 125  
Residential Unit Count 121

**Floor Area:**  
Allowable Residential FAR 4.25:1  
Allowable Non-Residential FAR 1.5:1

Proposed Project FAR 4.25:1  
Proposed Net Project Floor Area 201,123 SF

Proposed Residential FAR 2.75:1  
Proposed Net Residential Floor Area 130,138 SF

Proposed Non-Residential FAR 1.5:1  
Proposed Net Hotel Floor Area 57,948 SF  
Proposed Net Commercial Floor Area 13,037 SF

**Maximum Height Permitted:**  
Foot Elevation 97'-10"  
Top of Parapet 99'-10"  
Top of Bulkhead 114'-10"

**Number of Stories:**  
Above Grade 8  
Below Grade 2

**MASS Setbacks Required**

Required	Proposed
Front 0'-0" at C-2	0'-0"
Sides 0'-0" at C-2, 5'-0" at Residential	5'-0"
Rear 4'-0" Utility Easement	15'-0"

**Required Open Space**

1 Bed - 78 Units x 100 SF	7,800 SF
2 Bed - 37 Units x 125 SF	4,625 SF
3 Bed - 6 Units x 175 SF	1,050 SF
<b>Total</b>	<b>13,475 SF</b>

25% Reduction at T.O.C. Tier 4  
25% Common to be Planted  
Proposed Planted area

Required	Proposed
3,359 SF	3,357 SF
<b>Total</b>	<b>11,074 SF</b>

**Landscaping Requirement**

25% of Common to be Planted	869 SF
Proposed Planted area	881 SF
<b>Total</b>	<b>31 Trees</b>

**Tree Requirement**

One 24" Box Tree per Four Apts.	31 Trees
---------------------------------	----------

**Automobile Parking Requirements**

Required	Proposed
Residential (TOC Tier 4)	0
Hotel (LAMC 12.21.A.4a)	30
1 space per guest room (1-30 guest rooms)	15
1 space per 2 guest rooms (31-60 guest rooms)	22
1 space per 3 guest rooms (60+ guest rooms)	81
Restaurant (TOC Tier 4 40% Reduction)	14
ADA and EV Stalls	148
<b>Total</b>	<b>185</b>

**Bike Parking per LAMC 12.21A.16(a)(2)**

Residential	86
Long Term	10
Short Term	24
<b>Total</b>	<b>120</b>

**Hotel**

Long Term (1 per 10 guest rooms)	13
Short Term (1 per 10 guest rooms)	15
<b>Total</b>	<b>28</b>

**Retail**

Long Term (1 per 2000 SF)	5
Short Term (1 per 2000 SF)	5
<b>Total</b>	<b>10</b>

**MA** Designer: Morris Adjmi Architects  
www.ma.com

Architect: Togawa Smith Martin  
www.tsminc.com

**Project Summary**  
639 South La Brea Ave.  
Los Angeles, CA  
15 December 2020

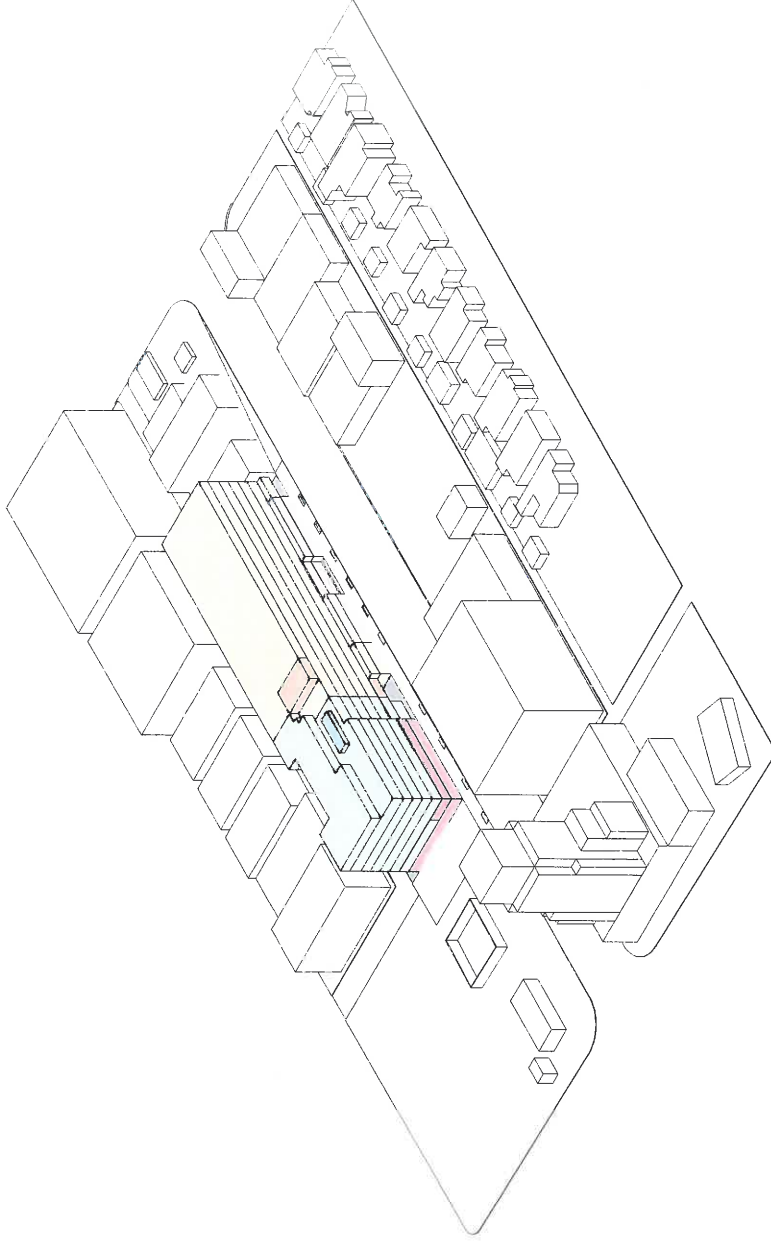
**EXHIBIT "A"**  
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Case No. ZA-2019-1749

PROPOSED RESIDENTIAL FLOOR AREA		
LEVEL	NET AREA	CONSTRUCTION
LEVEL 8	16,723 SF	TYPE I
LEVEL 7	19,357 SF	TYPE I
LEVEL 6	19,357 SF	TYPE I
LEVEL 5	19,357 SF	TYPE I
LEVEL 4	19,357 SF	TYPE I
LEVEL 3	19,357 SF	TYPE I
LEVEL 2	13,199 SF	TYPE I
LEVEL 1	2,695 SF	TYPE I
CELLAR 1	368 SF	TYPE I
CELLAR 2	368 SF	TYPE I
PROPOSED RESIDENTIAL FLOOR AREA		130,138 SF
PROPOSED RESIDENTIAL FAR		2,76:1


PROPOSED COMMERCIAL FLOOR AREA		
LEVEL	NET AREA	CONSTRUCTION
LEVEL 8	5,774 SF	TYPE I
LEVEL 7	8,410 SF	TYPE I
LEVEL 6	8,410 SF	TYPE I
LEVEL 5	8,410 SF	TYPE I
LEVEL 4	8,410 SF	TYPE I
LEVEL 3	8,410 SF	TYPE I
LEVEL 2	5,152 SF	TYPE I
LEVEL 1	17,463 SF	TYPE I
CELLAR 1	273 SF	TYPE I
CELLAR 2	273 SF	TYPE I
PROPOSED COMMERCIAL FLOOR AREA		70,985 SF
PROPOSED COMMERCIAL FAR		1.5:1


PROPOSED PROJECT FAR		4.25:1
----------------------	--	--------

PROPOSED GROSS AREA		
LEVEL	GROSS	CONSTRUCTION
LEVEL 8	25,758 SF	TYPE I
LEVEL 7	30,617 SF	TYPE I
LEVEL 6	30,617 SF	TYPE I
LEVEL 5	30,617 SF	TYPE I
LEVEL 4	30,617 SF	TYPE I
LEVEL 3	30,617 SF	TYPE I
LEVEL 2	18,415 SF	TYPE I
LEVEL 1	30,738 SF	TYPE I
CELLAR 1	41,967 SF	TYPE I
CELLAR 2	41,967 SF	TYPE I
PROPOSED PROJECT GROSS AREA		311,930 SF



- Legend
- Restaurant / Retail
  - Hotel
  - Amenities
  - Condo
  - Parking / Services

Designer:  
 Morris Adjmi Architects  
[www.ma.com](http://www.ma.com)

Architect:  
 Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)

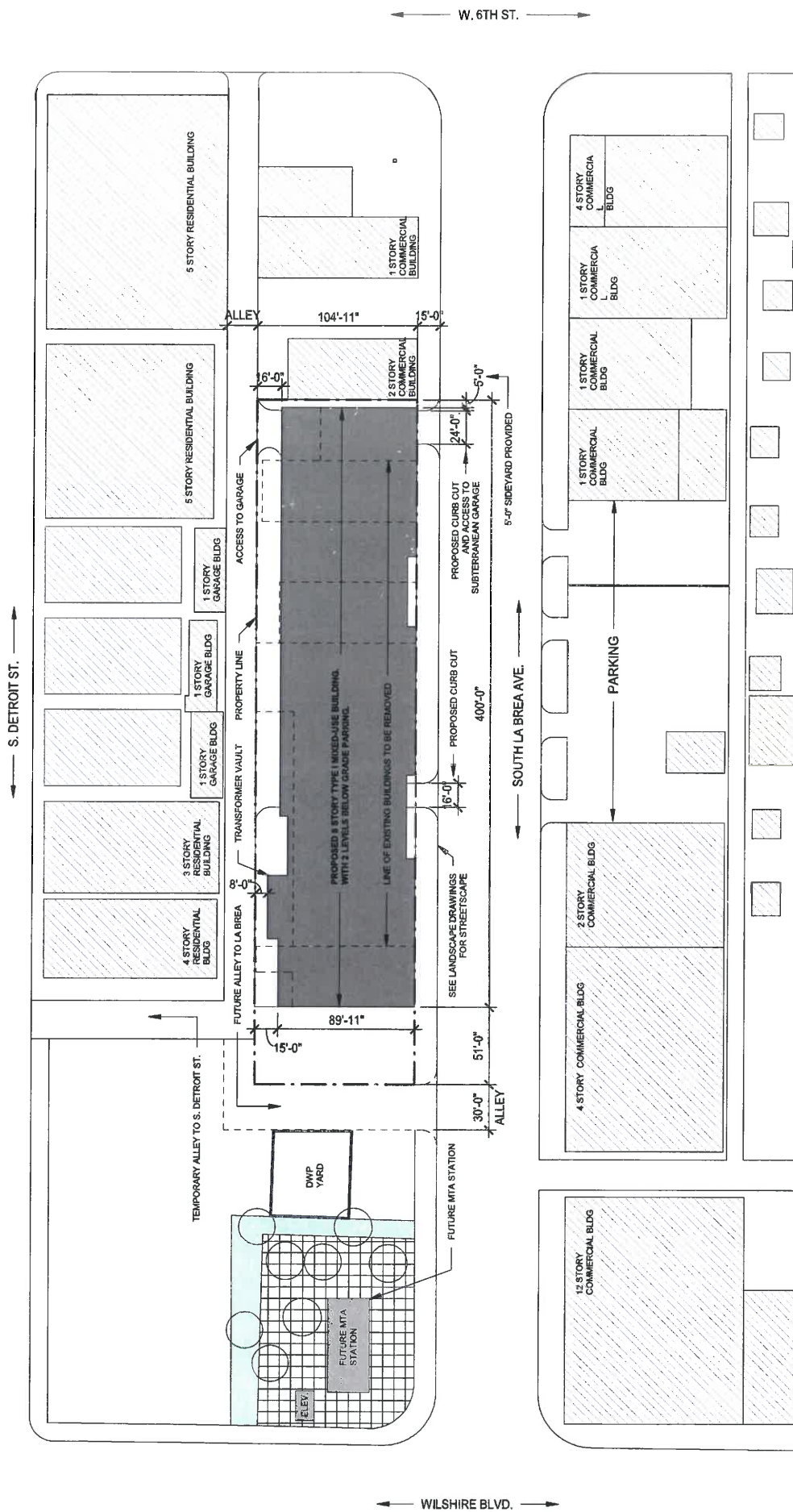
Project:  
 639 South La Brea Ave.  
 Los Angeles, CA

Proposed Floor Area  
 15 December 2020

4

**EXHIBIT "A"**

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 Case No. ZA-2019-1744



**EXHIBIT "A"**
  
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 Case No. ZA-2019-1749

**Designer:** Morris Adjmi Architects  
 www.ma.com

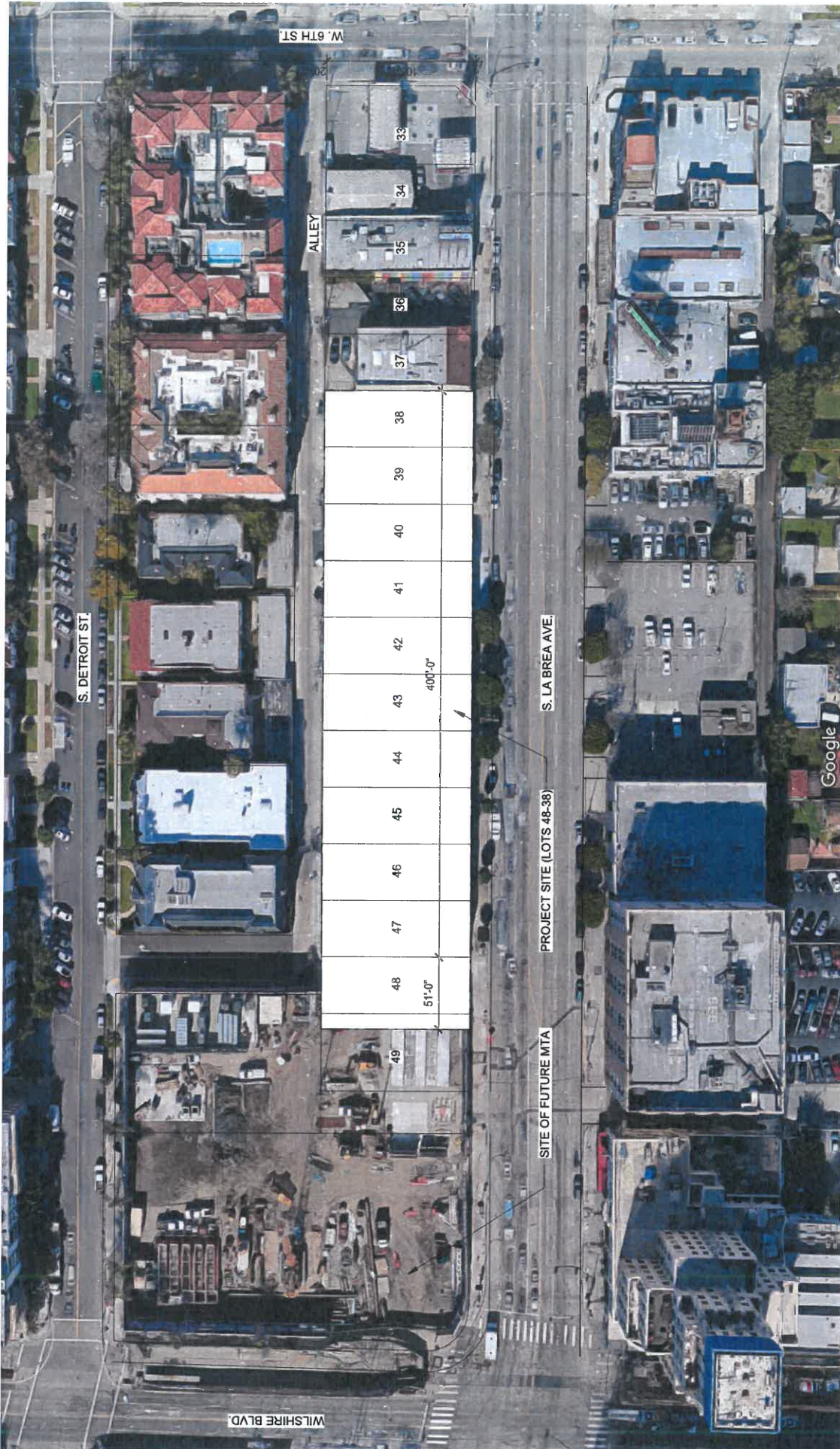
**Architect:** Togawa Smith Martin  
 www.tsmnc.com

**Project:** 639 South La Brea Ave.  
 Los Angeles, CA

**Plot Plan**  
 15 December 2020







0'-10'-20' 50' 100'

**EXHIBIT "A"**

Page No. 4 of 30

Case No. LA-2019-1744

6

**Aerial View**  
15 December 2020

**Project:**  
639 South La Brea Ave.  
Los Angeles, CA

**Architect:**  
Togawa Smith Martin  
www.tsminc.com

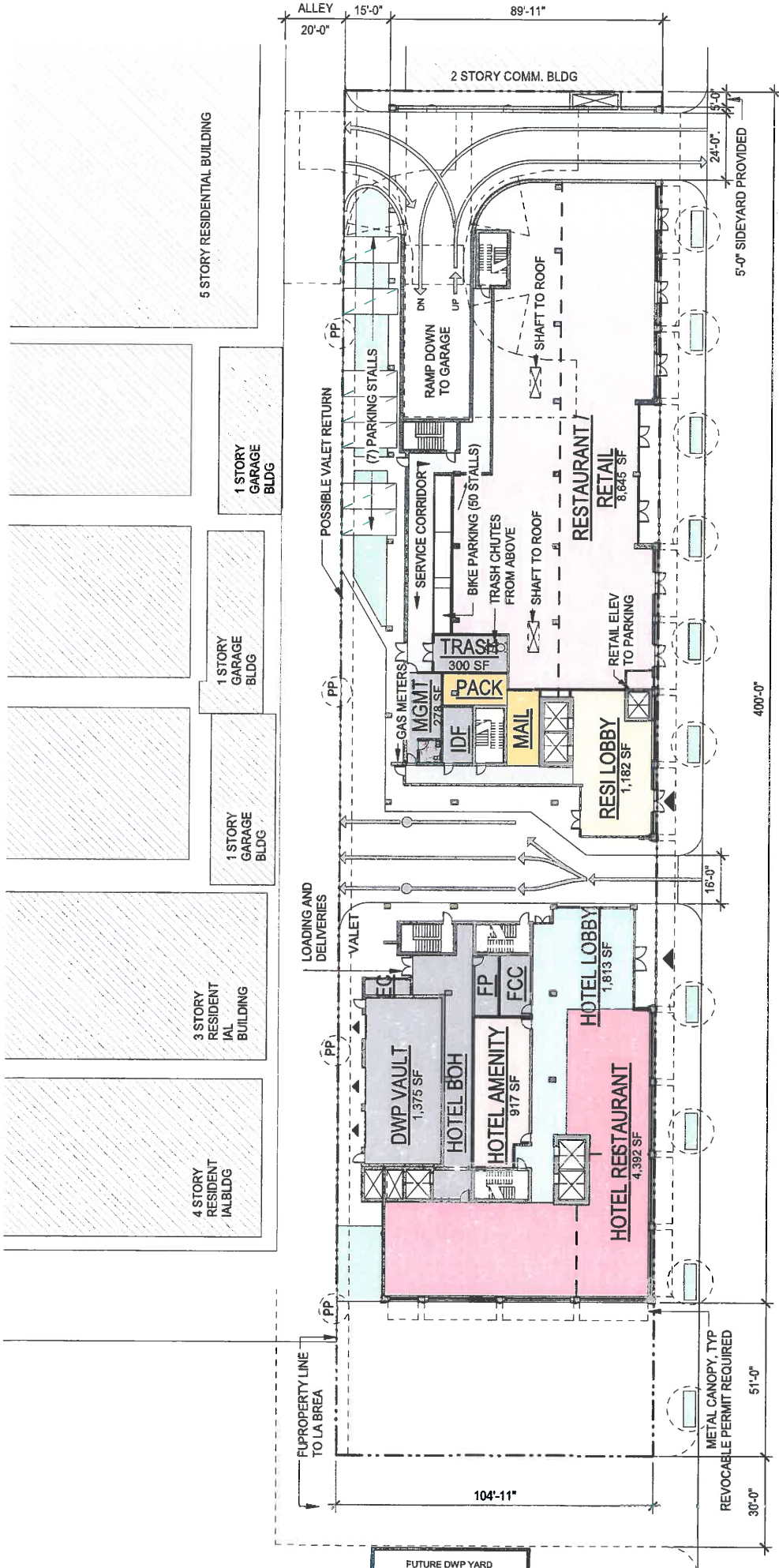
**Designer:**  
Morris Adjmi Architects  
www.ma.com











**EXHIBIT A**

Page No. 9 of 30  
Case No. ZA-2019-1744

**Level 1 Plan**  
15 December 2020

**Project:**  
639 South La Brea Ave.  
Los Angeles, CA

**Architect:**  
Togawa Smith Martin  
www.tsminc.com

**Designer:**  
Morris Adjmi Architects  
www.ma.com



S. LA BREA AVE.

**REVOCABLE PERMIT REQUIRED**

**METAL CANOPY, TYP**

**51'-0"**

**30'-0"**

**5'-0" SIDEYARD PROVIDED**

**400'-0"**

**16'-0"**

**20'-0"**

**15'-0"**

**89'-11"**

**24'-0"**

**8'-10"**

**32'**

**48'**

**0'**

**8'**

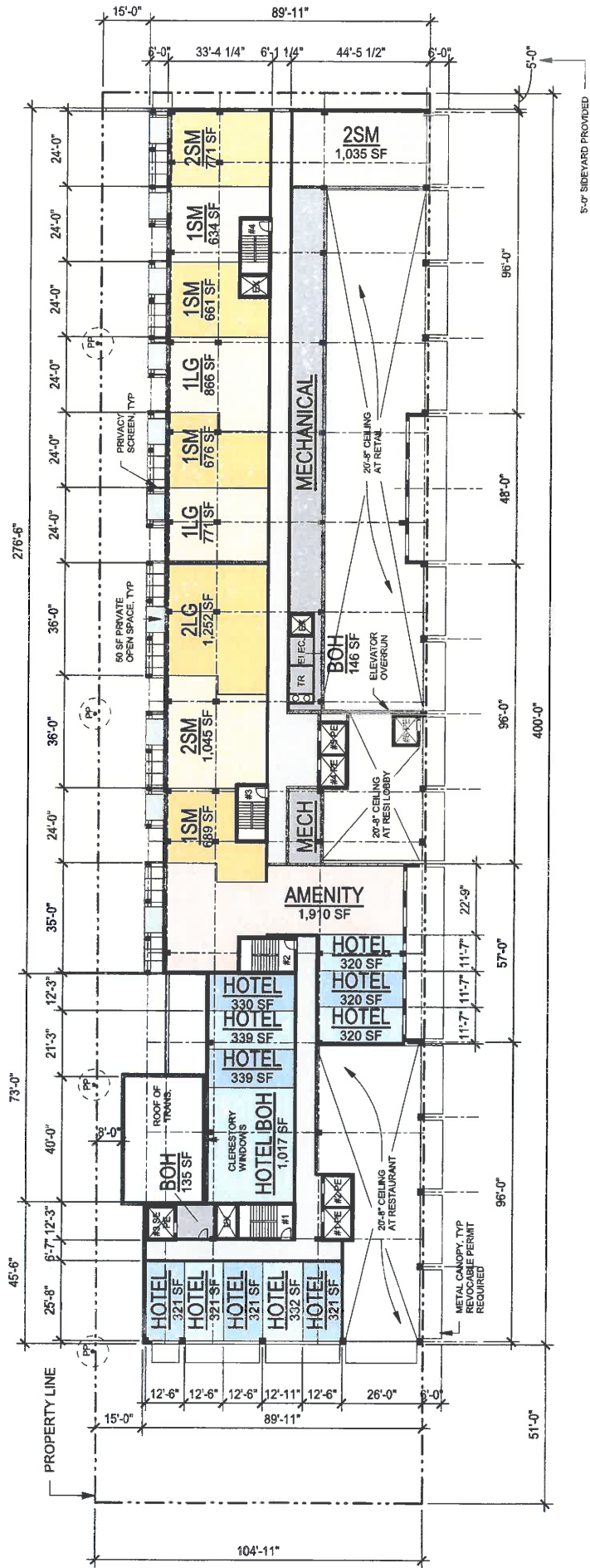
**9**

FUTURE DWP YARD

HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>

Count Per Type	% Per Type	Avg SF Per Type
78	64.4%	750 SF
37	30.64%	1,000 SF
6	4.96%	1,338 SF



Designer:  
Morris Adjmi Architects  
www.ma.com

Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Level 2 Plan  
15 December 2020

0' 8' 16' 32' 48'

**EXHIBIT A**

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Case No. EA-2019-1744

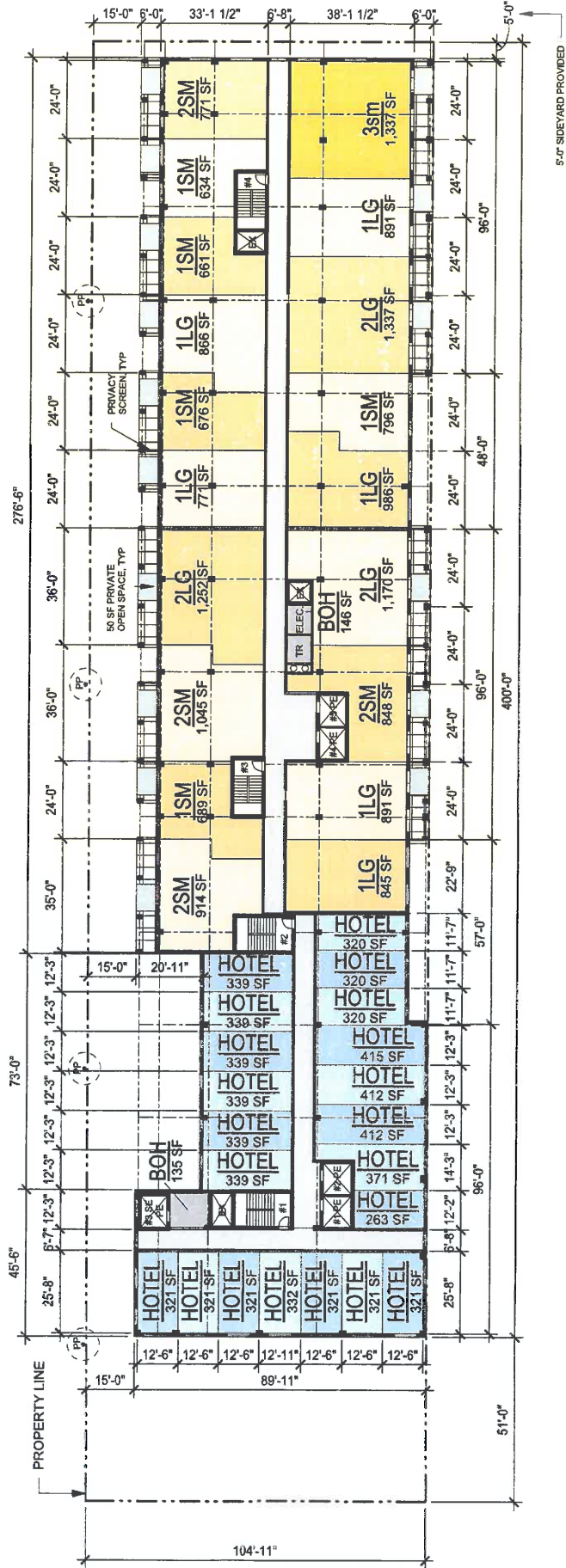
10



HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>
		<b>Avg SF Per Type</b>	

Count Per Type  
% Per Type  
Avg SF Per Type



Designer:  
Morris Adjmi Architects  
www.ma.com

Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Level 3 Plan  
15 December 2020

0' 8' 16' 32' 48'

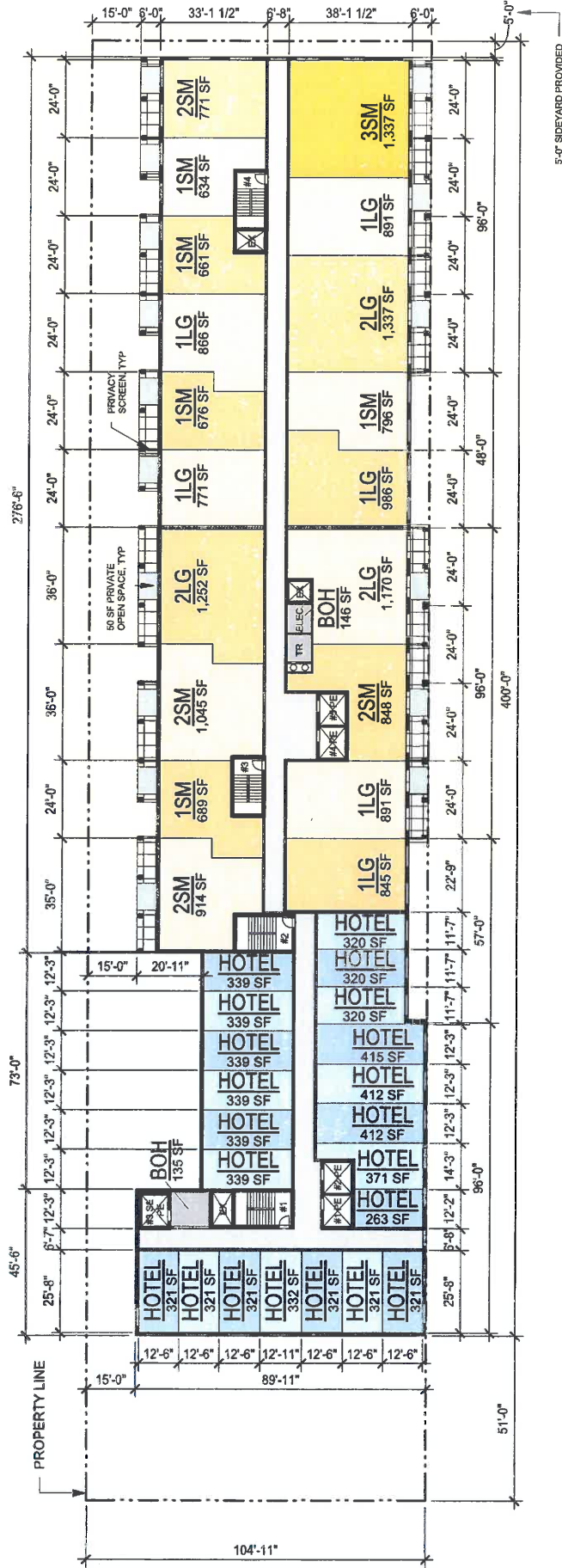


EXHIBIT "A"  
Page No. 11 of 30  
Case No. 24-2019-1744

HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>

Count Per Type  
% Per Type  
Avg SF Per Type



**MA**  
 Designer:  
 Morris Adjmi Architects  
 www.ma.com

**ISM**  
 Architect:  
 Togawa Smith Martin  
 www.tsminc.com

Project:  
 639 South La Brea Ave.  
 Los Angeles, CA

Levels 4-7 Typical Plan  
 15 December 2020

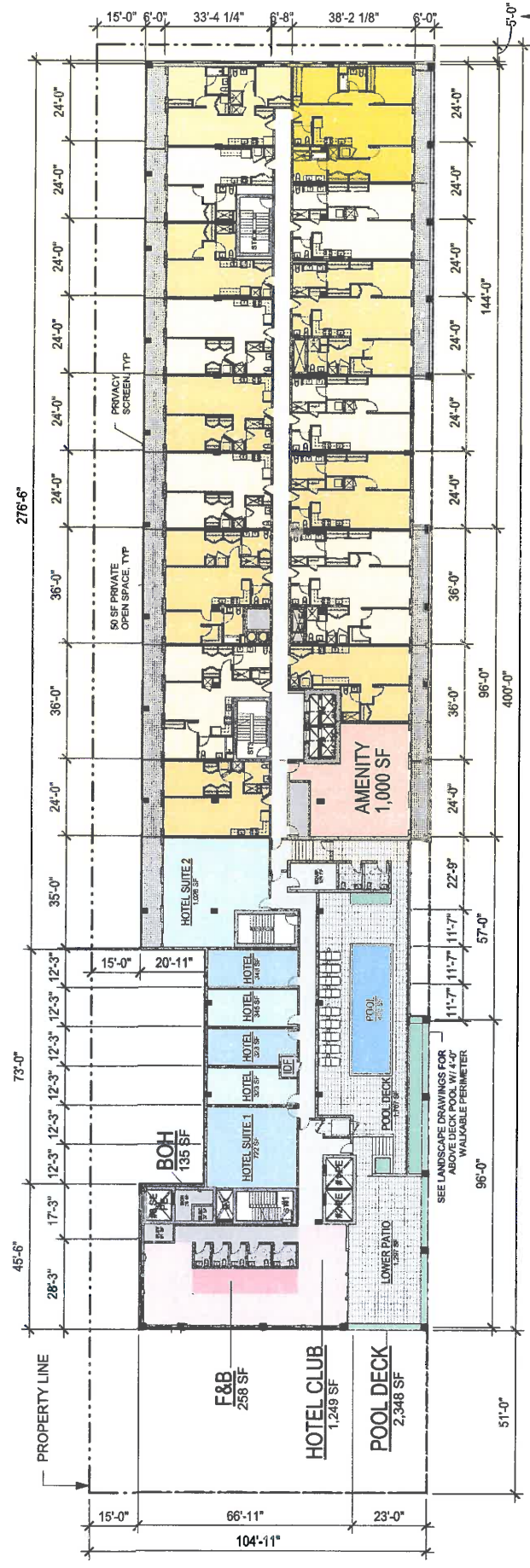
12  
**EXHIBIT 'A'**  
 Page No. 12 of 30  
 Case No. LA-2019-1744



HOTEL KEY COUNT	
Level 2:	11
Level 3:	21
Level 4:	21
Level 5:	21
Level 6:	21
Level 7:	21
Level 8:	9
<b>Total:</b>	<b>125 Keys</b>

CONDO COUNT AND MIX			
	1BR	2BR	3BR
Level 2:	10		
Level 3:	19		
Level 4:	19		
Level 5:	19		
Level 6:	19		
Level 7:	19		
Level 8:	16		
<b>Total:</b>	<b>121 Units</b>	<b>37</b>	<b>6</b>
	<b>64.4%</b>	<b>30.64%</b>	<b>4.96%</b>
	<b>750 SF</b>	<b>1,000 SF</b>	<b>1,338 SF</b>
			<b>Avg SF Per Type</b>

Count Per Type  
% Per Type  
Avg SF Per Type



**MA**  
Designer:  
Morris Adjmi Architects  
www.ma.com

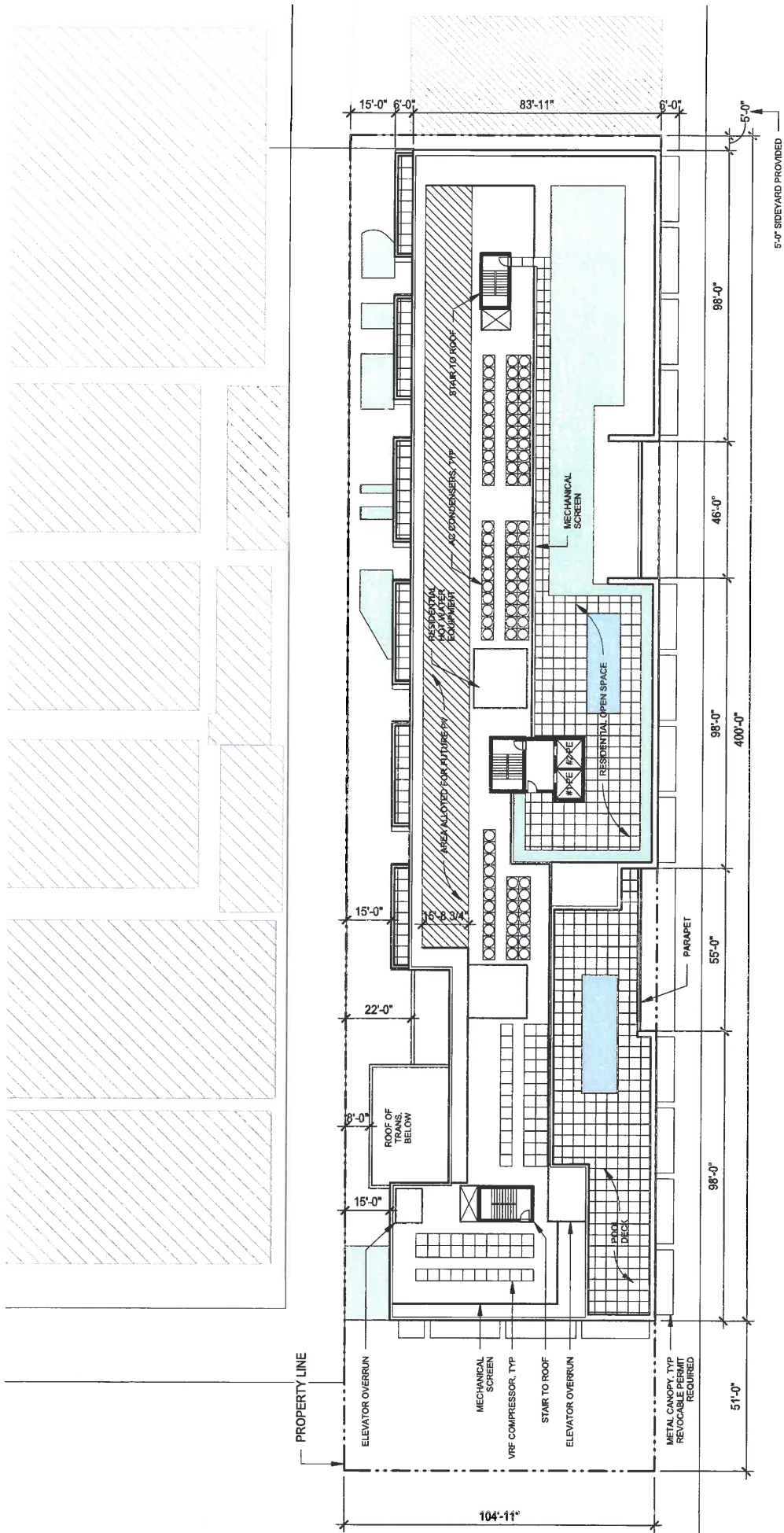
**ISM**  
Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

Level 8 Plan  
15 December 2020



**EXHIBIT "A"**  
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14  
 EXHIBIT  
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 Case No. ZA-2019-1444

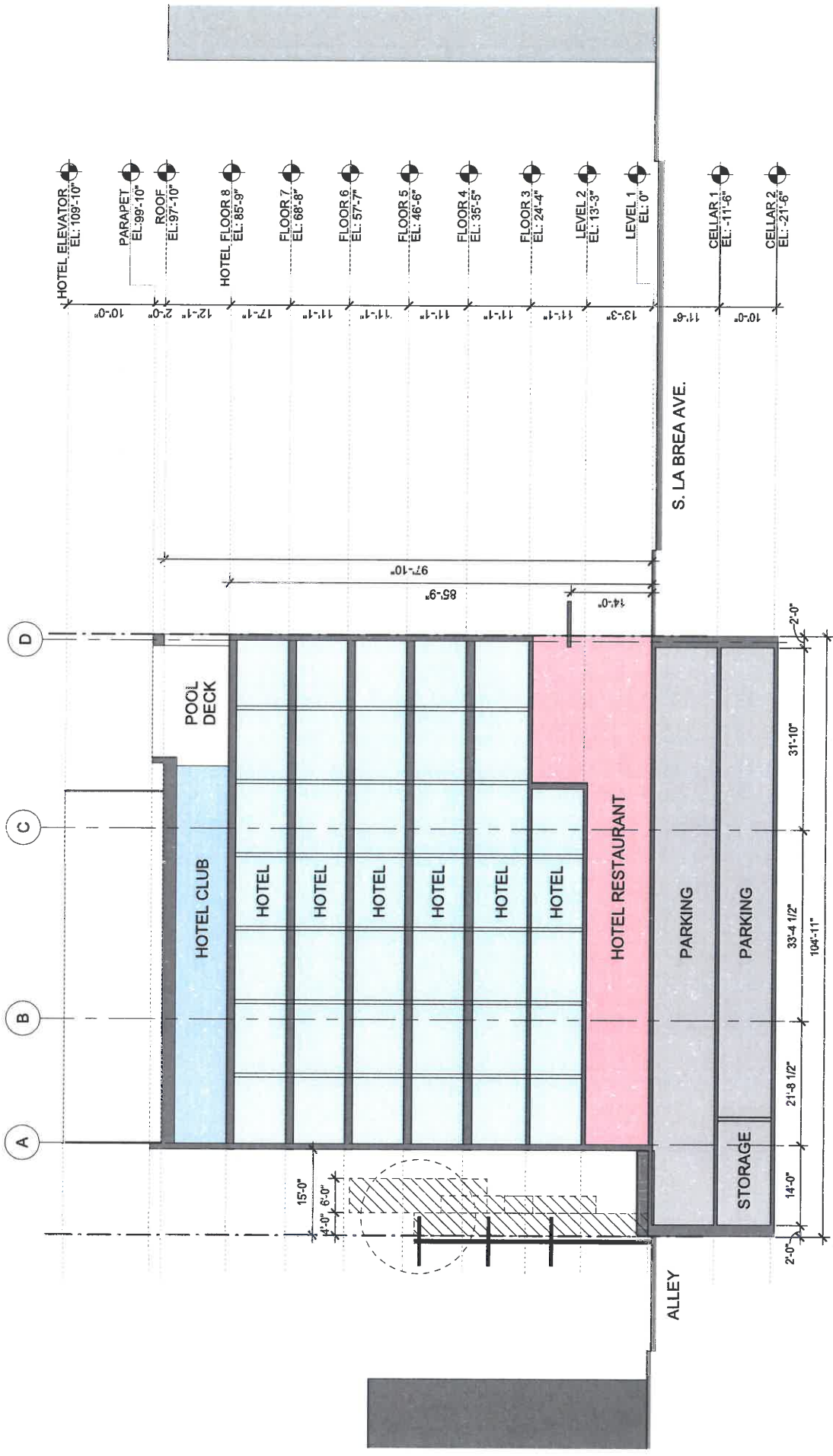
**Roof Plan**  
 15 December 2020

**Project:**  
 639 South La Brea Ave.  
 Los Angeles, CA

**Architect:**  
 Togawa Smith Martin  
 www.tsminc.com

**Designer:**  
 Morris Adjmi Architects  
 www.ma.com





**Section 1 at Hotel and Hotel Restaurant**

15 December 2020

Project:  
639 South La Brea Ave.  
Los Angeles, CA

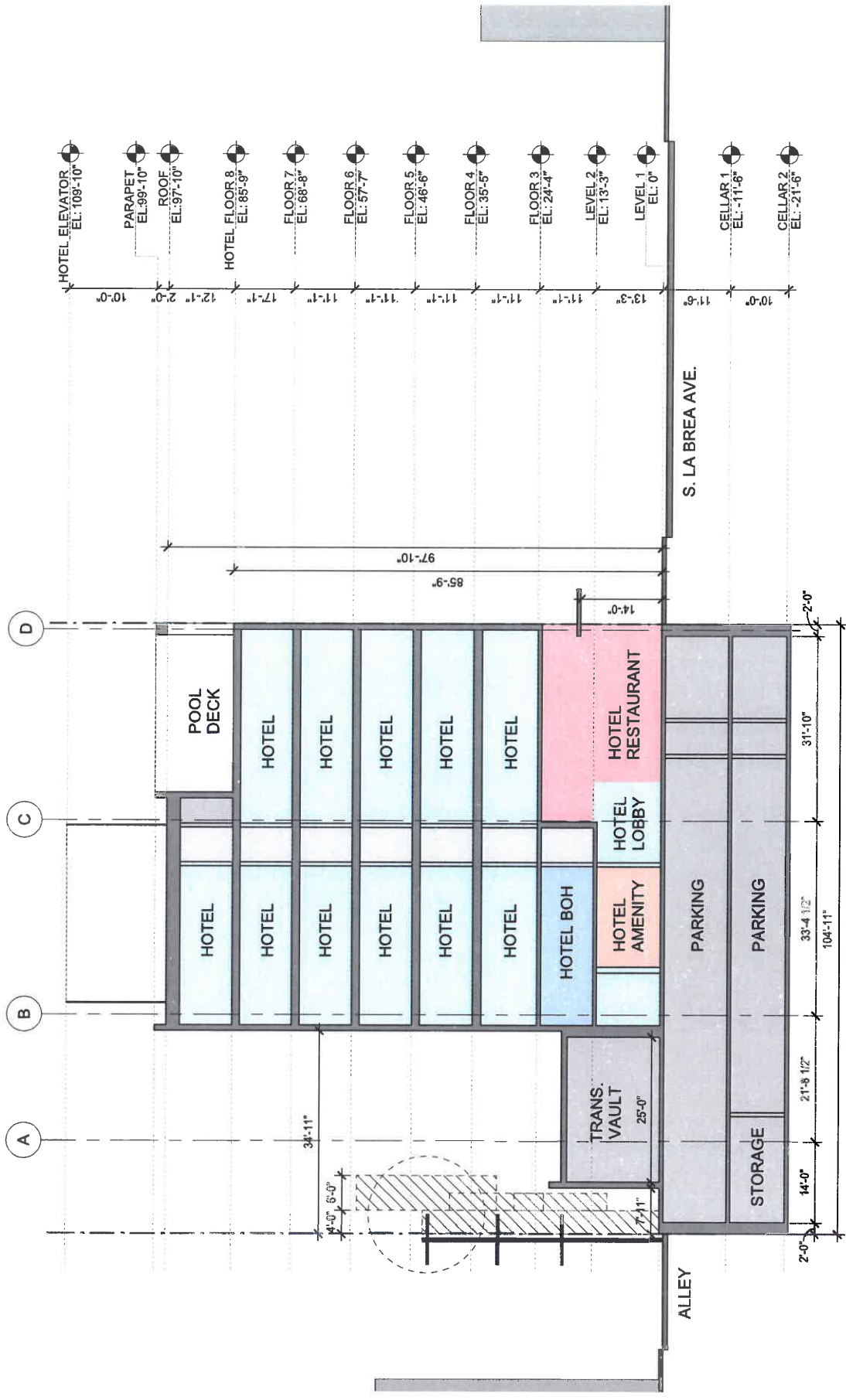
Architect:  
Togawa Smith Martin  
www.tsminc.com

Designer:  
Morris Adjmi Architects  
www.ma.com



EXHIBIT "A"

Page No. 15 of 20  
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Designer:  
Morris Adjmi Architects  
www.ma.com

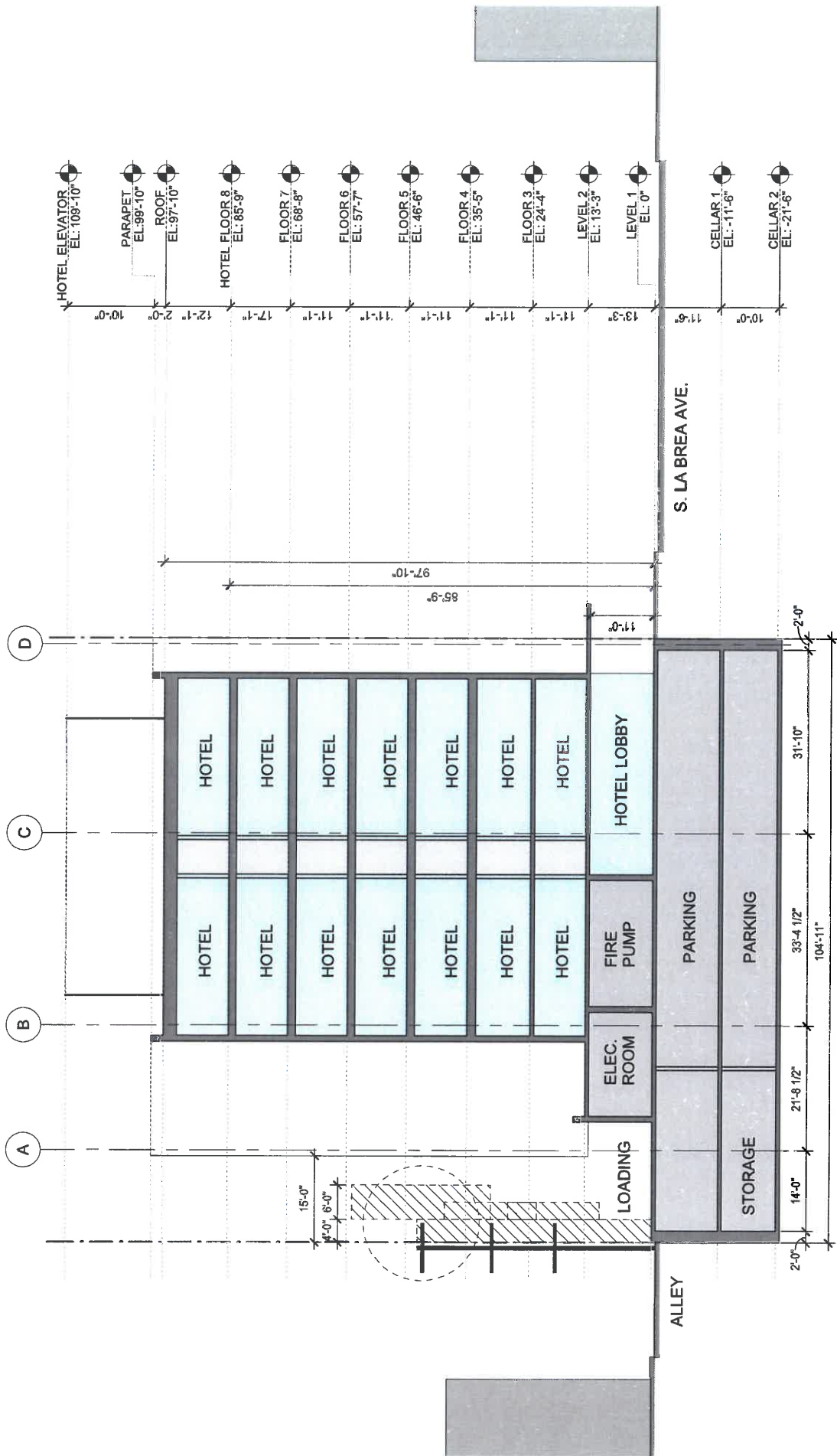
Architect:  
Togawa Smith Martin  
www.tsminc.com


Project:  
639 South La Brea Ave.  
Los Angeles, CA

Section 2 at Hotel Restaurant  
15 December 2020

EXHIBIT "A"  
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Case No. ZA-2019-17414






**Designer:**  
 Morris Adjmi Architects  
 www.ma.com


**Architect:**  
 Togawa Smith Martin  
 www.tsminc.com

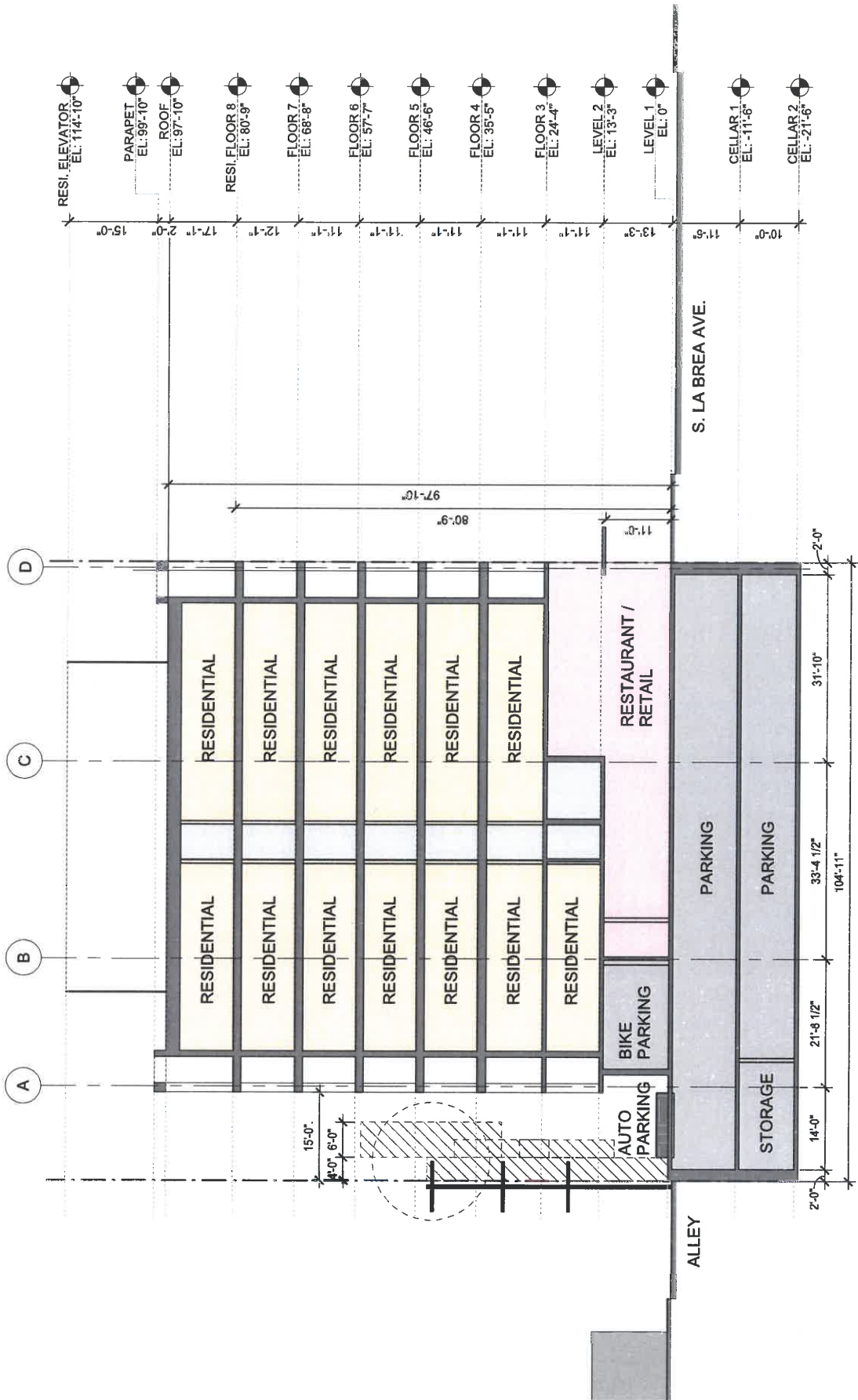
**Project:**  
 639 South La Brea Ave.  
 Los Angeles, CA

**Section 3 at Hotel Lobby**  
 15 December 2020


17  
**EXHIBIT "A"**  
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 Case No. #A-2019-1744







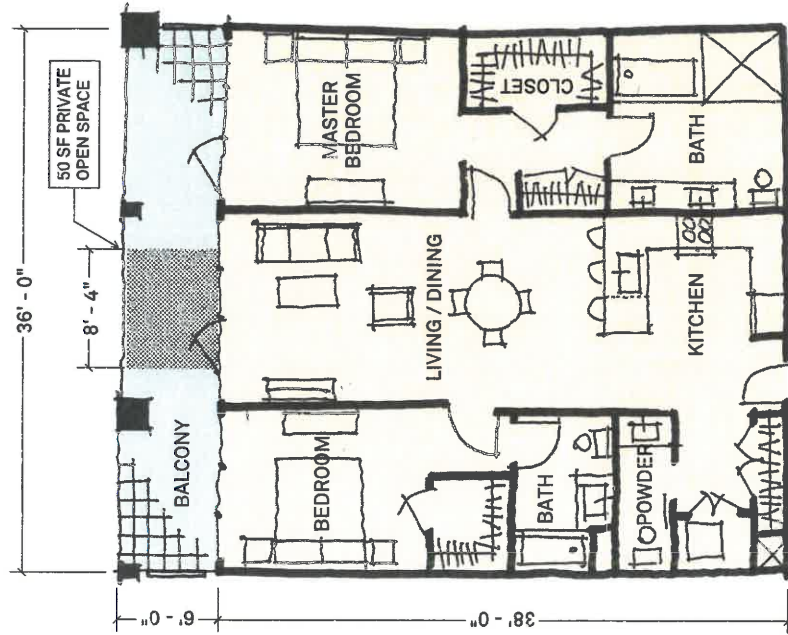

**Designer:**  
 Morris Adjmi Architects  
 www.ma.com


**Architect:**  
 Togawa Smith Martin  
 www.tsminc.com

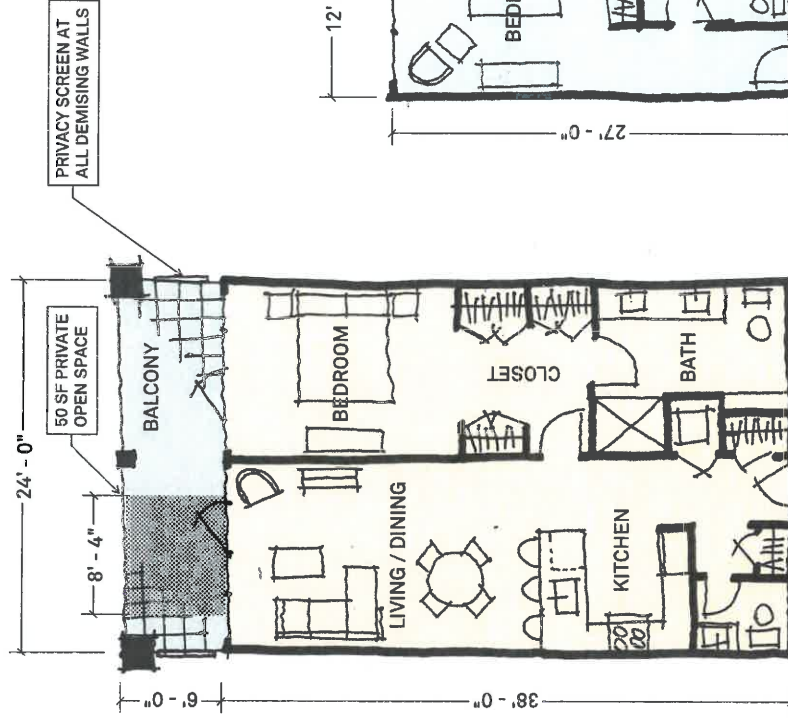
**Project:**  
 639 South La Brea Ave.  
 Los Angeles, CA

**Section 5 at Retail and Residential**  
 15 December 2020

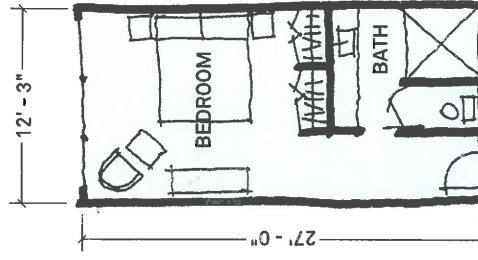
19  
**EXHIBIT "A"**  
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 Case No. SA 2019-1744



1 TYPICAL TWO BEDROOM / TWO BATH UNIT



2 TYPICAL ONE BEDROOM / ONE BATH UNIT



3 TYPICAL HOTEL SUITE



Designer:  
Morris Adjmi Architects  
www.ma.com



Architect:  
Togawa Smith Martin  
www.tsminc.com

Project:  
639 South La Brea Ave.  
Los Angeles, CA

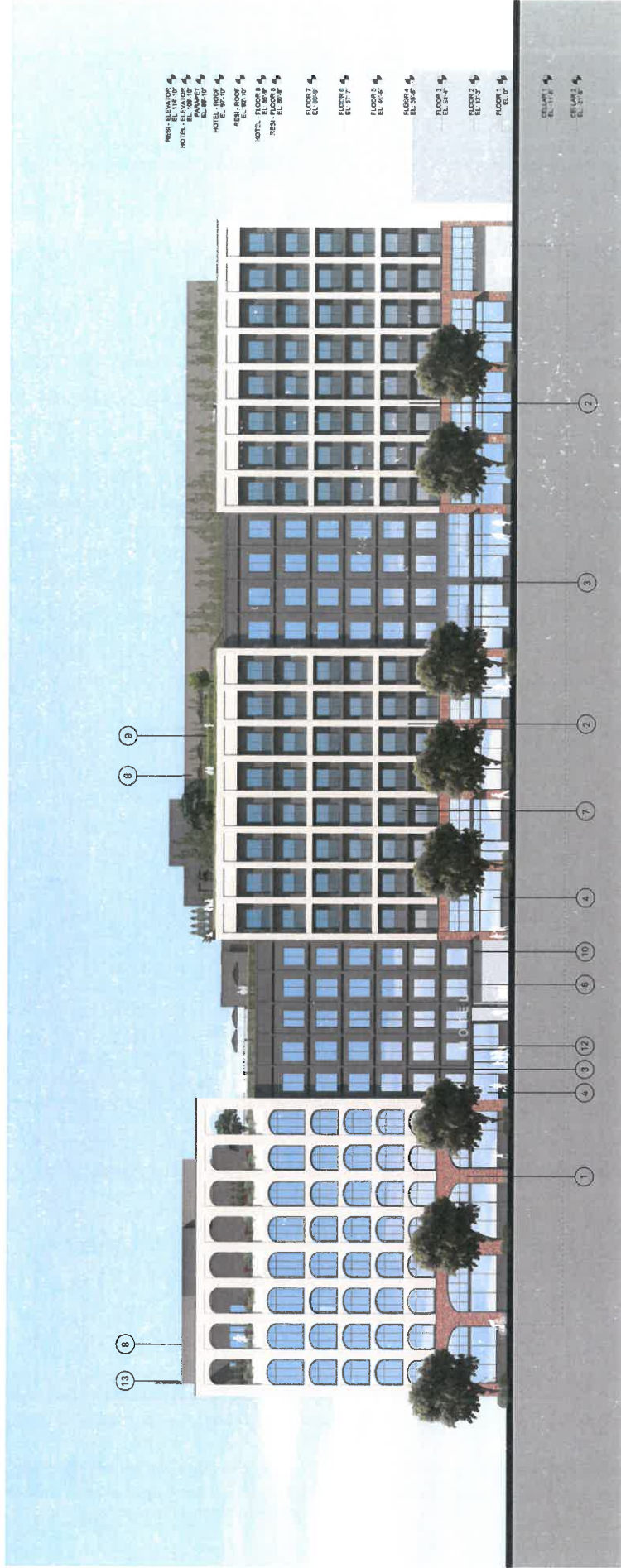
### Typical Unit Plans

15 December 2020



20

**EXHIBIT "A"**  
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Case No. ZA-2019-1744




- PERK. ELEVATOR EL. 104'0"
- HOTEL. EL. 104'0"
- HOTEL. EL. 102'0"
- HOTEL. EL. 100'0"
- HOTEL. EL. 98'0"
- HOTEL. EL. 96'0"
- RES. FLOOR 8 EL. 94'0"
- HOTEL. FLOOR 8 EL. 92'0"
- RES. FLOOR 8 EL. 90'0"
- FLOOR 7 EL. 88'0"
- FLOOR 6 EL. 86'0"
- FLOOR 5 EL. 84'0"
- FLOOR 4 EL. 82'0"
- FLOOR 3 EL. 80'0"
- FLOOR 2 EL. 78'0"
- FLOOR 1 EL. 76'0"
- EL. 74'0"
- EL. 72'0"

**MATERIALS LEGEND**

- 1 BRICK 1
- 2 BRICK 2
- 3 METAL PANEL CLADDING
- 4 ALUMINUM STOREFRONT
- 5 ALUMINUM WINDOWS
- 6 METAL CANOPY
- 7 METAL GUARDRAILS
- 8 METAL MECHANICAL SCREEN
- 9 PLANTINGS AT MECHANICAL SCREEN
- 10 LIGHTING AT SOFFIT/WAINING
- 11 WALL SIGN 1, TYP (47 SF x8)
- 12 WALL SIGN 2 (54 SF x1)
- 13 WALL SIGN 3 (694 SF x1)

**Designer:**  
 Morris Adjmi Architects  
 www.ma.com

**Architect:**  
  
 Togawa Smith Martin  
 www.tsminc.com

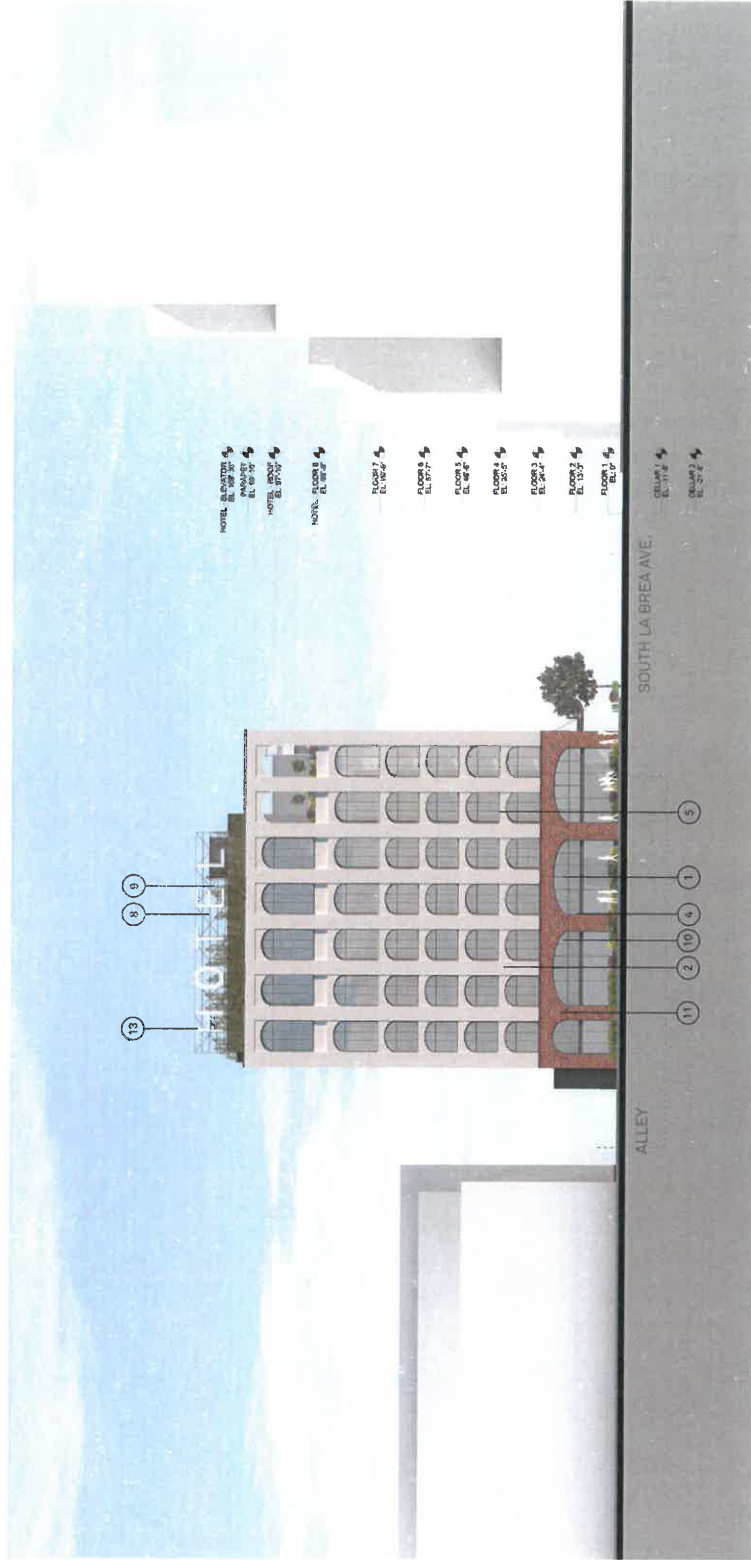
**Project:**  
 639 South La Brea Ave.  
 Los Angeles, CA

**East Elevation (S. La Brea Ave.)**  
 15 December 2020

EXHIBIT "A"

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 Case No. SA-2019-1744





**MATERIALS LEGEND**

- 1 BRICK 1
- 2 BRICK 2
- 3 METAL PANEL CLADDING
- 4 ALUMINUM STOREFRONT
- 5 ALUMINUM WINDOWS
- 6 METAL CANOPY
- 7 METAL GUARDRAILS
- 8 METAL MECHANICAL SCREEN
- 9 PLANTINGS AT MECHANICAL SCREEN
- 10 LIGHTING AT SOFFIT/AWNING
- 11 WALL SIGN 1, TYP (67 SF x6)
- 12 WALL SIGN 2 (64 SF x1)
- 13 WALL SIGN 3 (494 SF x1)

Architect:  
Togawa Smith Martin  
www.tsminc.com

Designer:  
Morris Adjmi Architects  
www.ma.com



**South Elevation (from Wilshire Blvd.)**

15 December 2020

22

**EXHIBIT A**

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Case No. LA 2019-1444





Designer:  
Morris Adjmi Architects  
[www.ma.com](http://www.ma.com)



Architect:  
Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)

Project:  
639 South La Brea Ave.  
Los Angeles, CA

### Perspective Elevation

15 December 2020

EXHIBIT "A"  
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Case No. ZA-09-1744



Designer:  
Morris Adjmi Architects  
[www.ma.com](http://www.ma.com)



Architect:  
Togawa Smith Martin  
[www.tsminc.com](http://www.tsminc.com)

Project:  
639 South La Brea Ave.  
Los Angeles, CA

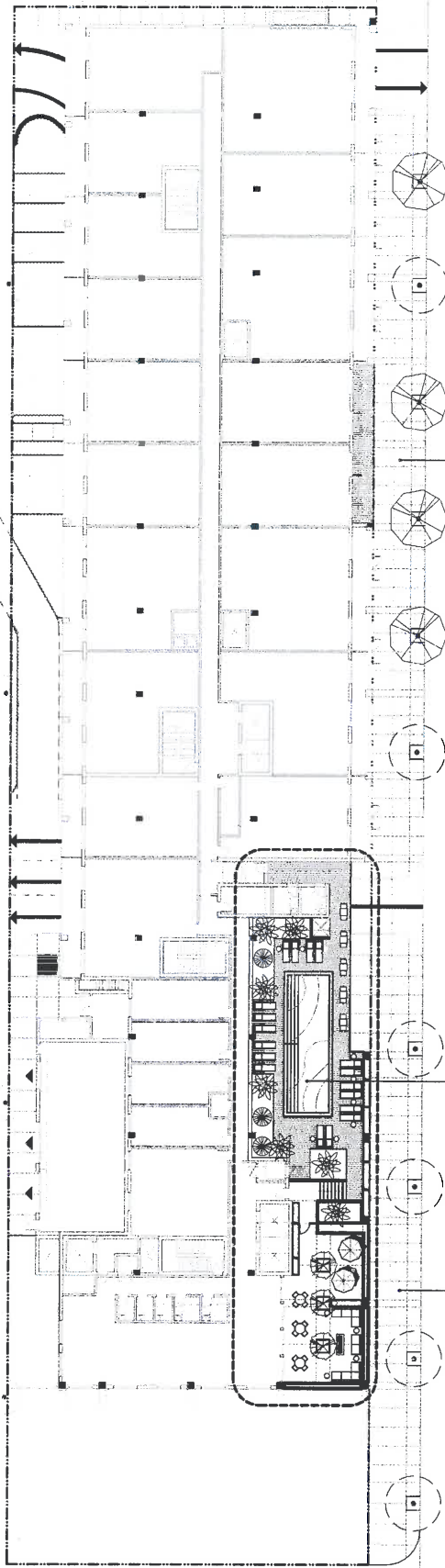
View North on S. La Brea Ave.  
15 December 2020

24  
EXHIBIT "A"  
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Case No. SA-2019-1744





ALLEY



FUTURE ALLEY

LEVEL 1 LANDSCAPE PLAN  
SEE ENLARGEMENT ON SHEET L-2.

POOL COURTYARD: LEVEL 8  
SEE ENLARGEMENT ON SHEET L-4.

LEVEL 1 LANDSCAPE PLAN  
SEE ENLARGEMENT ON SHEET L-3.

S. LA BREA AVE.

**TREE COUNT SUMMARY**

TOTAL NO. OF UNITS PROPOSED	= 121
TOTAL NO. OF TREES REQUIRED (1-24" BOX TREE PER 4 UNITS)	= 31
NO. OF 24" BOX TREES PROPOSED ON LEVEL 1 (INCLUDING STREET TREES)	= 4
NO. OF 24" BOX TREES PROPOSED ON LEVEL 8	= 27
TOTAL NO. OF 24" BOX TREES PROPOSED	= 31

**COMMON OPEN SPACE LANDSCAPING**

TOTAL COMMON OPEN SPACE:	= 3,397 S.F.
PLANTING IN COMMON OPEN SPACE PROPOSED:	= 881 S.F.
25% OF COMMON OPEN SPACE TO BE PLANTED	= 849 S.F.

- GENERAL NOTES:**
1. ALL LANDSCAPE AREAS WILL BE IRRIGATED BY A HIGH EFFICIENCY IRRIGATION W/ SMART IRRIGATION CONTROLS.
  2. ALL IRRIGATION SHALL COMPLY WITH CITY OF LOS ANGELES REQUIREMENTS.
  3. IRRIGATION DESIGN WILL INCORPORATE EPA WATERWISE REQUIREMENTS.
  4. STREET TREES SHALL BE SELECTED AND INSTALLED PER CITY OF LOS ANGELES TREE SPECIFICATIONS.
  5. ALL NEW PLANTED AREAS TO BE IRRIGATED FOR WATER CONSERVATION.
  6. THERE ARE NO PROTECTED TREES ON THE SITE.

**WATER CONSERVATION STATEMENT:**  
ALL LANDSCAPE WILL BE SPECIFIED, PLANTED & IRRIGATED ACCORDING TO LANDSCAPE DESIGN PRINCIPLES WHICH INCLUDE THE PREDOMINANT USE OF GROUPING PLANTS WITH SIMILAR WATER REQUIREMENTS TOGETHER, MINIMIZING PRECIPITATION LOSS, DIRT MULCH, SEPARATE VALVES FOR IRRIGATION AND OVERHEAD COVER AREA AND RAIN SHUT OFF DEVICES. THIS PROJECT WILL COMPLY WITH THE STATE WATER CONSERVATION ORDINANCE EFFECTIVE JANUARY 1, 2011.

Landscape Architect:  
TGP Inc. Landscape Architecture  
www.tgpinc.net

Project:  
639 South La Brea  
Los Angeles, CA

Composite Landscape Plan  
15 December 2020

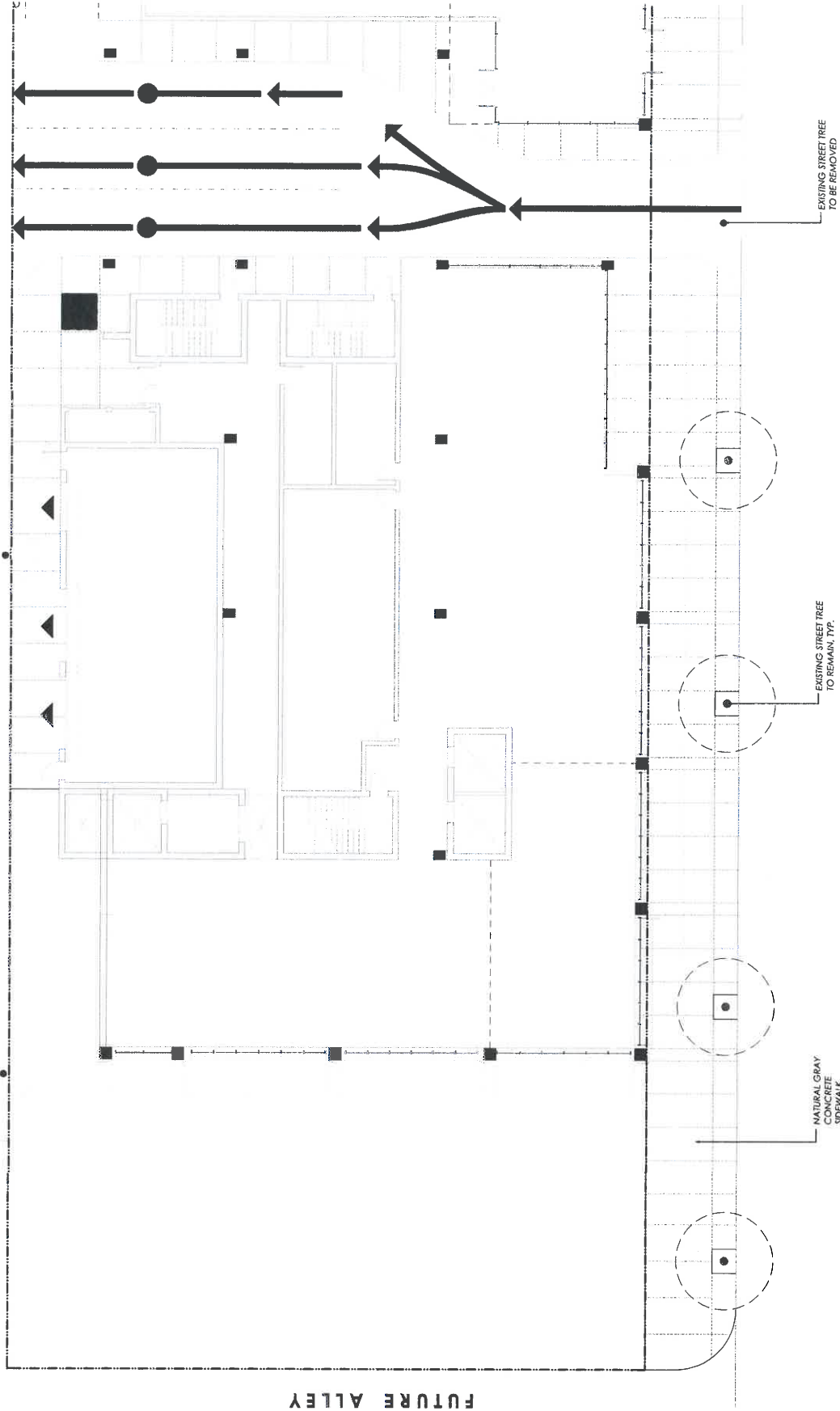
0 16' 32' 1/32" = 1'-0"

EXHIBIT A

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Case No. 2019-1744

ALLEY



**Landscape Architect:**  
 TGP Inc. Landscape Architecture  
 www.tgpinc.net

**Project:**  
 639 South La Brea  
 Los Angeles, CA

**Level 1 Hotel - Landscape Plan**  
 15 December 2020

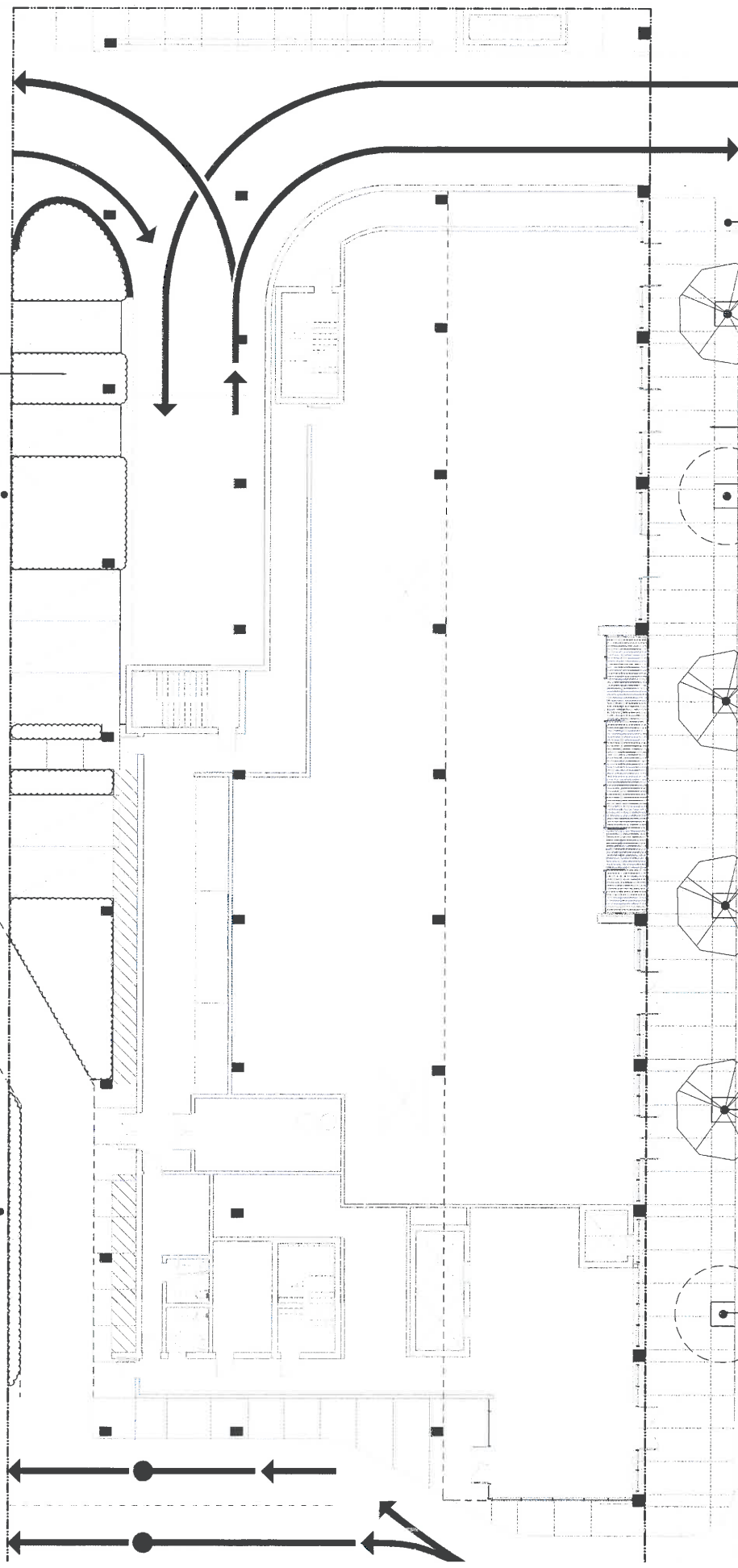


**EXHIBIT 'A'**  
 Page No. 24 of 30  
 Case No. FA-2019-1744



ALLEY

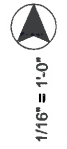
PLANTING AREAS, TYP.



**S. LA BREA AVE.**  
**Level 1 Residential - Landscape Plan**  
 15 December 2020

**Project:**  
 639 South La Brea  
 Los Angeles, CA




**Landscape Architect:**  
 TGP Inc. Landscape Architecture  
 www.tgpinc.net










**EXHIBIT 'A'**  
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TREES - LEVEL 8

			
ARCHONTOFLOBIK CUNNINGHAMIANA "BIG PALM"	CITRUS SPECIES	PODOCARPUS HENKELII "LONG-LEAF YELLOWWOOD"	PODOCARPUS LATIFOLIUS "YELLOWWOOD"

SHRUBS & SUCCULENTS - LEVEL 8

						
BOUGAINVILLEA SPECIES "BOUGAINVILLEA"	CITRUS SPECIES "ROCKROSE"	LAVANDULA SPECIES "LAVENDER"	MYRTUS COMMUNIS "MYRTLE"	ROSEMARINUS OFFICINALIS SPECIES "ROSMARY"	SALVIA OFFICINALIS SPECIES "SAGE"	TEUCRIUM SPECIES "GERMANDER"

SHRUBS & SUCCULENTS - LEVEL 8

				
AEONIUM SPECIES "AEONIUM"	ALOE SPECIES "ALOE"	ANGOLANTHOS SPECIES "KANGAROO PAW"	ECHIVERIA SPECIES "ECHIVERIA"	SEDUM SPECIES "STONECROP"

NOTE: PLANTS SHALL BE CHOSEN FROM THIS SELECTION. ALL PLANT TYPES MAY NOT BE SPECIFIED.

# **Exhibit E**

**Sustainable Communities**

**Project Exemption**

**(Case No. ENV-2019-1736-SCPE)**



CITY OF LOS ANGELES  
DEPARTMENT OF CITY PLANNING  
CITY HALL 200 NORTH SPRING STREET LOS ANGELES CA 90012

# Sustainable Communities Project CEQA Exemption

## 639 La Brea Project

Case Number: ENV-2019-1736-SCPE

---

**Project Addresses:** 623-671 South La Brea Avenue, Los Angeles, California 90036

**Community Plan Area:** Wilshire

**Council District:** 4 - Ryu

**Project Description:** The Project Site occupies approximately 47,323 square feet (1.08 acres) and is currently developed with 34,268 square feet of commercial/retail and medical office uses. The Proposed Project includes the demolition of the existing commercial buildings and the development of an 8-story mixed-use building with a height of approximately 101 feet and 10 inches in height at the top of the roof parapet (122 feet to the top of the rooftop mechanical equipment and structures), with 121 residential dwelling units, 125 hotel rooms, and approximately 13,037 square feet of restaurant space ("Proposed Project"). Of the 121 dwelling units, 14 units would be restricted for Extremely Low Income households, which is equivalent to 11% of the total residential units. The Proposed Project would provide 192 vehicle parking spaces within two subterranean levels. The Project would also provide 139 bicycle parking spaces (including 108 long-term spaces and 31 short-term spaces). The Proposed Project would provide approximately 10,256 square feet of open space. The Proposed Project would include 201,123 square feet of total floor area resulting in a floor area ratio (FAR) of 4.25:1.

**PREPARED FOR:**

The City of Los Angeles  
Department of City Planning

**PREPARED BY:**

Parker Environmental Consultants

**APPLICANT:**

La Brea Bliss, LLC!

**November 2019 \***

*\*This electronic file is an exact reprint of the Nov. 2019 SCPE with the exception of Figures 6 through 16, which were inadvertently included with renderings from a prior plan set. The correct figures reflecting the current site plans dated September 24, 2019 have been incorporated herein. No other material or analytical changes were made to this document.*



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## Attachments

Attachment A.1 .....	SCAG RTP/SCS Background Documentation Report
Attachment A.2 .....	SCAG RTP/SCS Urban Footprint Place Types
Attachment B .....	Protected Tree Report
Attachment C .....	Phase I Environmental Site Assessment (ESA)
Attachment D .....	Geotechnical Investigation Report
Attachment E .....	Historic Resource Assessment Report and Impact Analysis
Attachment F.1 .....	Energy Reduction Report
Attachment F.2 .....	Total Water Use Reduction Report

# 1.0 Project Description

## 1.1 Project Location

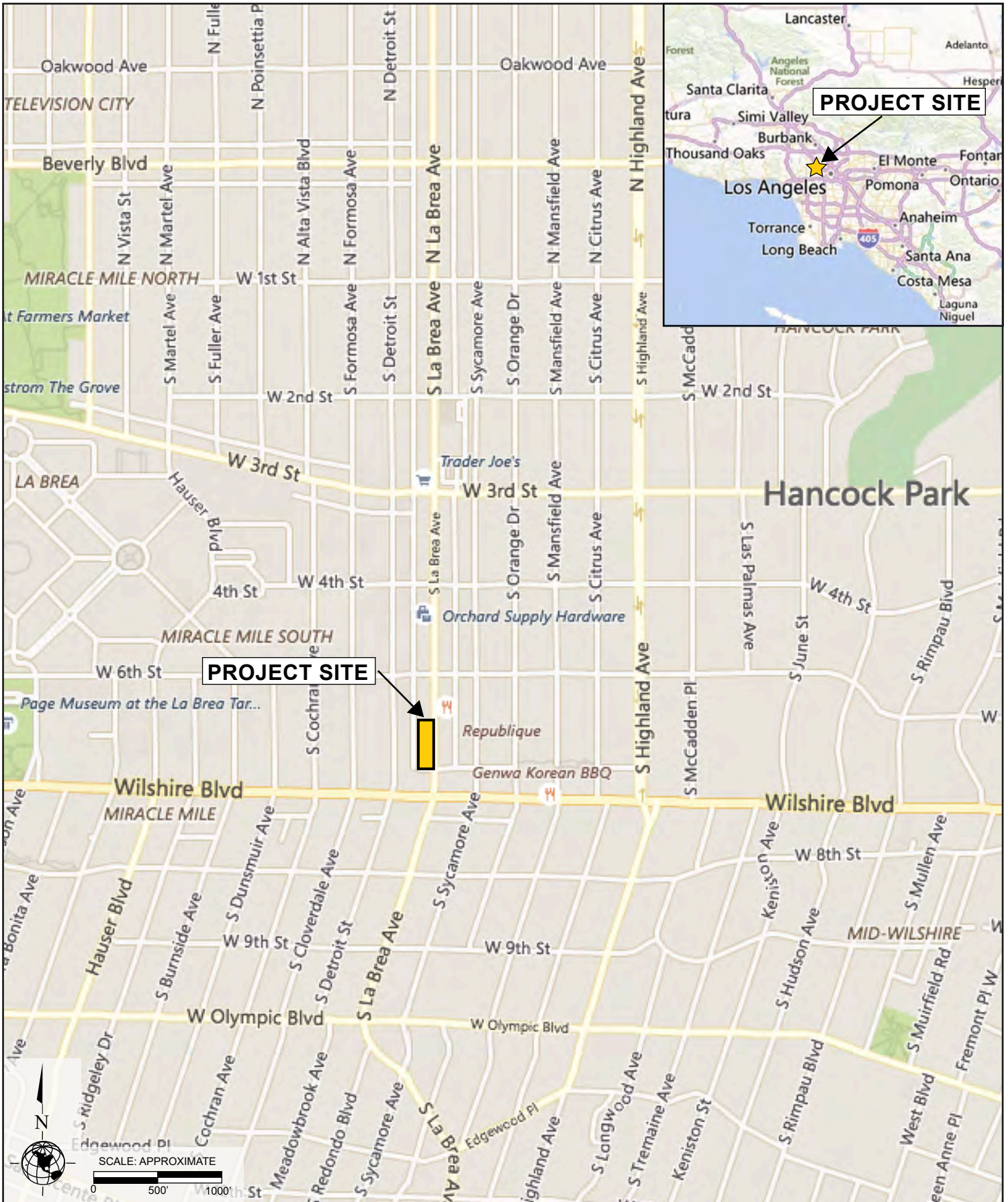
The Project Site is located at 623-671 South La Brea Avenue in the City of Los Angeles, California and is comprised of twelve contiguous parcels legally described as Lot 38 through Lot 48, and a portion of Lot 49, of Tract 5273. The lots total approximately 47,323 square feet or 1.08 acres. The Project Site is located within the boundaries of the Wilshire Community Plan area. The Project Site's location within the City of Los Angeles and the greater Los Angeles region is depicted in Figure 1, Project Location Map.

## 1.2 Existing Conditions

The Project Site is located in the C2-1 zone. The General Plan land use designation for the Project Site is General Commercial. Figure 2, Zoning and General Plan Land Use Designations, shows the existing zoning and land use designations on the Project Site and in the surrounding area. The Project Site fronts approximately 451 feet along the west side of South La Brea Avenue and is currently developed with five buildings consisting of two vacant building and three occupied buildings. The occupied buildings include a fabric shop, a printing shop, and an urgent care/medical office use. Based on Los Angeles County Assessor data, the existing site is developed with approximately 34,268 square feet of building area. An aerial photograph identifying the Project Site and its surrounding land uses is depicted in Figure 3. Photographs of the Project Site and the surrounding land use shown in Figure 4 and Figure 5, respectively. The Project Site's property addresses, APN and land uses are summarized in Table 1, Summary of the Project Site Area.

**Table 1  
Summary of Project Site Area**

<b>Addresses</b>	<b>APN</b>	<b>Existing Land Use</b>
623 and 625 South La Brea	5508007018	2,400 sf vacant commercial building
627 and 629 South La Brea Avenue	5508007019	Approx. 4,040 sf One-Story Commercial Building (Sharp Printing)
631 South La Brea Avenue	5508007020	Surface Asphalt Parking
633, 635, 635 ½ and 637 South La Brea Avenue	5508007021	Approx. 6,748 sf Two-Story Medical Office Building (La Brea Urgent Care/The Sleep Institute)
639, 641, 643, 645, 647, 649, 651, 653, and 655 South La Brea Avenue	5508007022	Approx. 17,080 SF Two-Story Commercial/Retail Building (Mood Fabrics)
659 and 661 South La Brea Avenue	5508007023	4,000 sf vacant commercial building
665, 667, 669 and 671 South La Brea Avenue	5508007901	Area Currently Fenced and Under Construction (MTA Wilshire and La Brea Station)
Sources: City of Los Angeles, Department of City Planning, City of Los Angeles Zoning Information and Map Access System (ZIMAS), Parcel Profile Report, website: <a href="http://www.zimas.lacity.org">www.zimas.lacity.org</a> , accessed December 2016. M&G Civil Engineering and Land Surveying, ALTA/ACSM Land Title Survey, October 27, 2016. Parker Environmental Consultants, 2019.		

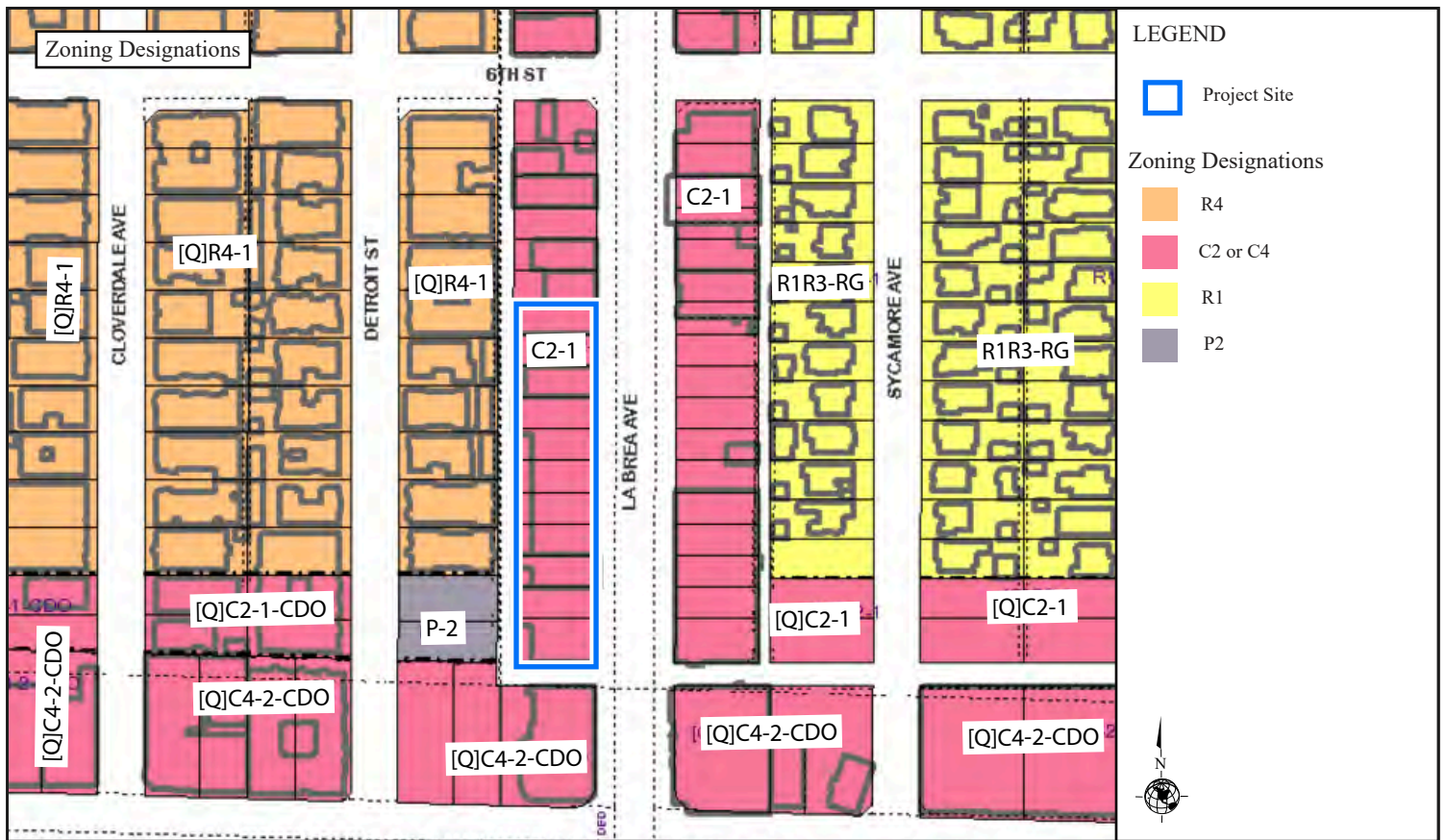


Source: Bing Maps, 2019.



Figure 1  
Project Location Map





Source: ZIMAS, City of Los Angeles, Department of City Planning, 2019.





Source: Google Earth, Aerial View, 2016

Figure 3  
Aerial Photograph of the Project Vicinity

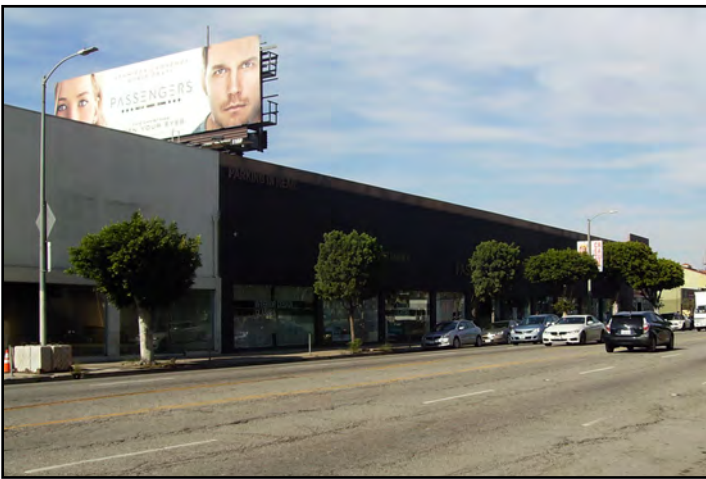




View 1: From the west side of La Brea Avenue, looking south at the Project Site.



View 2: From the east side of La Brea Avenue, looking southwest at the Project Site.



View 3: From the east side of La Brea Avenue, looking northwest at the Project Site.



View 4: From the east side of La Brea Avenue, looking southwest at the Project Site.



View 5: From the east side of La Brea Avenue, looking southwest at the Project Site.



Source: Google Earth, Aerial View

 Project Site Boundary  Photograph Locations

Source: Parker Environmental Consultants, 2017



Figure 4  
Photographs of the Project Site  
Views 1-5





View 6: From the west side of S. Detroit Street, looking northeast at the properties to the west of the Project Site.



View 7: From the east side of La Brea Avenue, looking southwest at the construction of a Metro Purple Line station.



View 8: From the west side of La Brea Avenue, looking southeast at the properties to the east of the Project Site.



View 9: From the northwest corner of the intersection of La Brea Avenue and Wilshire Boulevard, looking northeast at properties to the east of the Project Site.



View 10: From the east side of La Brea Avenue, looking north west at properties to the north of the Project Site.



Source: Google Earth, Aerial View

Project Site Boundary

Photograph Locations

Source: Parker Environmental Consultants, 2017



Figure 5  
Photographs of the Surrounding Land Uses  
Views 6-10

Abutting the Project Site to the south is the Wilshire/La Brea Purple Line Metro Station that is currently under construction. The rear of the Property adjoins a public alley that intersects West 6<sup>th</sup> Street to the north and curves east onto La Brea Avenue south of the Property. Land uses to the west, across the alley include 3, 4 and 5-story residential buildings. The land uses to the north include surface parking, a retail business and a gas station. Land uses to the east, across South La Brea include commercial retail uses, a building occupied by telecommunications equipment, and surface parking.

### 1.3 Proposed Project Description

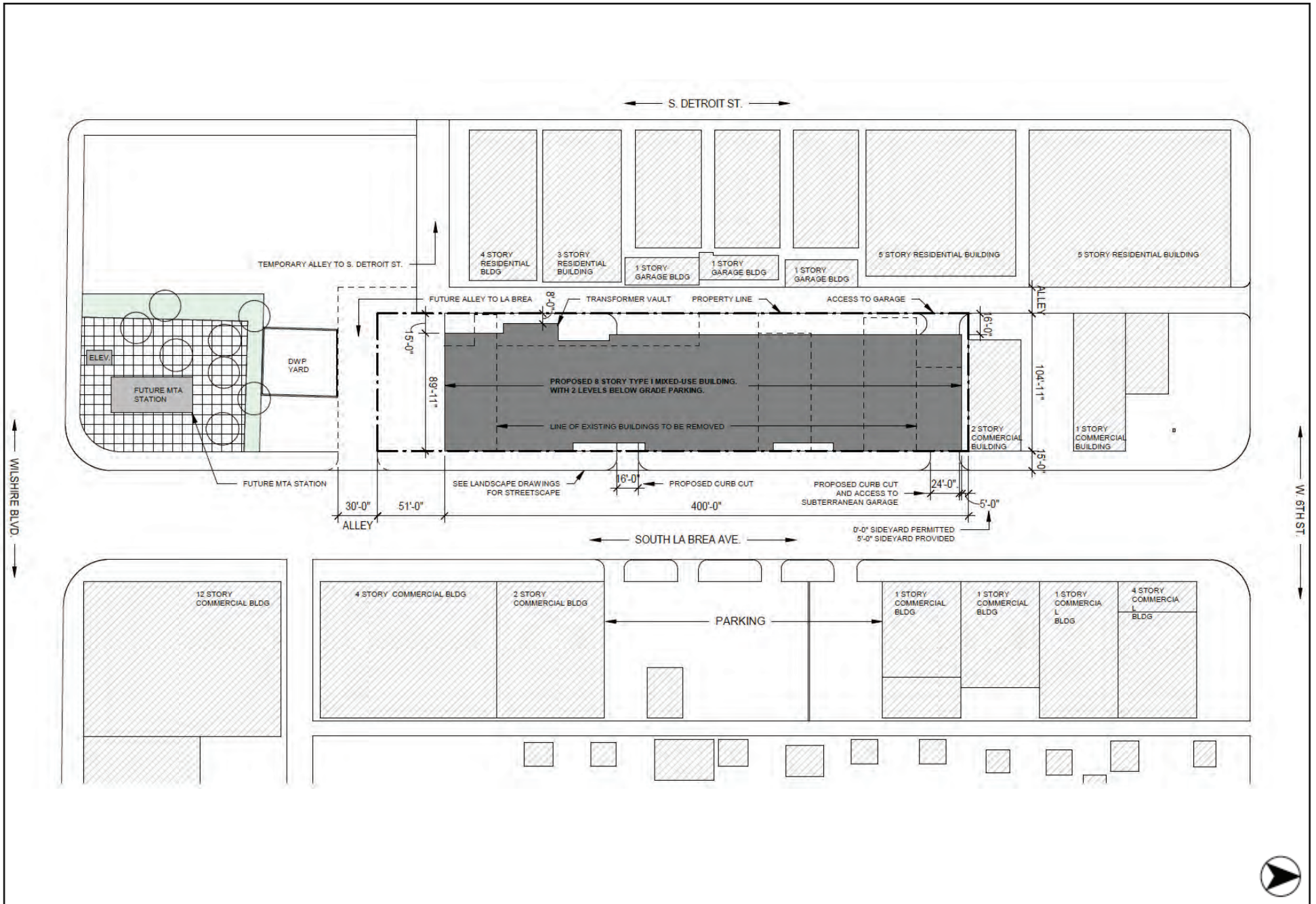
The Proposed Project would include the demolition of the existing buildings and surface parking on the Project Site and the construction and operation of an 8-story mixed-use building with a height of approximately 101 feet and 10 inches in height at the top of the roof parapet (122 feet to the top of the rooftop mechanical equipment and structures), with 121 residential dwelling units, approximately 125 hotel rooms, and approximately 13,037 square feet of restaurant space (“Proposed Project”). Of the 121 dwelling units, 14 units would be restricted for Extremely Low Income households, which is equivalent to 11% of the total residential units. The Proposed Project would provide 192 vehicle parking spaces in two subterranean levels with a 40% reduction in code-required parking for the commercial uses pursuant to the TOC Guidelines. The Project would also provide 139 bicycle parking spaces (including 108 long-term spaces and 31 short-term spaces) pursuant to the Bicycle Ordinance. The Proposed Project would provide approximately 10,256 square feet of open space and amenity areas with a 25% reduction in required open space pursuant to LAMC Section 12.22.A.25(g)(2). The Proposed Project would include 201,123 square feet of total floor area resulting in a floor area ratio (FAR) of 4.25:1.<sup>1</sup> A summary of the Proposed Project is provided in Table 2, Proposed Development Program, below. The plan layout of the Proposed Project is depicted in Figure 6, Plot Plan. The floor plans are illustrated in Figure 7 through Figure 10.

**Table 2  
Proposed Development Program**

Land Uses	Proposed Units	Proposed Floor Area (Square Feet)
<b>Multi-Family Residential</b>		
1-Bedroom	70	<b>130,138 sf</b>
2-Bedroom	45	
3-Bedroom	6	
<b>Subtotal Multi-family Residential:</b>	<b>121 du</b>	
<b>Commercial</b>		
<b>Hotel</b>	125 guest rooms	57,948 sf
Restaurant	--	13,037 sf
<b>Subtotal Commercial:</b>	<b>--</b>	<b>70,985</b>
<b>TOTAL FLOOR AREA</b>		<b>201,123 sf</b>
<sup>a</sup> Includes amenity space and common circulation areas.		

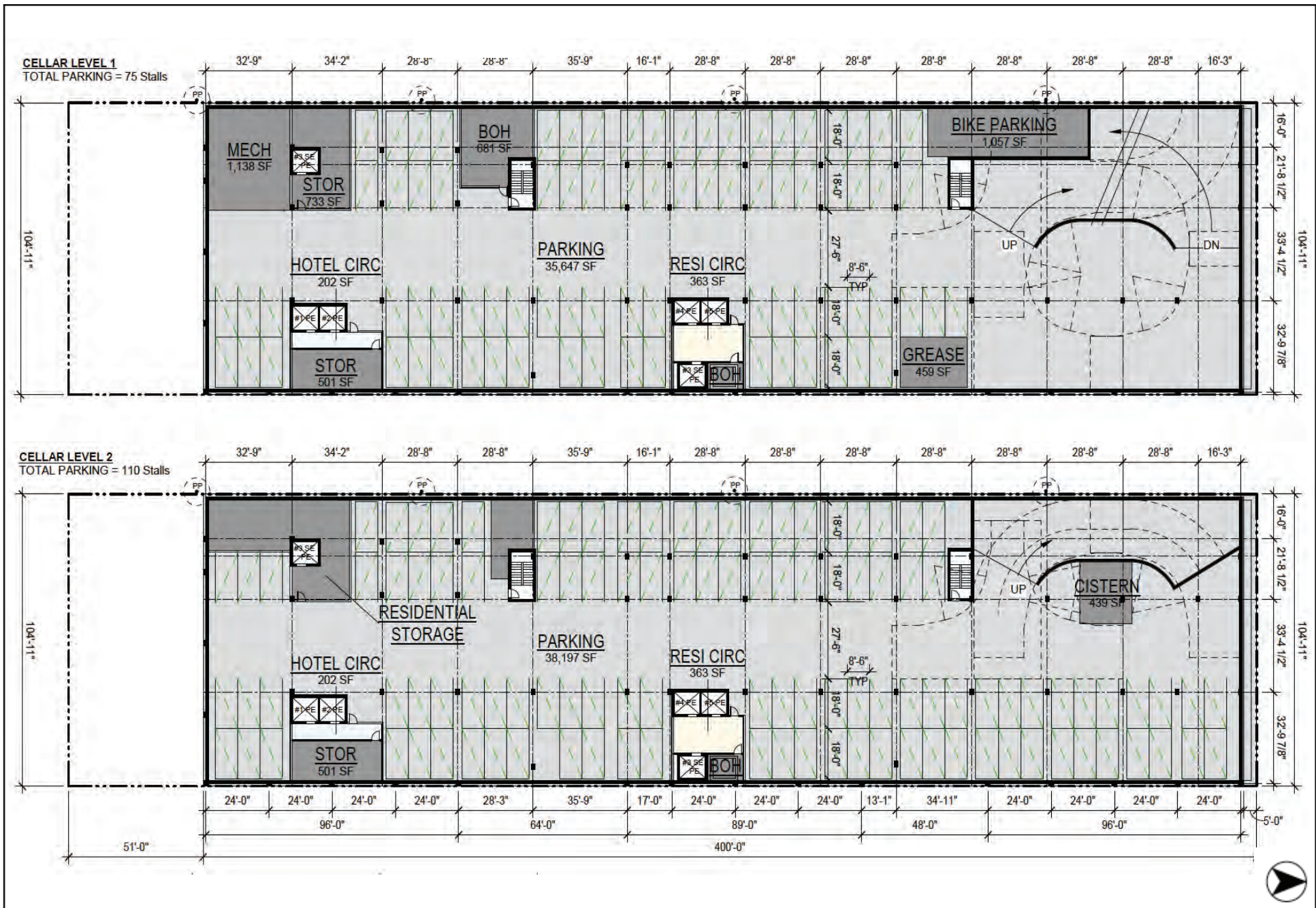
<sup>1</sup> Lot 49 is currently being occupied and used by Metro as construction lay down space in conjunction with the Metro Purple Line Station, which such use is expected to continue until at least 2023. The proposed tract map will consolidate lots 38 through 48 and a portion of lot 49 into Lot 1 (proposed Project Site) and the remaining portion of lot 49 (comprising approximately 4,616 square feet) will become Lot 2. The proposed floor area and number of dwelling units and guest rooms is based on the lot area of Lot 1 only, which is 47,232 square feet in size (and 51,866 square feet in size including half the alley). The applicant has not developed any plans for future development of Lot 2. Any potential future programming on Lot 2 following completion of the Metro Purple Line Station, is not a part of the Proposed Project and is not envisioned at this time. Review of such uncertain future development would be speculative.





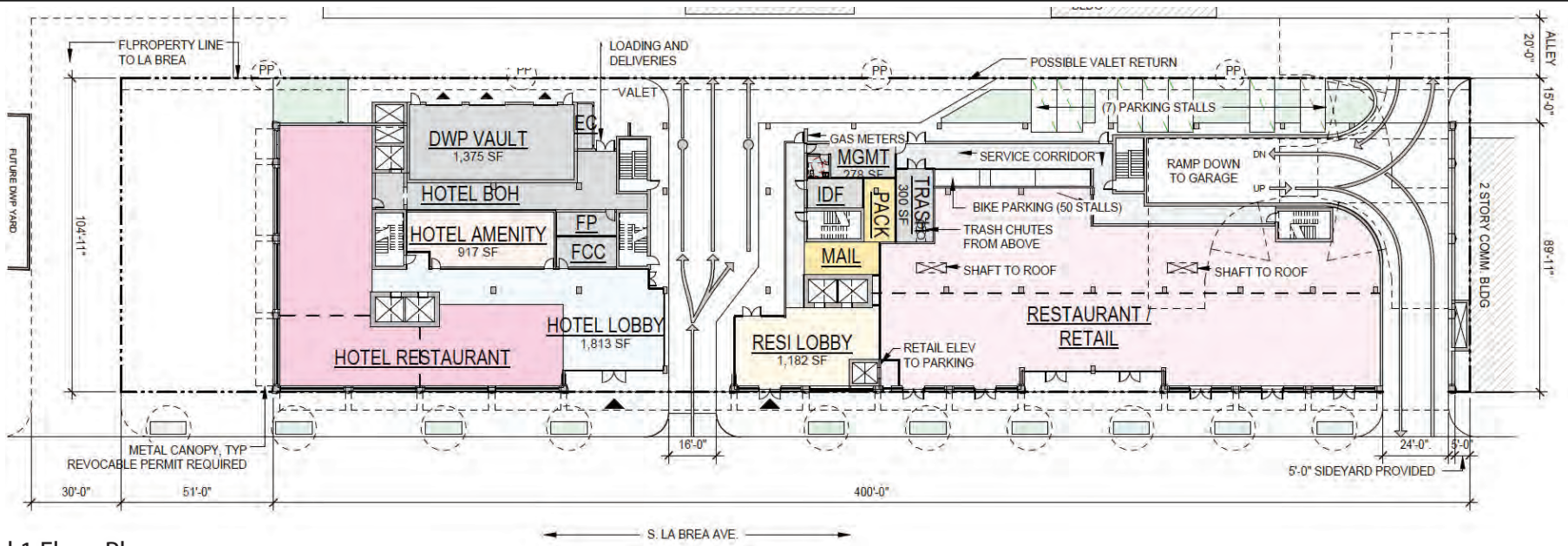
Source: Togawa Smith Martin, September 24, 2019.



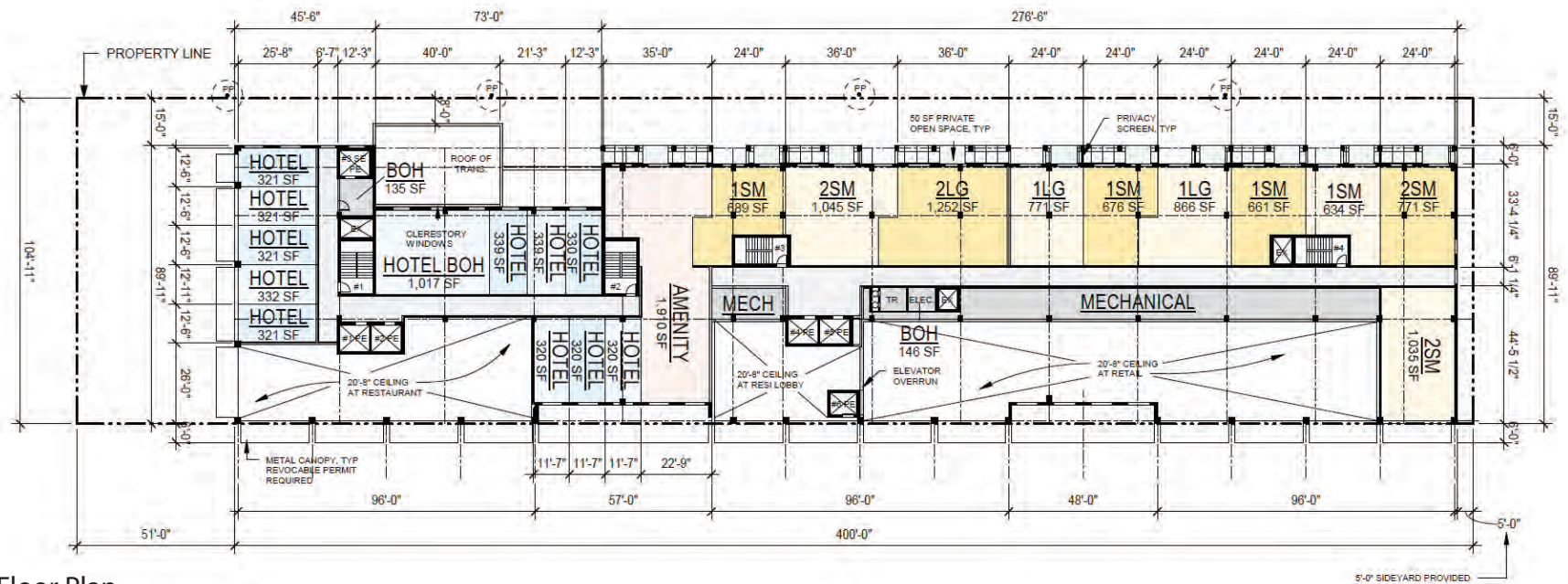


Source: Togawa Smith Martin, September 24, 2019.





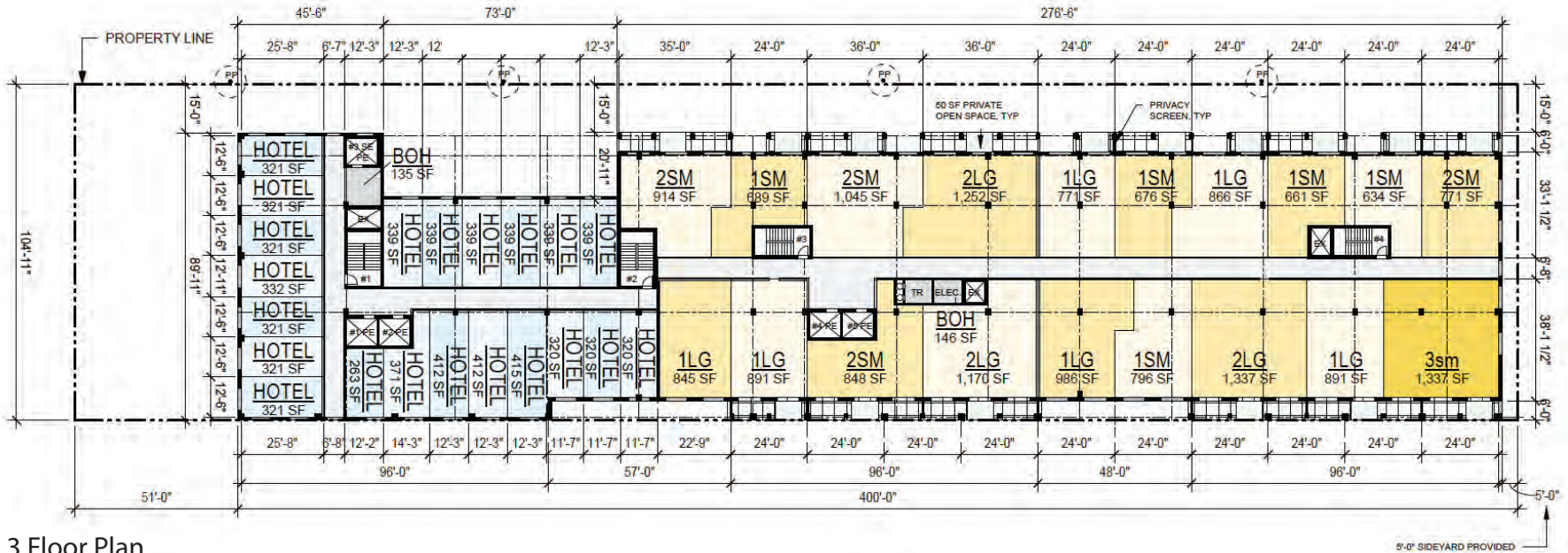
Level 1 Floor Plan



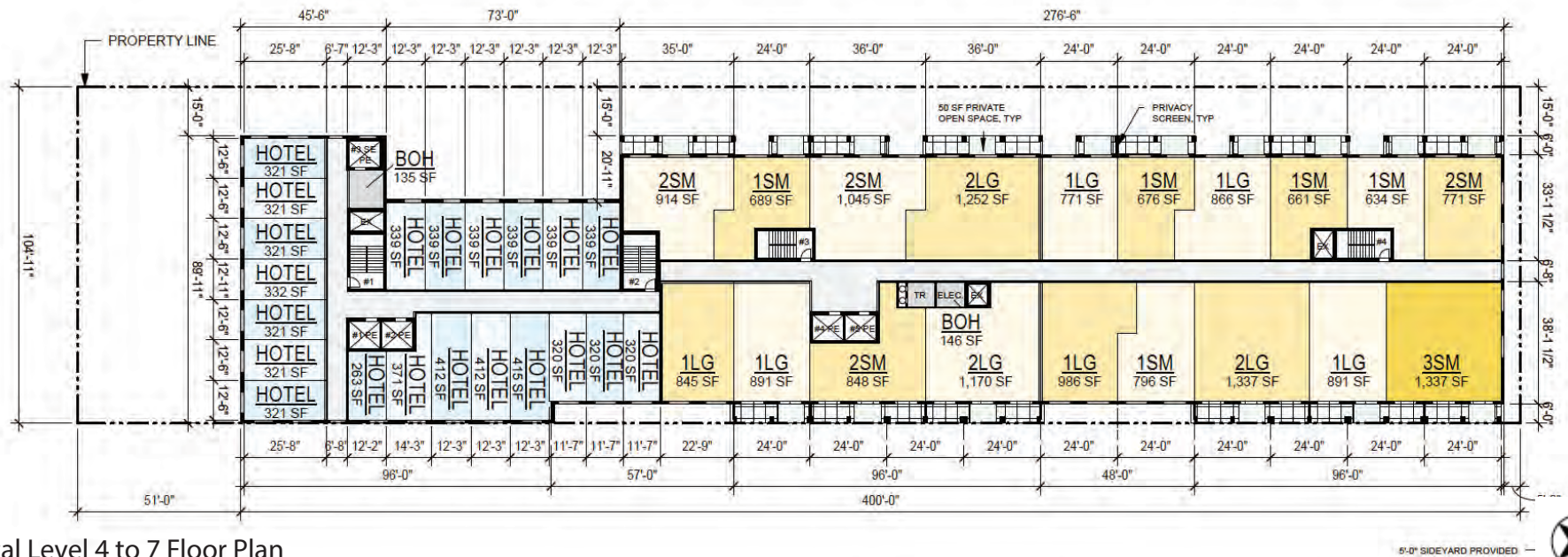
Level 2 Floor Plan

Source: Togawa Smith Martin, September 24, 2019.





Level 3 Floor Plan



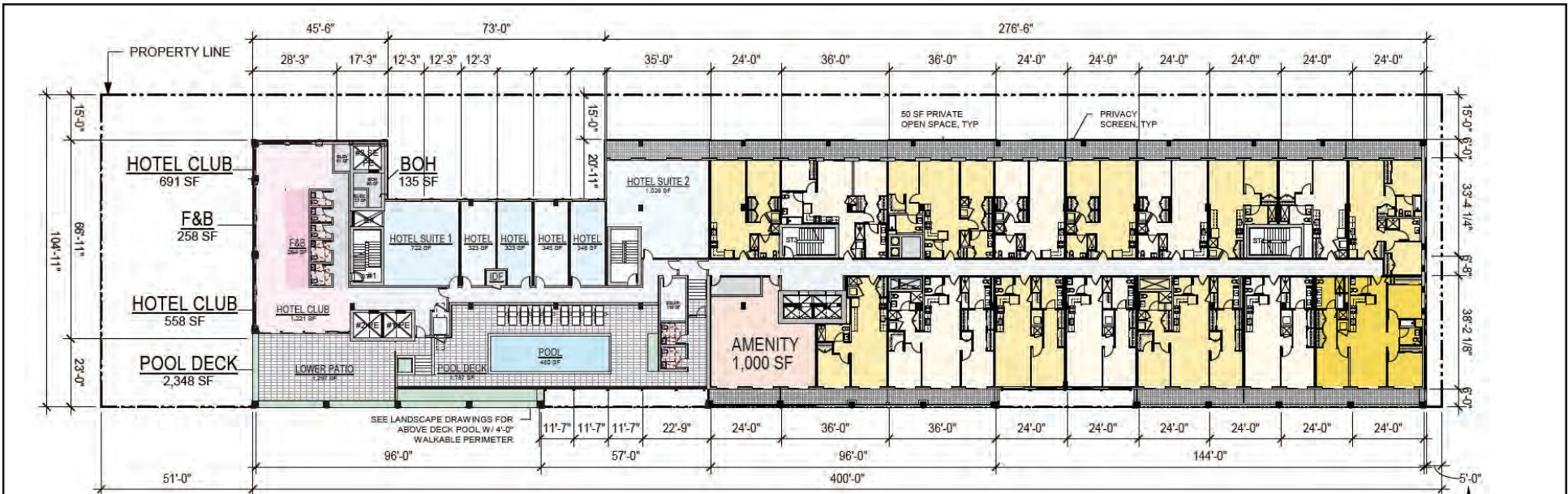
Typical Level 4 to 7 Floor Plan

Source: Togawa Smith Martin, September 24, 2019.

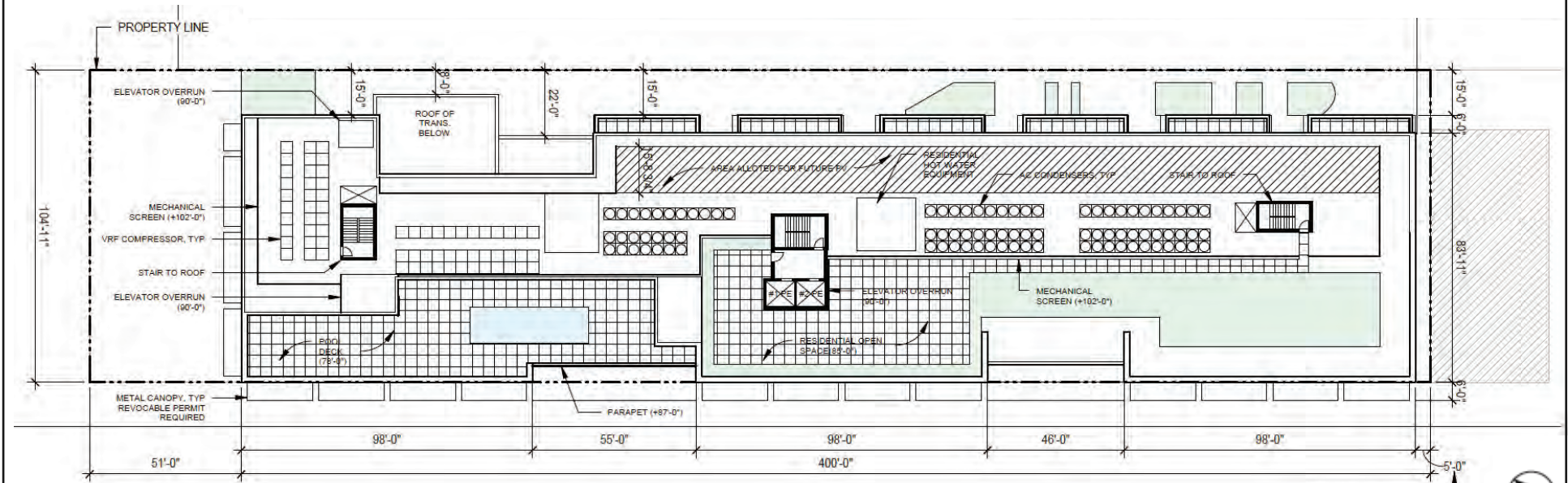


Figure 9  
Level 3 to Level 7 Floor Plans





Level 8 Floor Plan



Roof Floor Plan

Source: Togawa Smith Martin, September 24, 2019.

### *Vesting Tentative Tract Map*

The proposed Vesting Tentative Tract Map No. 82618 occupies approximately 51,939 square feet of lot area, and includes lots 38 through 49 of Tract No.5273 Map Book 55-52 in the City of Los Angeles, County of Los Angeles, CA. The proposed tract map will consolidate lots 38 through 48 and a portion of lot 49 into Lot 1 (proposed Project Site) and the remaining portion of lot 49 will become Lot 2. The proposed floor area and number of dwelling units and guest rooms is based on the lot area of Lot 1 only, which is 47,232 square feet in size (and 51,866 square feet in size including half the alley). Lot 2 is comprised of 4,616 square feet and is not used for the purposes of density and floor area.

### *Residential Uses*

As shown in Table 2, above, the Proposed Project would include a maximum of 121 dwelling units with approximately 130,138 square feet of residential floor area (including circulation and amenity areas). The unit mix includes 70 one-bedroom units, 45 two-bedroom units, and 6 three-bedroom units. Of the 121 proposed residential units, 11 percent of the units (14 units) would be reserved at the “extremely low income” level. The dwelling units would be located on levels two through five. No residential units would be located on the ground level. Since the Proposed Project would provide a minimum number of on-site restricted affordable housing units, it is considered an “Eligible Housing Development” which would allow the Proposed Project base incentives and additional incentives per the TOC Guidelines.

### *Commercial Uses*

The Proposed Project would include 125 guest rooms with approximately 57,948 square feet of hotel floor area. The Proposed Project would include a total of approximately 13,037 square feet of restaurant space that would front La Brea Avenue.

### *Floor Area*

The Project Site includes a gross lot area of 47,323 square feet. Development on the Project Site is limited to a floor area ratio of 1.5:1 based on existing zoning. Per the TOC Guidelines, the Proposed Project is allowed an additional increase in residential FAR to 4.25:1 for a Tier 4 project located in a commercial zone. The Proposed Project would include 130,139 square feet of residential space and 70,985 square feet of commercial space. As such, the Proposed Project includes a total of approximately 201,123 square feet of floor area, resulting in a FAR of 4.25:1.

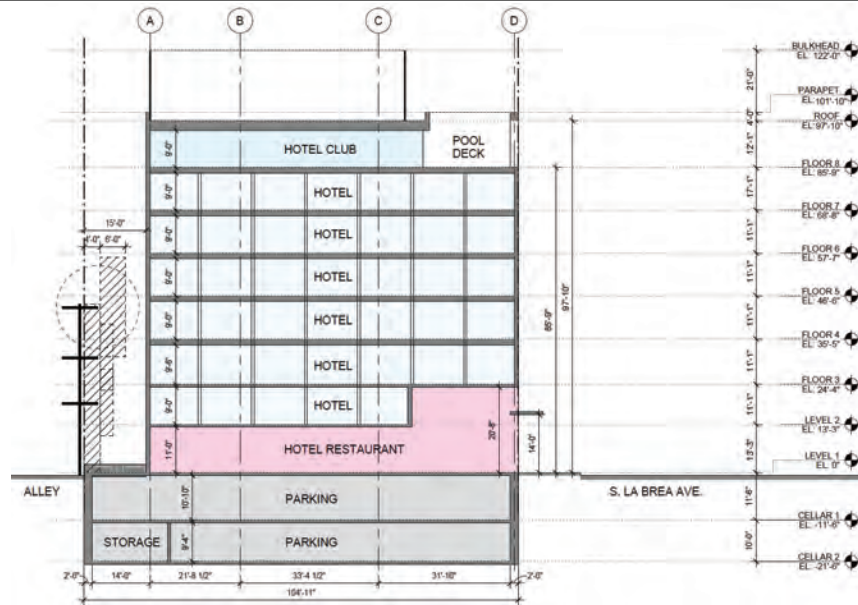
### *Density*

Under its zoning designation, residential uses proposed on a C2 zone shall be in compliance with the density regulations of the R4 Zone. As such, the minimum lot area per dwelling unit is 400 square feet and the minimum lot area per guest room is 200 square feet. Pursuant to LAMC Section 12.22.C.16, the area of one-half of the alley may be included for purposes of calculating density. With the addition of the area of one-half of the alley, the total area for the density calculation is 51,866 square feet. Therefore, a base density of 130 dwelling units and 259 hotel guest rooms are allowed for the Project Site. The Proposed Project proposes a total of 121 dwelling units and 125 guest rooms.

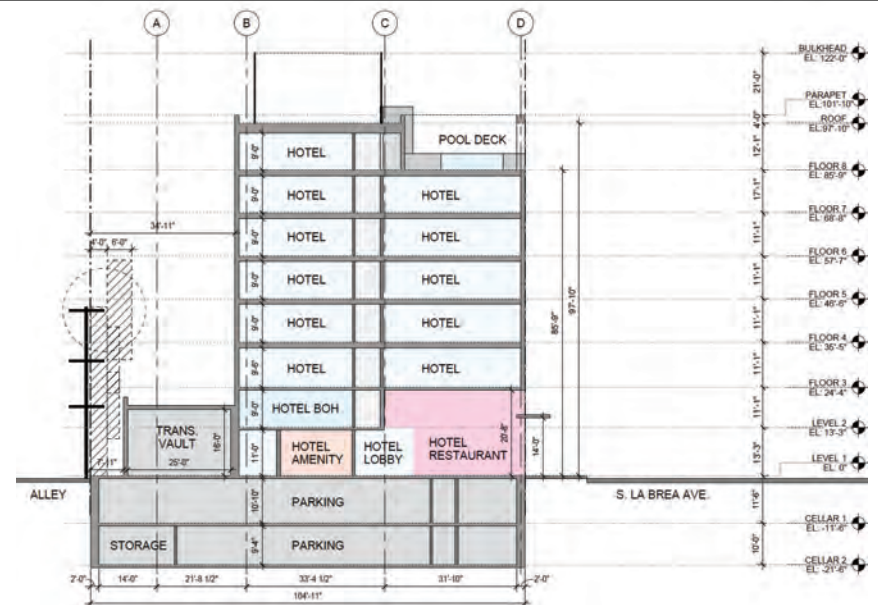
### *Height*

As stated previously, the Project Site is located in Height District 1, which has no height limitation but limits development by FAR, which is described above. The proposed eight-story building is planned for a roof height of 101 feet and 10 inches above grade, and a maximum height of 122 feet to the top of the rooftop mechanical equipment and structures. The Proposed Project’s building sections and elevations are provided in Figure 11 through 14.

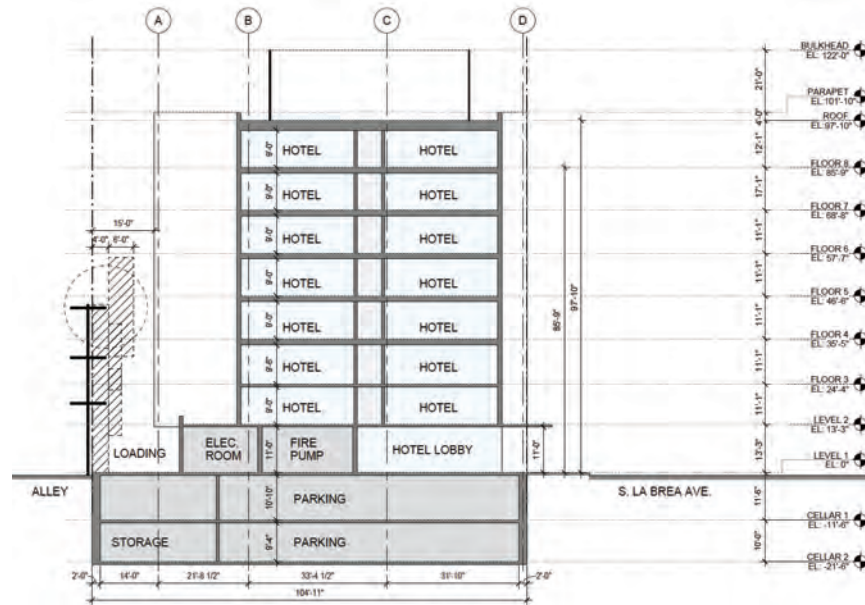




Hotel and Hotel Restaurant Section

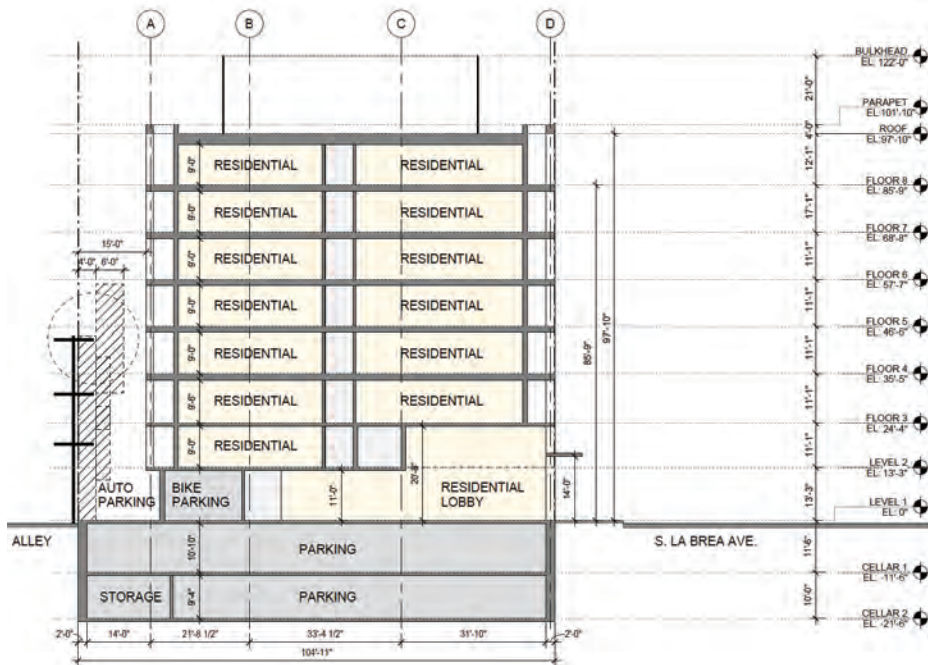


Hotel Restaurant Section

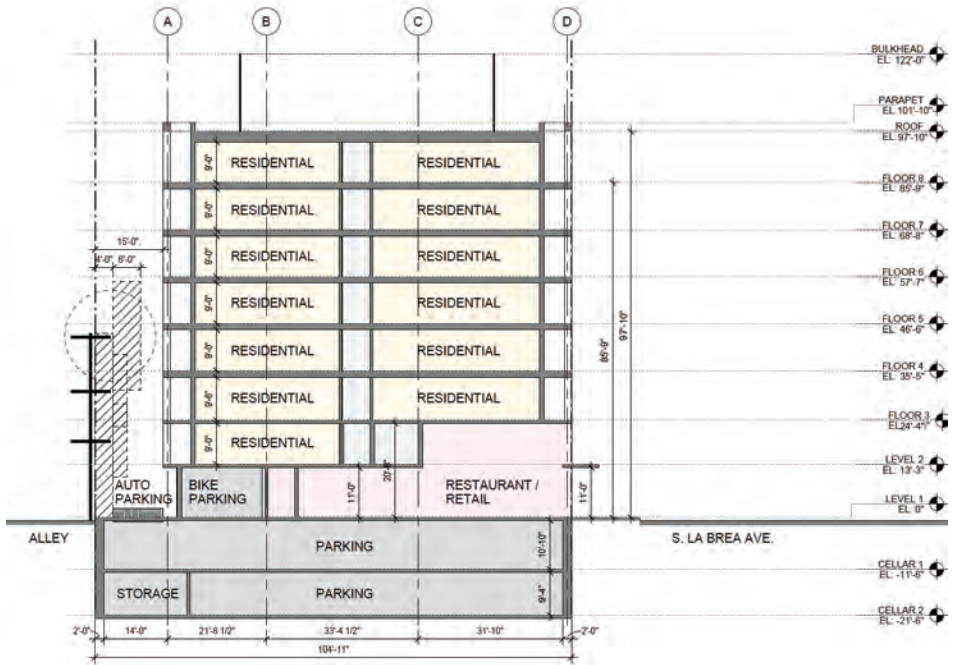


Hotel Lobby Section

Source: Togawa Smith Martin, September 24, 2019.



Residential Lobby Section



Retail and Residential Section

Source: Togawa Smith Martin, September 24, 2019.





East Elevation (S. La Brea Ave.)



West Elevation (Alley)

Source: Togawa Smith Martin, September 24, 2019.



South Elevation  
(From Wilshire Blvd.)



North Elevation  
(From W. 6th St.)

Source: Togawa Smith Martin, September 24, 2019.

*Setbacks*

Pursuant to LAMC Section 12.14.C, no front, side, or rear yard setbacks are required in the C2 Zone for commercial developments. For residential uses in the C2 zone, side yards and rear yards conforming to the requirements of the R4 Zone shall be provided and maintained at the floor level of the first story used in whole or in part for residential purposes. Pursuant to the TOC Guidelines, eligible housing developments located in any commercial zone may utilize any or all of the yard requirements for the RAS3 zone per LAMC Section 12.10.5. As such, five-foot side yard setbacks and a 15-foot rear yard setback are proposed for the Proposed Project, consistent with the RAS3 zone requirements pursuant to the LAMC and TOC Guidelines.

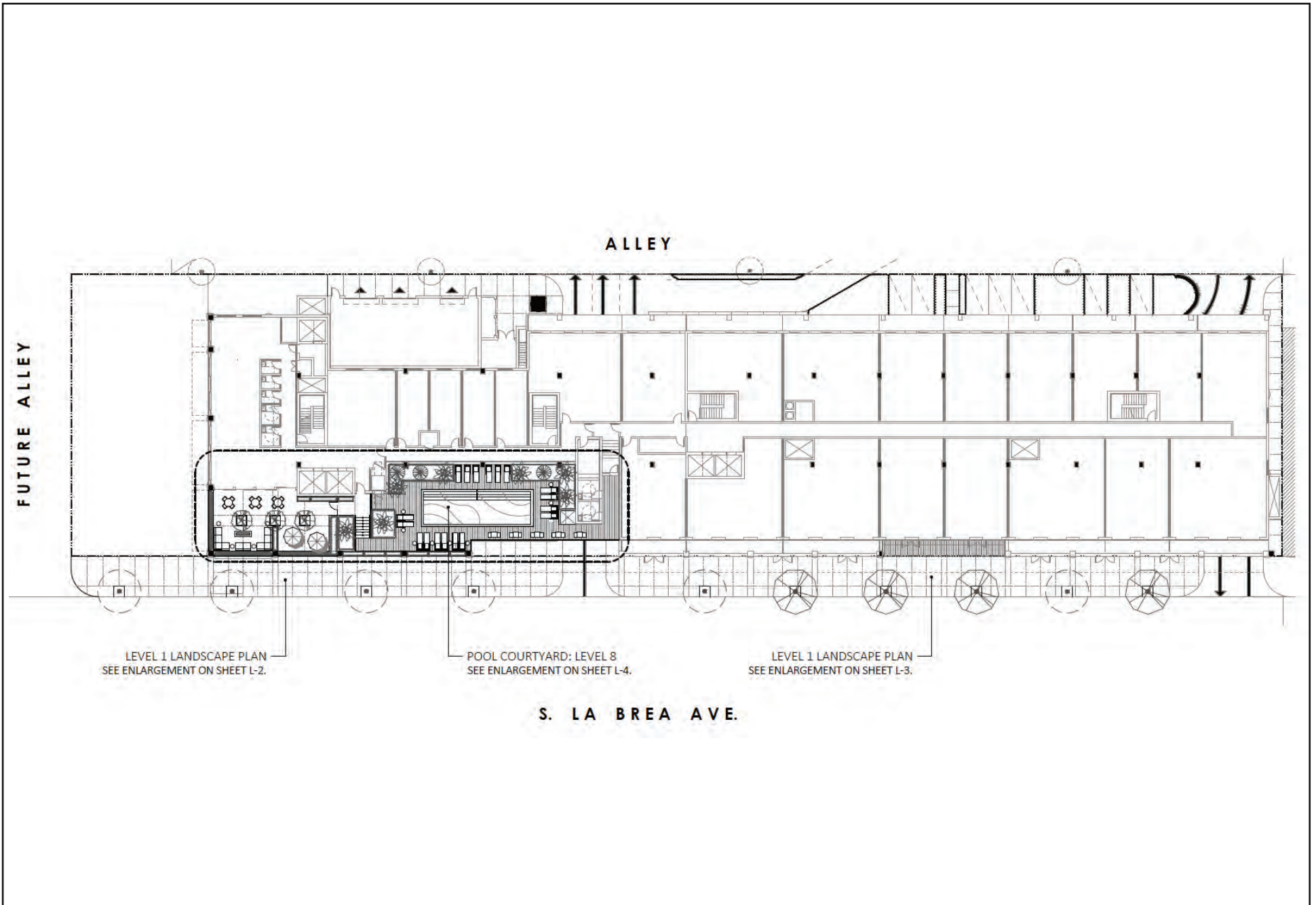
*Open Space*

The open space requirements and amount of open space proposed for the Proposed Project are summarized in Table 3, Summary of Required and Proposed Open Space Areas, below. The Proposed Project would be required to provide 13,675 square feet of open space. Per the TOC Guidelines, the Proposed Project would be allowed a 25 percent reduction in required open space for a Tier 4 development. As such, the Proposed Project would be required to provide 10,256 square feet of open space. The Proposed Project would provide approximately 10,256 square feet of open space in the form of common space, recreation rooms, and private open space. The Proposed Project would be required to provide a minimum of one tree per every four units for a total of 31 required trees on-site. The Proposed Project would provide a minimum of 31 trees on-site. The Proposed Project’s composite landscape plan is provided as Figure 15.

**Table 3  
Summary of Required and Proposed Open Space Areas**

<b>LAMC Open Space Requirements</b>	<b>Dwelling Units</b>	<b>Required Open Space (square feet)</b>
Less than 3 Habitable Rooms (100 sf/du) <sup>a</sup>	70	7,000
Equal to 3 Habitable Rooms (125 sf/du) <sup>b</sup>	45	5,625
More than 3 Habitable Rooms (175 sf/du) <sup>c</sup>	6	1,050
<b>Subtotal:</b>	<b>121</b>	<b>13,675</b>
<i>Reduction allowed per TOC Guidelines (25%): <sup>d</sup></i>		- 3,419
	<b>TOTAL:</b>	<b>10,256</b>
<b>Proposed Open Space Area</b>	<b>Proposed Open Space (square feet)</b>	
Common Space	2,564	
Recreation Rooms	2,542	
Private Balconies	5,150	
<b>TOTAL:</b>	<b>10,256 sf</b>	
<p><i>Notes: du = dwelling unit; sf = square feet</i></p> <p><sup>a</sup> <i>Includes one-bedroom units.</i></p> <p><sup>b</sup> <i>Includes two-bedroom units.</i></p> <p><sup>c</sup> <i>Includes three-bedroom units.</i></p> <p><sup>d</sup> <i>As an additional incentive pursuant to the TOC Guidelines for Tier 4, the Proposed Project would be requesting a 25% decrease in required open space.</i></p> <p><i>Source: Togawa Smith Martin Architects, September 24, 2019.</i></p>		





Source: Togawa Smith Martin, September 24, 2019.

## Parking

Pursuant to the TOC Guidelines, the Proposed Project would be allowed to utilize the residential parking requirement of providing no parking spaces for an Eligible Housing Development in a Tier 4 area. As such, the Proposed Project would require no vehicle parking spaces for the residential dwelling units. The parking ratio for the Proposed Project's hotel use is based on LAMC Section 12.21.A.4(b), which requires one (1) parking space for each guest room or suite for the first 20 guest rooms, one (1) additional parking space for every two guest rooms or suites of rooms in excess of 20 but not exceeding 40 guest rooms, and one (1) additional parking space for every three guest rooms or suites of rooms in excess of 40 guest rooms.

Additionally, pursuant to LAMC Section 12.21.A.4.(c), there shall be at least one automobile parking space for each 100 square feet of restaurant space. Pursuant to the TOC Guidelines, the Proposed Project would be allowed to utilize the non-residential parking reduction of 40 percent, which requires 82 parking spaces for the restaurant space. Therefore, the Proposed Project would be required to provide a total of 149 vehicle parking spaces for the residential, hotel, and restaurant uses. The Proposed Project would provide a total of 192 parking spaces (43 residential spaces, 67 hotel spaces, and 82 restaurant spaces) within the parking garage. Therefore, as summarized in Table 4, the Proposed Project would be consistent with the applicable parking requirements.

**Table 4  
Summary of Required and Proposed Vehicle Parking Spaces**

Description	Quantity	Parking Required		Parking Provided
		Rate	Spaces	
<b>Residential</b>				
TOC Tier 4 Project	121 du	0 <sup>a</sup>	0	
<b>Subtotal Residential</b>			<b>0</b>	<b>43</b>
<b>Hotel<sup>b</sup></b>				
1 – 30 Guest Rooms	30 guest rooms	1 per guest room	30	
31 – 60 Guest Rooms	30 guest rooms	1 per 2 guest rooms	15	
> 60 Guest Rooms	66 guest rooms	1 per 3 guest rooms	22	
<b>Subtotal Hotel</b>			<b>67</b>	<b>67</b>
<b>Commercial</b>				
Restaurant	13,037 sf	1 per 100 sf <sup>d</sup>	<b>136</b>	
<i>TOC Tier 4 Reduction (40%)</i>			<i>- 54</i>	
<b>Subtotal Commercial</b>			<b>82</b>	<b>82</b>
<b>TOTAL</b>			<b>149</b>	<b>192</b>
<b>Notes:</b> <i>du = dwelling unit, sf = square feet</i> <sup>a</sup> <i>For Residential Use: no parking spaces required for a Tier 4 Eligible Housing Development.</i> <sup>b</sup> <i>For Hotel Use: LAMC Section 12.21.A.4(b).</i> <sup>c</sup> <i>The Applicant is requesting an additional 20% reduction in required hotel parking spaces.</i> <sup>d</sup> <i>For Commercial Use: Developments within the State Enterprise Zoning District required to provide 2 parking space for every 1,000 sf of commercial uses. (LAMC Section 12.21A4(x)(3).</i> <i>Source: Togawa Smith Martin Architects, September 24, 2019.</i>				

The Proposed Project provides on-site bicycle parking for short-term and long-term bike storage. As summarized in Table 5, below, the Proposed Project would be consistent with the applicable parking requirements of the LAMC for bicycle parking spaces in providing 139 total short- and long-term spaces on-site. In the event the number of dwelling units is reduced from the current plans, the amount of vehicle and bicycle parking would be revised accordingly to meet the code requirements.

**Table 5  
Summary of Required and Proposed Bicycle Parking Spaces**

Description	Quantity	Parking Required <sup>[a]</sup>		Total Spaces Required	Total Spaces Provided
		Short Term	Long Term		
<b>Residential <sup>b,c</sup></b>					
Units 1-25	25	3	25	28	
Units 26-100	75	5	50	55	
Units 101-200	21	1	11	12	
<i>Subtotal Residential:</i>				95	95
<b>Hotel <sup>d</sup></b>					
Guest Rooms	125 rooms	13	13	26	26
<b>Commercial <sup>e</sup></b>					
Commercial	13,037 sf	9	9	18	18
<b>TOTAL:</b>		<b>31</b>	<b>108</b>	<b>139</b>	<b>139</b>
<p><i>Notes:</i>  <i>du = dwelling unit, sf = square feet</i>  <sup>a</sup> LAMC 12.21 A.16. Bicycle Parking and Shower Facilities, revised May 9, 2018.  <sup>b</sup> Short-term bicycle rates for residential uses are as follows: 1 space per 10 units for first 25 units; 1 space per 15 units for units 26-100; and 1 space per 20 units for units 101-200.  <sup>c</sup> Long-term bicycle rates for residential units are as follows: 1 space per unit for first 25 units; 1 space per 1.5 units for units 26-100; and 1 space per 2 units for units 101-200.  <sup>d</sup> All hotels shall provide both short- and long-term bicycle parking at a rate of one space per 10 guest rooms.  <sup>e</sup> Commercial uses including retail shall provide both short- and long-term parking at a rate of one space per 2,000 sf.  Source: Togawa Smith Martin Architects, September 24, 2019.</p>					

*Design and Architecture*

Figure 16 illustrates the Proposed Project’s architectural renderings. The Proposed Project would be constructed to incorporate environmentally sustainable building features and construction protocols that meet and exceed the requirements of the Los Angeles Green Building Code. The Proposed Project would incorporate eco-friendly building materials, systems, and features wherever feasible, including Energy Star appliances, water saving and low-flow fixtures, non-VOC paints and adhesives, drought tolerant planting, and high performance building envelopment. The building would also be designed to accommodate solar photovoltaic panels and on-site electric vehicle chargers. Additionally, other sustainability elements integrated within the Project may include:

- Use of natural ventilation and daylighting throughout the Project to reduce the load and size of electrical and mechanical systems;
- Use of drought resistant planting and grasses to reduce irrigation water use by more than 50%;
- Transportation Demand Management program;
- Re-use of existing commercial land;
- On-site amenities to reduce off-site transportation demand during the day, such as food service, retail shops, and a gym;
- Energy-efficient site lighting and design to meet the Illuminating Engineering Society of North America (IESNA) lighting density and control standards for minimizing light pollution;
- Floor plate layout and modeling of glazing systems that are conducive to daylighting strategies;
- Building systems designed to avoid the use of heating, refrigeration, and fire suppression systems that include chlorofluorocarbons or halon compounds;
- Energy efficient building envelope design, including high performance glazing, cool roof and green roof, and optimized insulation levels;
- Energy efficient lighting and HVAC equipment;

- Extensive building commissioning practices to fine-tune energy using system performance;
- Building energy management controls system to optimize energy performance
- Provision for on-site electric vehicle charging; and
- Indoor environmental quality measures, including selection of low-emitting interior finish materials, paints, and coatings; construction indoor air quality plan, during construction and prior to occupancy.

#### **1.4 Discretionary Requests**

The City of Los Angeles has the principal responsibility for approving the Proposed Project. Approvals required for development of the Proposed Project may include, but not limited to, the following:

- Vesting Tentative Tract Map, VTT-82618, pursuant to LAMC Section 17.03 to permit the subdivision of the Subject Property.
- A Transit Oriented Communities (TOC) project pursuant to LAMC Section 12.22.A.31 to permit a Housing Development Project dedicating 11% of total density for units restricted to Extremely Low Income Households in exchange for base incentives permitted by the TOC program and the additional incentives below:
  - An Additional TOC Incentive pursuant to LAMC Section 12.22.A.25(g)(2) to permit RAS3 setbacks in lieu of the setbacks otherwise required in the C2 zone;
  - An Additional TOC Incentive pursuant to LAMC Section 12.22.A.25(g)(2) to permit a 25% reduction in required open space.
- Master Conditional Use Permit pursuant to LAMC Section 12.24 W.1 to permit the sale and dispensing of alcohol on-site; and
- A Conditional Use Permit pursuant to LAMC Section 12.24.W.24 to permit a hotel within 500-feet of a residentially zoned property; and
- Site Plan Review pursuant to LAMC Section 16.05 to permit the construction, use, and maintenance of a project with more than 50 dwelling units.

Other approvals (as needed), ministerial or otherwise, may be necessary, as the City finds appropriate in order to execute and implement the Proposed Project, including certificates, permits to remove on-site and off-site trees, demolition permits, haul route approval, grading and associated building permits.



Perspective Elevation



View North on  
S. La Brea Avenue

Source: Togawa Smith Martin, September 24, 2019.



## 2.0 Sustainable Communities Strategy Criteria

### 2.1 Sustainable Communities Strategy – Public Resources Code (PRC) § 21155

**PRC § 21155(a). Consistency with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy.**

**Consistent.** The Property is zoned C2-1 and designated for General Commercial land uses by the Wilshire Community Plan, which include restaurant, hotel, and multi-family residential. The Proposed Project is subject to the design regulations of the LAMC and allowed Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines) incentives, where applicable. Pursuant to Section 12.17.1 of the LAMC, the zoning permits density equivalent to the R4 Zone at a ratio equivalent to one dwelling unit per 400 square feet of land area, allowing up to 130 dwelling units. Additionally, guest rooms are allowed at a ratio equivalent to one guest room per 200 square feet of land area, allowing up to 259 guest rooms. The Proposed Project would include 121 dwelling units and 125 hotel guest rooms. Yards shall be provided in accordance with the RAS3 Zone, pursuant to the TOC Guidelines. The Project Site is designated as Height District 1 in the C2 Zone, which permits unlimited height and a base Floor Area Ratio (FAR) of 1.5:1. The Project Site is located within Tier 4 of the City's TOC program, which permits a residential FAR of 4.25:1 in Commercial Zones. The Proposed Project would be consistent with the required open space, vehicle parking, and bicycle parking requirements of the LAMC with applicable TOC Guidelines reductions. The Proposed Project complies with all applicable provisions of LAMC Section 12.22.A.31 and the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (added by Ordinance No. 184,745).

The Project is consistent with the general land use designation, density, and building intensity in the Southern California Association of Government's (SCAG) 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). Using data collected from local jurisdictions, including general plans, SCAG categorized existing land use types into 35 “place types,” and then classified sub-regions into one of three land use development categories: Urban, Compact, or Standard. SCAG used each of these categories to describe the conditions that exist and/or are likely to exist within each specific area of the region. (SCAG, 2016 RTP/SCS, p. 20-21.)

SCAG's 2016-2040 RTP/SCS growth strategy defines various urban footprint place types (SCAG, 2016-2040 RTP/SCS Appendix: SCS Background Documentation (at page 90), “Place Types Categorized into Land Development Categories (LDCs)”; SCAG 2016-2040 RTP/SCS Appendix: SCS Background Documentation (at page 90), “Urban Footprint—Place Types Summary,” (at pages 1-2). The Project is consistent with the Town Mixed-Use place types within the “Compact” Land Development Category. Each category is briefly described and a Project summary illustrating general consistency with these categories is provided below.

- Town Mixed-Use areas are walkable mixed-use neighborhoods, such as the mixed-use core of a small city or transit oriented development, with a variety of uses and building types. Typical buildings are between 3 and 8 stories tall, with ground-floor retail space, and offices and/or residences on the floors above. Parking is usually structured, above or below ground. The typical land use mix for this place type is approximately 26 percent residential, 20 percent employment, 29 percent mixed use, and

25 percent open space/civic. The residential mix is 100 percent multi-family. The average total net Floor Area Ratio (FAR) is 1.9:1 and the gross density ranges from 7 to 35 households per acre (SCAG, 2016-2040 RTP/SCS Appendix: SCS Background Documentation, p. 90, “Urban Footprint—Place Types Summary.”)

Based on Exhibit 5 and Exhibit 6 of SCAG’s SCS Background Documentation, the Project Site and surrounding area are within the “Compact” Land Development Category (SCAG, 2016-2040 RTP/SCS Appendix: SCS Background Documentation, p. 10-11). The 2016-2040 RTP/SCS provides the following definition for the “Compact” Land Development Category:

**Compact.** *These areas are less dense than those in the Urban Land Development Category, but they are highly walkable with a rich mix of retail, commercial, residential and civic uses. These areas are most likely to occur as new growth on the urban edge, or as large-scale redevelopment. They have a rich mix of housing, from multifamily and attached single-family (townhome) to small- and medium lot single-family homes. These areas are well served by regional and local transit service, but they may not benefit from as much service as urban growth areas and are less likely to occur around major multimodal hubs. Streets in these areas are well connected and walkable, and destinations such as schools, shopping and entertainment areas can typically be reached by walking, biking, taking transit, or with a short auto trip. (SCAG, 2016-2040 RTP/SCS, at page 20.)*

As described above, the Proposed Project would include the development of a Tier 4 TOC Project with 121 residential dwelling units, 125 hotel rooms, and approximately 13,037 square feet of restaurant space. The Proposed Project would include 201,123 square feet of total floor area resulting in a floor area ratio (FAR) of 4.25:1. The Proposed Project’s average residential density is 112 units per acre. Thus, the Project is consistent with the SCAG “Urban” Land Use Designation, as well as the associated density and building intensity assumptions in SCAG’s 2016-2040 RTP/SCS. Furthermore, the Proposed Project is consistent with the applicable goals and policies in the 2016 RTP/SCS, as outlined in Attachment B. As such, the Project is consistent with this criterion.

**PRC § 21155(b). To be considered a Transit Priority Project (TPP) as defined by §21155(b), the project must meet all of the following criteria. A TPP shall:**

- 1) Contain at least 50 percent residential use, based on total building square footage and, if the project contain between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;**

**Consistent.** The Proposed Project includes the development of a mixed-use development with residential, hotel and commercial restaurant land uses. The Proposed Project would include a total of 201,123 square feet of floor area resulting in a floor area ratio (FAR) of 4.25:1. The breakdown of area by land use is as follows:

Residential Floor Area: 130,138 sf (65 %)  
Hotel Floor Area: 57,344 sf (28 %)  
Restaurant Floor Area: 13,037 sf (6 %)

Based on the above calculations, nonresidential floor area accounts for approximately 34% of the total floor area, however the Proposed Project has an FAR in excess of 0.75, therefore the Proposed Project meets the criteria in PRC Section 21155(b).

**2) Provide a minimum net density of at least 20 units per acre;**

**Consistent.** The Proposed Project would include 121 residential dwelling units on a 47,323 square foot (1.08 acre) Project Site. The Proposed Project's average residential density is 112 units per acre. Therefore, the Proposed project would be consistent with this criterion.

- (3) Be within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area further than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor.**

**Consistent.** The Project Site is designated as a Transit Priority Area and is within ¼-mile (walking distance) of major transit stops at the intersection of La Brea Avenue/6<sup>th</sup> Street (approximately 150 feet south of the Project Site) and Wilshire Boulevard/La Brea Avenue (approximately 220 feet north of the Project Site). La Brea Avenue, Wilshire Boulevard, and 6<sup>th</sup> Street are served by several bus lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro) with headways of 15 minutes or less during commute peak hours, including Metro lines: 20, 212, and 720. Additionally, a Metro Purple Line railway station is currently under construction, immediately adjacent to the south of the Project Site, at the intersection of Wilshire Boulevard and La Brea Avenue. Therefore, the Proposed Project is located within ¼-mile of a high-quality transit corridor and the future Wilshire Boulevard and La Brea Avenue Metro Purple Line station.

**PRC § 21155.1(a). The transit priority project complies with all of the following environmental criteria:**

- (1) The transit priority project and other projects approved prior to the approval of the transit priority project but not yet built can be adequately served by existing utilities, and the transit priority project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.**

**Consistent.** The Project Site is located within a highly urbanized area in the City of Los Angeles and is adequately serviced by the LADWP (water and electricity), the Bureau of Sanitation (sewer), natural gas (Southern California Gas Company), and telecommunications (cable and internet). The Project Site is currently developed with commercial and office land uses and is adequately served by the existing utility infrastructure. Thus, development of the Proposed Project would not require the extension of utilities or roads to accommodate the proposed development.

The Parks Dedication and Fee Update Ordinance (Park Fee Ordinance), Ordinance No. 184,505 (effective January 11, 2017) established a new citywide park fee and applies to all new residential dwelling units and joint living and work quarters, except affordable housing units and secondary dwelling units in single-family zones. The Park Fee Ordinance states that residential subdivision projects consisting of more than 50 residential units are subject to a Quimby in-lieu fee. The Park Fee Ordinance also establishes fees for non-subdivision projects, which applies to the Project. The Proposed Project would be required to demonstrate compliance with the Park Fee Ordinance prior to issuance of a certificate of occupancy.

Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities. The LAUSD Developer Fee Justification Study, recently updated in 2018, demonstrates that the LAUSD requires the full statutory impact fee to accommodate student impacts from development activity, to be consistent with Section 17620 of the California Education Code. The Proposed Project would be required to demonstrate proof of payment to the LAUSD prior to issuance of a certificate of occupancy.

- (2) (A) **The site of the transit priority project does not contain wetlands or riparian areas and does not have significant value as a wildlife habitat, and the transit priority project does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 at seq.), the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and the project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete.**
- (B) **For the purposes of this paragraph, “wetlands” has the same meaning as in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**
- (C) **For the purposes of this paragraph:**
- (i) **“Riparian areas” means those areas transitional between terrestrial and aquatic ecosystems and that are distinguished by gradients in biophysical conditions, ecological processes, and biota. A riparian area is an area through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. A riparian area includes those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems. A riparian area is adjacent to perennial, intermittent, and ephemeral streams, lakes, and estuarine marine shorelines.**
- (ii) **“Wildlife habitat” means the ecological communities upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection.**
- (iii) **Habitat of “significant value” includes wildlife habitat of national, statewide, regional, or local importance; habitat for species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531, et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code); habitat identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies; or habitat essential to the movement of resident or migratory wildlife.**

**Consistent.** The Project Site is located in a heavily urbanized area of in the City of Los Angeles. The Project Site is entirely developed with commercial and medical office land uses with impermeable surfaces and does not contain any wetlands or natural drainage channels. Therefore, the Project Site does not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act. Due to the highly urbanized surroundings,

there are no wildlife corridors or native wildlife nursery sites in the Project vicinity. Thus, the Proposed Project would not interfere with the movement of any residents or migratory fish or wildlife.

The Project Site does not contain any critical habitat or support any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Vegetation on the Project Site is limited to six trees (*Ficus sp.* and *Podocarpus sp.*) located in the public right-of-way fronting the Project Site along La Brea Avenue and one tree that is in the parkway adjacent to the Project Site (See Tree Report, Attachment B). None of these seven trees are protected native trees as defined by Article 6, Sec. 46.01 of the LAMC. Four mature trees will be removed and will be replaced at a 1:1 ratio with a suitable street tree. Removal of trees in the public right-of-way requires approval by the Board of Public Works. All replacement trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Additionally, the Proposed Project would comply with applicable regulatory compliance measures regarding non-protected tree removal and the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13) to ensure that the removal of the four mature non-protected street trees would result in a less than significant impact. Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory non-game birds (as listed under the Federal MBTA). With compliance with applicable regulatory compliance measures regarding non-protected tree removal and habitat modification, the Proposed Project would not harm any habitat of significant value.

**(3) The site of the transit priority project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.**

**Consistent.** Pursuant to Government Code Section 65962.5, the Department of Toxic Substances Control (DTSC) shall compile and update as appropriate, at least annually, a list of all hazardous waste facilities subject to corrective action (pursuant to Section 25187.5 of the Health and Safety Code), all land designated as hazardous waste property or border zone property (pursuant to Section 25220 of the Health and Safety Code), all information received by the DTSC on hazardous waste disposals on public land (pursuant to Section 25242 of the Health and Safety Code), and all site listed pursuant to Section 25356 of the Health and Safety Code. Based on the DTSC EnviroStor database, the Project Site is not listed for cleanup, permitting, or investigation of any hazardous waste contamination. Therefore, the Project Site is not located on a site that the DTSC and the Secretary of the Environmental Protection have identified as being affected by hazardous wastes or clean-up problems.

Additionally, a Phase I Environmental Site Assessment (Phase I ESA) was prepared for the Project Site, by Partner Engineering and Science, Inc., dated November 27, 2018 (Attachment C, Phase I Environmental Site Assessment). The purpose of the Phase I ESA was to identify existing or potential Recognized Environmental Condition (RECs) in connection with the Project Site. The Phase I ESA identified the Project Site as a Facility and Manifest Data (HAZNET) and Recovery Act - Large Quantity Generator (RCRA-LQG) site in the regulatory database records search in connection with operations at the Project Site. The property at 665 S. La Brea Avenue is listed as a HAZNET site. A waste inventory includes off-specification aged or surplus organics, and laboratory waste chemicals. The generated waste disposal method is reported as stored, bulked and/or transferred offsite. No additional information regarding this listing was available in the regulatory database report. Based on the nature of the operations and the lack of documented release or violation, this listing is not expected to represent



a significant environmental concern. The property at 647 S. La Brea Avenue is listed as a RCRA-LQG site. This listing appears to correspond to a manhole containing telephone equipment located adjacent to the Project Site and not a former on-site tenant within the Project Site at 637 S. La Brea Avenue. Based on the current regulatory status and lack of a reported release, this listing is not expected to represent a significant environmental concern to the Project Site. Therefore, based on the nature of operations, regulatory status, and the lack of a reported release or violation, these listings do not represent a significant environmental concern.

**(4) The site of the transit priority project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.**

**(A) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.**

**(B) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.**

**Consistent.** A Phase I Environmental Site Assessment (Phase I ESA), prepared for the Project Site, identified the Project Site as a HAZNET and RCRA-LQG site in the regulatory database records search in connection with operations at the Project Site. Based on the nature of operations, regulatory status, and the lack of reported releases or violations, these listings on-site do not represent a significant environmental concern.

A records and database search of the surrounding properties found the property to the south of the Project Site, at 5323 Wilshire Boulevard, listed as an EDR Hist Auto site. The property located to the east of the Project Site, at 666 South La Brea Avenue, was identified as a UST, SWEEPS UST, CA FID UST, RCRA-SQG, FINDS, EMI, HAZNET, ECHO, and EDR Hist Auto site. The properties to the north of the Project Site, at 619 and 621 South La Brea Avenue were found as a RCRA-SQG, FINDS, ECHO, and US EDR Historical Cleaners site. The Phase I ESA found that no reported releases have occurred at any of the aforementioned properties. Based on the regulatory statuses, these surrounding sites are not expected to represent a significant environmental concern to the Project Site.

The Phase I ESA identified one site of concern: the property approximately 300 feet north of the Project Site at 5436 West 6<sup>th</sup> Street. This property reported a release of gasoline in 2007, which reportedly impacted groundwater. This facility since received regulatory closure as of July 5, 2016. Since the Proposed Project would include subterranean levels, it is likely that groundwater would be encountered during redevelopment activities. Based on the close proximity of the leaking underground storage tank (LUST) site to the north of the Project Site, the Phase I ESA recommends a dewatering and groundwater management plan to be implemented prior to the redevelopment of the Project Site. Compounds of concern were present in the groundwater beneath the Project Site at concentrations, which would prohibit direct discharge into the storm drain system, and treatment and confirmation sampling would likely be required for any effluent generated at the Project Site. The Proposed Project shall implement a dewatering and groundwater management plan and treat and confirm sampling of any effluent generated at the Project Site during construction.

**(5) The transit priority project does not have a significant effect on historical resources pursuant to Section 21084.1.**

**Consistent.** The Project Site consists of a medical office building, a print shop, and fabric store. Generally, properties eligible for listing in the National Register are at least 50 years old. The California Office of Historic Preservation generally recommends an evaluation of buildings and structures older than 45 years of age by professionals meeting the Secretary of the Interior Standards Professional Qualifications for Architectural History and Archeology. According to ZIMAS, the existing buildings located at 627, 631, 635, 639, 659 and 665 La Brea Avenue were built in 1924, 1928, 1929, 1931 and 1929, respectively. In January 2015, the City of Los Angeles Department of City Planning, Office of Historic Resources, completed the Historic Resources Survey Report for the Wilshire Community Plan Area, which included a broad survey of the Community Plan Area that included the Project Site. Neither the City of Los Angeles Zoning Information and Map Access System (ZIMAS), nor the Survey LA Findings for the Wilshire Community Plan Area identify the existing buildings on the Project Site as historic or potentially historic resources.

Based on a site-specific historic resources records search conducted by the South Coastal Information Center (SCCIC) (See Appendix C to this SPCE), it was confirmed that none of the existing buildings on the Project Site are identified as historic or potentially historic resources on any of the following resource databases: the California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), the California State Historic Properties Directory (HPD), and the City of Los Angeles Historic-Cultural Monuments (LAHCM). As such, the development of the Proposed Project would be not result in a substantial adverse change to a historical resource pursuant to Section 21084.1 of the CEQA Guidelines.

In furtherance of this assessment, the Applicant retained Historic Resources Group to prepare a historic impact assessment of the existing buildings on the Project Site and adjacent to the site to determine whether the Proposed Project would have the potential to result in impacts to historic resources. The HRG analysis concluded that the five commercial buildings and multiple surface parking lots on the Project Site were not identified as potential historical resources during that study, either individually or as part of a potential historic district. They are re-evaluated in this report based on an observation of existing conditions, primary and secondary source research related to the history of the properties, review of the relevant historic contexts, and an analysis under the eligibility criteria and integrity thresholds for listing in the National Register of Historic Places, the California Register of Historical Resources, and as a City of Los Angeles Historic-Cultural Monument. A site visit was conducted on November 19, 2018. Based on this analysis, HRG concluded that the commercial buildings and surface parking lots on the Project Site are not eligible for historic designation at the federal, state, or local levels. Therefore, there are no potential impacts to historical resources on the Project Site as defined by the California Environmental Quality Act (CEQA). The Historic Resources Assessment is included in Attachment E.

**(6) The transit priority project site is not subject to any of the following:**

- (A) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.**

**Consistent.** The Project Site is located in an urbanized area of Wilshire community in the City of Los Angeles and does not include wildlands or high fire hazard terrain or vegetation. According to ZIMAS, the Project Site is not located in a Very High Fire Hazard Severity Zone (VHFHSZ). Therefore, the Project Site is not subject to wildland fires.

**(B) An unusually high risk of fire or explosion from materials stored or used on nearby properties.**

**Consistent.** The Project Site consists of a medical office building, a print shop, and fabric store. These types of land uses are not typical operations associated with high risk of fire or explosions. Additionally, the Project Site is surrounded by commercial, retail, residential, and office land uses. These uses are also not typical operations associated with high risk of fire or explosions, such as industrial or warehousing facilities. According to the DOGGR map, the Project Site is located within an immediate vicinity of an oil field. Due to the close proximity of significant oil production areas, the Project Site has been identified by the Los Angeles Department of Building and Safety (LADBS) as part of a “Methane Buffer Zone: Methane Buffer Zone sites include sites immediately surrounding gas sources where testing and mitigation are required by the LADBS. As such, prior to the issuance of a building permit, the Project Site shall be independently analyzed by a qualified engineer, as defined in Ordinance No. 175,790 and Section 91.7102 of the LAMC, hired by the Project Applicant. The engineer shall investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level, which would prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer’s design recommendations subject to DOGGR, LADBS and LAFD plan review and approval. Therefore, with proper design and approval, the Project Site is not subject to an unusually high risk of fire or explosion from materials stored or used on nearby properties.

**(C) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.**

**Consistent.** As discussed above, the Phase I ESA found no reported releases of hazardous materials have occurred from the surrounding properties, with one exception. The Phase I ESA identified one site of concern: the property approximately 300 feet north of the Project Site at 5436 West 6<sup>th</sup> Street. This property reported a release of gasoline in 2007, which reportedly impacted groundwater. Therefore, the Proposed Project shall implement a dewatering and groundwater management plan and treat and confirm sampling of any effluent generated at the Project Site during construction.

**(D) Seismic risk as a result of being within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.**

**Consistent.** According to ZIMAS, there are no mapped active faults that cross through or project toward the Project Site, and the Project Site is not within an Alquist-Priolo Special Study Fault Zone area. The nearest fault is the Puente Hills Blind Thrust, located approximately 2.5 miles from the Project Site. The Project Site is located within the seismically active area of Southern California and there is a high potential for the Project Site to experience strong ground shaking from local and regional faults. These hazards and their potential impact can be relieved with proper seismic design. The intensity of ground shaking is highly dependent upon the distance of the fault to the Project Site, the magnitude of the earthquake, and the underlying soil conditions. As with any

new proposed development, the Proposed Project would be required to adhere to current engineering standards, the seismic safety requirements set forth in the Earthquake Regulation of the City of Los Angeles Building Code, the Los Angeles Municipal Code, and design recommendations set forth in the Geotechnical Report as well as the recommendations provided in the final design-level geotechnical report that will be required by the City's Department of Building and Safety prior to the issuance of the Proposed Project's grading and building permits to ensure that the proposed structure may withstand typical seismic ground shaking and seismically induced settlement.

**(E) Landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.**

**Consistent.** The Project Site is not within an area identified as susceptible to landslides according to the City of Los Angeles Safety Element (See Exhibit C of the Safety Element) and ZIMAS. Additionally, the Project Site is not located in the zone of required investigation for landsliding based on the seismic hazard zone map for the Hollywood 7.5-Minute Quadrangle (CGS, 2017). Furthermore, the Project Site is not in an area designated as a 100-year flood hazard area as mapped by the FEMA's Flood Insurance Rate Map. The Project Site is in a zone designated as Zone X, which signifies that the area is outside the 0.2% annual chance floodplain and located within an area of minimal flooding. Therefore, the Proposed Project would have a low risk for landsliding and flooding.

**(7) The transit priority project site is not located on developed open space.**

**(A) For the purposes of this paragraph, "developed open space" means land that meets all of the following criteria:**

- (i) Is publicly owned, or financed in whole or in part by public funds.**
- (ii) Is generally open to, and available for use by, the public.**
- (iii) Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities.**

**(B) For the purposes of this paragraph, "developed open space" includes land that has been designated for acquisition by a public agency for developed open space, but does not include lands acquired with public funds dedicated to the acquisition of land for housing purposes.**

**Consistent.** The Project Site is entirely developed with commercial and medical office land uses with impermeable surfaces and does not contain any developed open space with any public, recreational amenities. Therefore, the Project Site does not support any developed open space. Thus, the Proposed Project would not interfere with any existing open space.

**(8) The buildings in the transit priority project are 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region.**

**Consistent.** The Proposed Project would be constructed to incorporate environmentally sustainable building features and construction protocols required by the Los Angeles Green Building Code and CALGreen. These standards would reduce energy and water usage and waste and, thereby, reduce associated greenhouse gas emissions and help minimize the impact on natural resources and infrastructure.

## **1. Energy Efficiency**

As part of this analysis, a Title 24 Energy Performance Report was prepared by Optimum Energy Design (OED) in April 2019 to demonstrate how the Proposed Project will meet the criteria of PRC section 21155.1 subsection (a) (8) requirement for energy and water efficiency and be 15 percent more energy efficient than required by Title 24, Part 6, the California Energy Code. Based on the Performance Method compliance path, OED conducted a preliminary whole building energy modeling assessment to determine the anticipated Title 24 energy code performance. The energy modeling was done using Energypro which is a software tool approved by the California Energy Commission to generate a comparison of the Proposed Design to a Baseline Design compliant to Title 24 (2016).

Key performance measures and features of the Proposed Design that increase the building energy efficiency include:

### **Building Envelope**

- High-performance window system: The Project would use a thermally broken, double glazed window system with low-emissivity coatings and insulated spandrel panels for first floor. The Project would use a double glazed window system with low-emissivity coatings for rest of floor. These combined effects reduce cooling energy during the summer and heating during the winter.
- Efficient Exterior Walls: For level 2 thru Level 8, The Project would use a 6” Metal stud wall with R-19 batt insulation plus R-10 rigid insulation for exterior walls. This will also reduce cooling energy during the summer and heating during the winter.

### **HVAC System**

- The building will be served by High efficiency VRF (variable refrigerant flow) systems ranging from 10.2 to 12.10 Energy Efficiency Rating (EER) & 19.5 to 23.0 Integrated Energy Efficiency Ratio (IEER).
- VRF technology brings an array of advantages over conventional systems. It saves energy by variable-speed compressors in outdoor units & provides extremely high part-load efficiency, which helps to reduce overall energy consumption during part load condition. Also, energy efficiency would increase during heat recovery mode.
- By eliminating the need for large distribution fans and water pumps, VRF technology provides energy saving for fan and pumping energy.
- Users can set individual temperature set points for multiple zones. Variable-speed compressors with wide capacity and precise modulation help maintain each zone’s temperature within a narrow range.

### **Domestic Water Heating**

- Centralized hot water system: Large centralized hot water systems use more efficient equipment than individual heating systems within the units. The Project would use a centralized hot water system that is 85% efficient. The water heating system has recirculation controls to keep water in the lines hot, reducing hot water wait time and water waste. This hot water system also makes it easier to integrate renewable energy systems like solar hot water.



- Solar Collectors: The Project would use a solar hot water factor of 0.1, in that 10% of the hot water heating system will be provided from the solar collectors. Energy usage is reduced in the centralized hot water system.
- High-efficiency water fixtures: By specifying fixture flow rates per the more stringent City of Los Angeles Green Building Code versus the standard CalGreen Code, the Project will inherently use less hot water. As a result, there is lower energy consumption.

Based on the values in the model, the Energy Use Intensity (EUI) of the Proposed Design has an estimated EUI of 146.68 Time Dependent Valuation (TDV), compared to the Baseline of 173.53 TDV of conditioned floor Area. With the incorporation of these performance measures, the Project exceeds Title 24 standards by 15.40%.

## **2. Water Efficiency**

OED also prepared a Total Water Use Reduction Report, dated April 2019 (Attachment F.2), to demonstrate how the Proposed Project will meet the criteria of PRC section 21155.1 subsection (a) (8) requirement to use 25 percent less water than the average household in the region. The analysis focuses on estimating the average daily water usage of the Proposed Project. The water usage was estimated based on expected occupancy, water fixtures and daily usage profiles per 2016 California Plumbing Code and 2016 California Green Building Standards Code method.

### Plumbing Fixtures and Proposed Design

The following are some of the water efficient strategies that are proposed for the Proposed Project:

- Low flow showerheads: 1.5 gallons per min
- Low flow lavatory faucets: 0.5 gallons per min
- Low flow kitchen faucets: 1.5 gallons per min
- Low flow toilets: 1.28 gallons per flush
- Low flow urinals: 0.125 gallons per flush
- Energy star certified dish washers
- Energy star certified clothes washers

Assuming annual days of operation of the building is 365 days, annual plumbing domestic water usage (exclude dishwasher and clothes washer) of residential units and hotel rooms and the retail space is calculated based on LEED V4 Water Use Reduction Calculator using full-time equivalency (FTE). Dishwasher in each unit is required to be Energy Star certified unit per 2016 California Plumbing Code. According to 2016 California Green Building Standard Code, a standard Energy Star dishwasher uses 4.25 gallons water per cycle. Clothes washer in each unit is required to be Energy Star certified unit per 2016 California Plumbing Code. According to 2017 Title 20 California Code of Regulation, Water Factor (WF) of a standard frontloaded residential clothes washer after January 1, 2018 is 4.7 gallons/cu./cycle. Capacity of the proposed clothes washer is 1.6 cubic feet. The irrigation demand was calculated based on the Maximum Applied Water Allowance (MAWA) from the City of Los Angeles interim Irrigation Guidelines as Compliance with State Landscape Ordinance Pursuant to AB 1881. The Proposed Project has plans to include a 420 sf (30' x 14') pool and a 504 sf (36' x 14') pool per architectural plan. Total pool surface area is 924 sf. Due to evaporation /splash, approximately 3/4 inches of water loss is assumed per square feet per day. Parking structure water usage was based on the City of Los Angeles Department of Public Works - Bureau of Sanitation Sewer Generation Rates (0.02 gallons per sf),

## Water Reduction

According to the Metropolitan Water District Water Tomorrow Annual Report to the California State Legislature, Covering Fiscal Year 2017/18, the average regional gallons per capita per day usage is 130 gallons. Based on full-time equivalency (FTE) from LEED calculation method, in residential units/ hotel, occupants are using water closet 5 times a day/person; in retail space employees are using water closet /urinal 3 times a day/person, and visitors are using 0.5 time a day/person. Considering FTE values as weighed factors when calculating total equivalent occupancy, then total equivalent occupancy of the Proposed Project is 1608, resulting a baseline usage of 210,340 gallons per day.

Based on the estimated water usage of the proposed design, the Proposed Project is estimated to use approximately 56,686 gallons of water per day. With the incorporation of the water efficient design, the Proposed Project would result in a 73% reduction from the estimated baseline.

### **PRC § 21155.1(b). The transit priority project meets all of the following land use criteria:**

#### **(1) The site of the transit priority project is not more than eight acres in total area.**

**Consistent.** The Project Site includes approximately 51,939 square feet of lot area, or 1.19 acres. As shown on the proposed Tract Map, Lot 1 is comprised of 47,323 square feet of lot area (1.09 acres) and Lot 2 is comprised of 4,616 square feet of lot area (0.11 acres) . As such, the Project Site is not more than eight acres in total area.

#### **(2) The transit priority project does not contain more than 200 residential units.**

**Consistent.** The Proposed Project would include 121 residential dwelling units. Therefore, the Proposed Project would provide less than 200 residential units.

#### **(3) The transit priority project does not result in any net loss in the number of affordable housing units within the project area.**

**Consistent.** The Project Site is currently developed with commercial/retail and medical office uses. Existing uses on site include a one-story print shop occupied by Sharp Printing, an asphalt-paved vehicle parking lot, a two-story medical office building occupied by La Brea Urgent Care/The Sleep Institute, a two-story retail fabric store occupied by Mood Fabrics, and a two-story commercial building. There are no residential dwelling units on the Project Site. Therefore, the development of the Proposed Project would not result in the loss of affordable housing units within the Project Site and surrounding area.

#### **(4) The transit priority project does not include any single level building that exceeds 75,000 square feet.**

**Consistent.** The Proposed Project would include an 8-story mixed-use building with 201,123 square feet of developed floor area as defined by the LAMC. The Proposed Project's total building gross floor area is 311,930 (gsf), with a maximum of 41,967 gsf footprint on the subterranean parking levels. The gross building floor area

on Levels 1 through 8 range from 30,738 gsf (on Level 1) to 18,415 gsf (on Level 2). The proposed 8-story building would include 311,930 gross building area. Therefore, the Proposed Project would not include a single-level building that exceeds 75,000 square feet.

- (5) Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the transit priority project.**

**Consistent.** The SCAG MMRP provides a list of mitigation measures that SCAG determined a lead agency can and should consider, as applicable and feasible, where the agency has identified that a project has the potential for significant effects. The SCAG's measures are not prescriptive on the Proposed Project, but nonetheless, the mitigation measures to be incorporated as conditions of approval for the Proposed Project are consistent with those applicable measures suggested in SCAG's MMRP, detailed below (refer to Section 4.0, Project Consistency with SCAG 2016-2040 RTP/SCS Mitigation Measures for a full discussion of the Proposed Project's consistency with SCAG's MMRP). As noted therein, many of the mitigation measures identified by SCAG, beyond those discussed below, would not apply to the Proposed Project.

- (6) The transit priority project is determined not to conflict with nearby operating industrial uses.**

**Consistent.** The properties surrounding the Project Site include commercial/retail, residential, and office land uses. There are no industrial or warehouse buildings located in the immediate vicinity of the Project Site. Therefore, the Proposed Project would not conflict with any operating industrial uses.

- (7) The transit priority project is located within one-half mile of a rail transit station or a ferry terminal included in a regional transportation plan or within one-quarter mile of a high-quality transit corridor included in a regional transportation plan.**

**Consistent.** The Project Site is designated as a Transit Priority Area and is within ¼-mile (walking distance) of major transit stops at the intersection of La Brea Avenue/6<sup>th</sup> Street and Wilshire Boulevard/La Brea Avenue. La Brea Avenue, Wilshire Boulevard, and 6<sup>th</sup> Street are served by several bus lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro) with headways of 15 minutes or less, which include Metro lines: 20, 212, and 720. Additionally, a Metro Purple Line railway station is currently under construction immediately adjacent to the south of the Project Site at the intersection of Wilshire Boulevard and La Brea Avenue. Therefore, the Proposed Project is located within ¼-mile of a high-quality transit corridor and the future Wilshire Boulevard and La Brea Avenue Metro Purple Line station.

**PRC § 21155.1(c). The transit priority project meets at least one of the following three criteria:**

- (1) The transit priority project meets both of the following:**

- (A) At least 20 percent of the housing will be sold to families of moderate income, or not less than 10 percent of the housing will be rented to families of low income, or not less than 5 percent of the housing is rented to families of very low income.**
- (B) The transit priority project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing**

**cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.**

**Consistent.** The Project substantially complies with all applicable provisions of LAMC Section 12.22.A.31 and the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (added by Ordinance No. 184,745). Of the 121 dwelling units, 14 units would be restricted for Extremely Low Income households, which is equivalent to 11% of the total residential units. Therefore, the Proposed Project would meet the criteria of PRC Section 2155.1(c)(1)(A).

The Applicant will enter into a housing regulatory agreement memorializing these requirements and making them binding on any successors or assigns for the regulatory period of 55 years. Thus, the Project would meet the criterion of Section 21155.1(c)(1)(B).

**(2) The transit priority project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (1).**

**Consistent.** The Applicant is proposing to provide 14 units on-site that would be restricted for Extremely Low Income households, which is equivalent to 11% of the total residential units being developed on-site. As such, the developer has met the criteria of paragraph 1 and is not subject to in lieu fees under this subsection.

**(3) The transit priority project provides public open space equal to or greater than five acres per 1,000 residents of the project.**

**Consistent.** The Project meets the criteria of part 1 of this subsection. Therefore, the Proposed Project meets the criteria of Section 21155.1(c).

### 3.0 Project Consistency with the Goals and Benefits of the 2016-2040 RTP/SCS

The Proposed Project is consistent with SCAG’s growth projections for the City of Los Angeles, which supports the conclusion that the Proposed Project is consistent with SCAG policies. The Proposed Project would be consistent with applicable goals and policies presented within SCAG’s 2016-2040 RTP/SCS. Refer to the table below for the Proposed Project’s consistency analysis.

**Consistency Analysis with the  
2016-2040 Regional Transportation Plan / Sustainable Community Strategy**

Goals and Policies	Consistency Assessment
<p><b>2016-2040 RTP/SCS Goal 1</b> Align the plan investments and policies with improving regional economic development and competitiveness.</p>	<p><b>Not Applicable.</b> This Goal is directed towards SCAG and the City of Los Angeles and not does apply to the Proposed Project.</p>
<p><b>2016-2040 RTP/SCS Goal 2</b> Maximize mobility and accessibility for all people and goods in the region.</p>	<p><b>Consistent.</b> The Project Site is located in a highly urbanized area within the City of Los Angeles within a High Quality Transit Area (as defined by SCAG). The Proposed Project would develop 121 residential dwelling units, 125 hotel units, and 13,037 square feet of commercial area within a High Quality Transit Area (HQTA) as defined by SCAG and a transit priority area as defined by SB 743. The Project Site is currently served by a total of six local and inter-city transit operators including one Metro Rapid bus line 720, three Metro Local Bus lines 20, 212, and 312, LADOT DASH Fairfax, and the Antelope Valley Transit Authority (AVTA) line 786. Additionally, Metro bus lines provide transfer opportunities to the Wilshire/Western Purple Line Metro Station, located to the east of the Project Site. A Metro Purple Line railway station is currently under construction immediately to the south of the Project Site, with a completion date projected for 2023. The Proposed Project would provide residents and visitors with convenient access to public transit and opportunities for walking and biking. The location of the Proposed Project encourages a variety of transportation options and access and is therefore consistent with this Goal.</p>
<p><b>2016-2040 RTP/SCS Goal 3</b> Ensure travel safety and reliability for all people and goods in the region.</p>	<p><b>Consistent.</b> The Proposed Project would improve the public sidewalks adjacent to the Project Site and would include active ground floor commercial uses to enhance the pedestrian experience and promote walkability. In addition, the Proposed Project would provide 139 bicycle spaces to promote travel by bicycle and public transportation. Furthermore, the Proposed Project would be reviewed by the Department of Building and Safety, the Los Angeles Fire Department, and the Los Angeles Department of Transportation to ensure that all access roads, driveways and parking areas would not create a design hazard to local roadways.</p>
<p><b>2016-2040 RTP/SCS Goal 4</b> Preserve and ensure a sustainable regional transportation system.</p>	<p><b>Not Applicable.</b> This goal is directed towards SCAG and does not apply to the Proposed Project. The 2016-2040 RTP states, “A transportation system is</p>



**Consistency Analysis with the  
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Goals and Policies	Consistency Assessment
	<p>sustainable if it maintains its overall performance over time in an equitable manner with minimum damage to the environment, and at the same time does not compromise the ability of future generations to address their transportation needs. Sustainability, therefore, pertains to how our decisions today impact future generations. One of the measures used to evaluate system sustainability is the total inflation-adjusted cost per capita to maintain our overall multimodal transportation system performance at current conditions. The 2016 RTP/SCS includes two additional new measures to support this outcome: State Highway System pavement condition and local roads pavement condition.<sup>2</sup> The Project Site is located less than ¼ mile from major transit stops along Wilshire Boulevard, 6<sup>th</sup> Street, and La Brea Avenue. Additionally, the Wilshire/La Brea Metro station is currently under construction, immediately south of the Project Site. The Project Site's location would help to reduce vehicle-miles-traveled. Therefore, the Proposed Project would promote a sustainable regional transportation system.</p>
<p><b>2016-2040 RTP/SCS Goal 5</b> Maximize the productivity of our transportation system.</p>	<p><b>Consistent.</b> The Proposed Project includes 121 residential units, 125 hotel rooms, and 13,037 square feet of commercial uses. Given the Proposed Project's location close to transit, the Project will encourage the utilization of transit as a mode of transportation to and from the Project area. Thus, the Proposed Project will contribute to the productivity and use of the regional transportation system by providing housing and jobs near transit. Moreover, the Project Site is located less than ¼ mile from major transit stops along Wilshire Boulevard, 6<sup>th</sup> Street, and La Brea Avenue. Additionally, the Wilshire/La Brea Metro station is currently under construction, immediately south of the Project Site. The Project Site's location would help to reduce vehicle-miles-traveled and promote the use of the public transportation system.</p>
<p><b>2016-2040 RTP/SCS Goal 6</b> Protect the environment and health of our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).</p>	<p><b>Consistent.</b> The Proposed Project would place dwelling units, hotel guest rooms, and ground-floor commercial space in a Transit Priority Area. The Project Site's location near mass transit and proximity to services, retail stores, and employment opportunities promotes a pedestrian-friendly environment. The location of the Proposed Project promotes the use of a variety of transportation options, which includes walking, biking, and the use of public transportation. The Proposed Project would improve the public sidewalks adjacent to the Project Site and would include active ground floor uses to enhance the pedestrian experience and promote walkability. In addition, the Proposed Project would provide 139 bicycle spaces to promote travel by bicycle. Thus, the Proposed Project would reduce vehicles-per-</p>

<sup>2</sup> SCAG, 2016-2040 RTP/SCS, April 2016 (page 164).

**Consistency Analysis with the  
2016-2040 Regional Transportation Plan / Sustainable Community Strategy**

Goals and Policies	Consistency Assessment
	miles traveled and help improve air quality. The Proposed Project supports active transportation.
<b>2016-2040 RTP/SCS Goal 7</b> Actively encourage and create incentives for energy efficiency, where possible.	<b>Consistent.</b> The Proposed Project would comply with the City of Los Angeles Green Building Code, the California Green Building Code, and include requirements for a green or high albedo roof and that at least five percent of all parking spaces on-site shall include electric vehicle (EV) charging stations.
<b>2016-2040 RTP/SCS Goal 8</b> Encourage land use and growth patterns that facilitate transit and active transportation.	<b>Consistent.</b> The Project Site is located in a highly urbanized area of Los Angeles within a HQTAs (as defined by SCAG) and a Transit Priority Area (as defined by SB 743). The Project Site is located less than ¼ mile from major transit stops along Wilshire Boulevard, 6 <sup>th</sup> Street, and La Brea Avenue. Additionally, the Wilshire/La Brea Metro station is currently under construction, immediately south of the Project Site. The Proposed Project would provide residents and visitors with convenient access to public transit and opportunities for walking and biking. The Proposed Project would develop dwelling units, hotel guest rooms, and commercial uses near mass transit and in close proximity to services, retail stores, and employment opportunities. The location of the Proposed Project encourages a variety of transportation options and access and is therefore consistent with this Goal.
<b>2016-2040 RTP/SCS Goal 9</b> Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	<b>Not Applicable.</b> This goal is directed towards SCAG to ensure the safety and security of the regional transportation system.
<b>2016-2040 RTP/SCS Guiding Policy 1</b> Transportation investments shall be based on SCAG's adopted regional Performance Indicators.	<b>Not Applicable.</b> This policy is directed towards SCAG in allocating transportation investments. This goal does not apply to the individual development projects.
<b>2016-2040 RTP/SCS Guiding Policy 2</b> Ensuring safety, adequate maintenance and efficiency of operations on the existing multimodal transportation system should be the highest RTP/SCS priorities for any incremental funding in the region.	<b>Not Applicable.</b> This policy is directed towards SCAG in allocating transportation system funding. Nevertheless, the Proposed Project would contribute to a safe, well maintained, and efficient multimodal transportation system. The Proposed Project would provide landscaping along the public right-of-way and active ground floor uses, which promotes and supports pedestrian activity in the area. The Project Site is located less than ¼ mile from major transit stops along Wilshire Boulevard, 6 <sup>th</sup> Street, and La Brea Avenue. Additionally, the Wilshire/La Brea Metro station is currently under construction, immediately south of the Project Site. Therefore, the Proposed Project would promote the use of the public transportation system.
<b>2016-2040 RTP/SCS Guiding Policy 3</b> RTP/SCS land use and growth strategies in the RTP/SCS will respect local input and advance smart growth initiatives.	<b>Not Applicable.</b> This Goal is directed towards SCAG and the City of Los Angeles and not does apply to the Proposed Project. The Proposed Project would develop 121 dwelling units, 125 hotel rooms, and 13,037 square feet of commercial area within a HQTAs as defined by SCAG and a transit priority area as defined by SB 743. The Project Site's location near mass transit and proximity to services, retail stores, and employment

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<b>Goals and Policies</b>	<b>Consistency Assessment</b>
	opportunities promotes a pedestrian-friendly environment. The location of the Proposed Project promotes the use of a variety of transportation options, which includes walking, biking, and the use of public transportation. Therefore, the Proposed Project would provide mixed commercial/residential uses in transit-rich areas near services, retail, and employment opportunities.
<b>2016-2040 RTP/SCS Guiding Policy 4</b> Transportation demand management (TDM) and active transportation will be focus areas, subject to Policy 1.	<b>Not Applicable.</b> This policy is directed towards transportation investment by SCAG. However, the Proposed Project would support active transportation (e.g. walking and bicycling) by providing landscaping along the public rights of way and active ground floor uses, which promotes and supports pedestrian activity in the area. Additionally, the Proposed Project's location within a HQTAs promotes the use of public transit and pedestrian activity.
<b>2016-2040 RTP/SCS Guiding Policy 5</b> HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy 1.	<b>Not Applicable.</b> This policy is directed towards transportation investment by SCAG to support HOV, transit and rideshare. Although this policy is not applicable to the Proposed Project, the Proposed Project's location in a HQTAs promotes the use of public transit and pedestrian activity.
<b>2016-2040 RTP/SCS Guiding Policy 6</b> The RTP/SCS will support investments and strategies to reduce non-recurrent congestion and demand for single occupancy vehicle use, by leveraging advanced technologies.	<b>Not Applicable.</b> This Guiding Policy relates to SCAG goals in supporting investments and strategies to reduce congestion and the use of single occupancy vehicles. Nevertheless, the Proposed Project is located within a HQTAs (as defined by SCAG) and a Transit Priority Area (as defined by SB 743). The Proposed Project would support public transportation and other alternative methods of transportation (e.g., walking and biking).
<b>2016-2040 RTP/SCS Guiding Policy 7</b> The RTP/SCS will encourage transportation investments that result in cleaner air, a better environment, a more efficient transportation system and sustainable outcomes in the long run.	<b>Not Applicable.</b> This policy is directed towards SCAG and governmental agencies to encourage and support transportation investments.
<b>2016-2040 RTP/SCS Guiding Policy 8</b> Monitoring progress on all aspects of the Plan, including the timely implementation of projects, programs, and strategies, will be an important and integral component of the Plan.	<b>Not Applicable.</b> This policy is directed towards SCAG and the City of Los Angeles and not does apply to the Proposed Project.
<b>2016-2040 RTP/SCS Land Use Policy 1</b> Identify regional strategic areas for infill and investment.	<b>Not Applicable.</b> This policy is directed towards SCAG to identify regional strategic areas. The Proposed Project is an infill development in a HQTAs (defined by SCAG) and within a Transit Priority Area (as defined by SB 743). The Proposed Project would be providing dwelling units, hotel guest rooms, and commercial uses in a highly urbanized area within the City of Los Angeles.

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<b>Goals and Policies</b>	<b>Consistency Assessment</b>
<p><b>2016-2040 RTP/SCS Land Use Policy 2</b> Structure the plan on a three-tiered system of centers development.<sup>3</sup></p>	<p><b>Not Applicable.</b> This Land Use Policy is directed towards SCAG and does not apply to the Proposed Project.</p>
<p><b>2016-2040 RTP/SCS Land Use Policy 3</b> Develop “Complete Communities.”</p>	<p><b>Consistent.</b> SCAG describes the development of “complete communities” to provide areas that encourage households to be developed with a range of mobility options to complete short trips. The 2016-2040 RTP/SCS supports the creation of these districts through a concentration of activities with housing, employment, and a mix of retail and services, located in close proximity to each other, where most daily needs can be met within a short distance of home, providing residents with the opportunity to patronize their local area and run daily errands by walking or cycling rather than traveling by automobile.<sup>4</sup></p> <p>As stated above, the Proposed Project would develop a mixed-use project with dwelling units, hotel rooms, and ground-floor commercial space in a HQTA (defined by SCAG) and within a Transit Priority Area (as defined by SB 743). The Project Site’s location near mass transit and in proximity to services, retail stores, and employment opportunities promotes the use of a variety of transportation options, which includes walking, biking, and the use of public transportation. Therefore, the Proposed Project would be consistent with the SCAG’s goals of increasing mixed commercial/residential uses in high-quality transit areas near services, retail, and employment opportunities to reduce vehicle-miles traveled.</p>
<p><b>2016-2040 RTP/SCS Land Use Policy 4</b> Develop nodes on a corridor.</p>	<p><b>Not Applicable.</b> The 2016-2040 RTP/SCS describes nodes as mixed-use development centers at key locations that meet most of residents’ daily needs and that support livable corridors. This policy is directed towards SCAG and City goals to identify and develop locations that promote nodes. The Proposed Project is located within a HQTA and a Transit Priority Area. The Proposed Project’s mixed-use design and location encourages the use of alternative transportation and walking and bicycling opportunities.</p>
<p><b>2016-2040 RTP/SCS Land Use Policy 5</b> Plan for additional housing and jobs near transit.</p>	<p><b>Consistent.</b> As stated above, the Proposed Project would place dwelling units, hotel guest rooms, and ground-floor commercial space in a HQTA and a Transit Priority Area. The Project Site is located less than ¼-half mile from major transit stops along Wilshire Boulevard,</p>

<sup>3</sup> The 2016-2040 RTP/SCS reaffirms the 2008 Advisory Land Use Policies that were incorporated into the 2012-2035 RTP/SCS. The complete language from the original SCAG Advisory Land Use Policies is “Identify strategic centers based on a three-tiered system of existing, planned and potential relative to transportation infrastructure. This strategy more effectively integrates land use planning and transportation investment.” A more detailed description of these strategies and policies can be found on pages 90–92 of the SCAG 2008 Regional Transportation Plan, adopted in May 2008.

<sup>4</sup> SCAG, 2016-2040 RTP/SCS, April 2016 (page 79).

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<b>Goals and Policies</b>	<b>Consistency Assessment</b>
	La Brea Avenue, and 6 <sup>th</sup> Street. Additionally, the Wilshire/La Brea Metro Station for the Purple Line is currently under construction immediately south of the Project Site. Therefore, the Project Site's location would promote the use of a variety of transportation options, which includes walking, biking, and the use of public transportation.
<b>2016-2040 RTP/SCS Land Use Policy 6</b> Plan for changing demand in types of housing.	<b>Consistent.</b> The Proposed Project would increase the housing stock in the Wilshire Community Plan area by providing 121 new residential units with a range of one and three-bedroom units. Of the 121 dwelling units, 14 units would be restricted for Extremely Low Income households, which is equivalent to 11% of the total residential units. Thus, the Proposed Project would contribute to the range of housing choices available in the City and is therefore consistent with this goal.
<b>2016-2040 RTP/SCS Land Use Policy 7</b> Continue to protect stable, existing single-family areas.	<b>Not Applicable.</b> This Land Use Policy is not applicable to the Proposed Project because the Proposed Project would not demolish any existing single-family homes. Additionally, the Project Site is not immediately located near any low-density residential neighborhoods.
<b>2016-2040 RTP/SCS Land Use Policy 8</b> Ensure adequate access to open space and preservation of habitat.	<b>Not Applicable.</b> This Land Use Policy is directed towards SCAG and does not apply to the Proposed Project. The Proposed Project is located within an urbanized area within the City of Los Angeles. Development of the Proposed Project would not remove any existing open space areas or habitat, since the Project Site is fully developed, with four office/commercial buildings. The Proposed Project would provide 10,256 square feet of open space that equals the required amount pursuant to the LAMC with an allowed 25 percent reduction per the TOC Guidelines.
<b>2016-2040 RTP/SCS Land Use Policy 9</b> Incorporate local input and feedback on future growth.	<b>Not Applicable.</b> This Land Use Policy is directed towards SCAG and not does apply to the Proposed Project.
<b>2016-2040 RTP/SCS Benefit 1:</b> The RTP/SCS will promote the development of better places to live and work through measures that encourage more compact development in certain areas of the region, varied housing options, bicycle and pedestrian improvements, and efficient transportation infrastructure.	<b>Consistent.</b> The Proposed Project will provide multi-family housing and job-creating commercial uses to an existing, transit-accessible area. In addition, the Proposed Project will provide 139 bicycle parking and various pedestrian-oriented improvements, including improved sidewalks and active ground floor uses.
<b>2016 RTP/SCS Benefit 2:</b> The RTP/SCS will encourage strategic transportation investments that add appropriate capacity and improve critical road conditions in the region, increase transit capacity and expand mobility options. Meanwhile, the Plan outlines strategies for developing land in coming decades that will place destinations closer together, thereby decreasing the time and cost of traveling between them.	<b>Not Applicable.</b> Benefit 2 is directed towards SCAG and not does apply to the Proposed Project. The Proposed Project is an infill, mixed-use project located within a HQTA, thereby decreasing time and cost of traveling between places.
<b>2016 RTP/SCS Benefit 3:</b> The RTP/SCS is expected to result in less energy and water	<b>Consistent.</b> The Proposed Project includes numerous energy-efficient design features, such as energy star



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<b>Goals and Policies</b>	<b>Consistency Assessment</b>
<p>consumption across the region, as well as lower transportation costs for households.</p>	<p>rated appliances. It will comply with the City of Los Angeles Green Building Code, the California Green Building Code, and includes requirements for a green or high albedo roof and that at least five percent of all parking spaces on-site shall include electric vehicle (EV) charging stations. As demonstrated in the Title 24 Energy Performance Report (included as Attachment F.1 to this document) the Proposed Project would exceed Title 24 performance standards by 15.47 percent. Additionally, as demonstrated in the Total Water Use Reduction Report (see Attachment F.2) the total water consumption of the proposed building is 73 percent of a typical building of the same size. The Proposed Project's incorporation of bicycle-and pedestrian-friendly elements and location near various bus lines will also provide future residents with various affordable transportation options and reduce vehicle miles traveled.</p>
<p><b>2016 RTP/SCS Benefit 4:</b> Improved placemaking and strategic transportation investments will help improve air quality; improve health as people have more opportunities to bicycle, walk and pursue other active alternatives to driving; and better protect natural lands as new growth is concentrated in existing urban and suburban areas.</p>	<p><b>Consistent.</b> The Proposed Project will encourage improved access and mobility by providing both residential and commercial uses on a single site. In addition, the Proposed Project's access to various transit options will encourage the use of existing and proposed mass transit. The Proposed Project also includes 10,256 square feet of open space including 31 trees. Recreational amenities would include one swimming pool and sun terrace area on Level 8, an outdoor terrace, a barbeque pit and lounge seating. These areas provide the opportunity for Project residents, and patrons of the hotel and restaurant space to gather.</p>
<p><i>Source: Southern California Association of Governments, 2016-2040 RTP/SCS, April 2016.</i></p>	

## 4.0 Project Consistency with SCAG 2016-2040 RTP/SCS Mitigation Measures

The 2016-2040 RTP/SCS MMRP includes various mitigation measures, both at the regional level that would be implemented by SCAG and at the Project level that would be implemented by the lead agency. Regional mitigation measures would be implemented by SCAG and are therefore not discussed in this table. This table focuses on the Proposed Project’s consistency with the SCAG MMRP’s Project-level mitigation measures. All Performance Standards referenced herein are enforceable through the project entitlements as conditions of approval.

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
<p><u>Aesthetics</u> <i>Scenic Vista</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-AES-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of visual intrusions on scenic vistas, or National Scenic Byways that are in the jurisdiction and responsibility of Caltrans, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with regulations for Caltrans scenic vistas and goals and policies within county and city general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Use a palette of colors, textures, building materials that are graffiti-resistant, and/or plant materials that complement the surrounding landscape and development.</li> <li>• Use contour grading to better match surrounding terrain. Contour edges of major cut-and-fill to provide a more natural looking finished profile.</li> <li>• Use alternating facades to “break up” large facades and provide visual interest.</li> <li>• Design new corridor landscaping to respect existing natural and man-made features and to complement the dominant landscaping of the surrounding areas.</li> <li>• Replace and renew landscaping along corridors with road widenings, interchange projects, and related improvements.</li> <li>• Retain or replace trees bordering highways, so that clear-cutting is not evident.</li> <li>• Provide new corridor landscaping that respects and provides appropriate transition to existing natural and man-made features and is complementary to the dominant landscaping or native habitats of surrounding areas.</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as Public Resources Code Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.”</p> <p>The Proposed Project is a mixed-use residential and commercial infill development project with 121 dwelling units, 125 hotel rooms, and 13,037 square feet of commercial uses. The Project Site is located immediately adjacent to the future Wilshire/La Brea Metro station (currently under construction) and from major transit stops at the intersection of La Brea Avenue/6<sup>th</sup> Street and Wilshire Boulevard/La Brea Avenue. La Brea Avenue, Wilshire Boulevard, and 6<sup>th</sup> Street are served by several bus lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro) with headways of 15 minutes or less during the peak commute hours, including Metro lines: 20, 212, and 720. Therefore, the Proposed Project is located in a Transit Priority Area as defined in Public Resources Code Section 21099. The Proposed Project’s aesthetic impacts shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>Implement design guidelines, local policies, and programs aimed at protecting views of scenic corridors and avoiding visual intrusions in design of projects to minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Avoid, if possible, large cuts and fills when the visual environment (natural or urban) would be substantially disrupted. Site or design of projects should minimize their intrusion into important viewsheds and use contour grading to better match surrounding terrain.</li> </ul>	
<p><u>Aesthetics</u> <i>Visual Character/Quality</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-AES-3(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of degrading the existing public viewpoints, visual character, or quality of the site that are in the jurisdiction and responsibility of local jurisdictions and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies within county and city general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>Minimize contrasts in scale and massing between the projects and surrounding natural forms and development, minimize their intrusion into important viewsheds, and use contour grading to better match surrounding terrain in accordance with county and city hillside ordinances, where applicable.</li> <li>Design landscaping along highway corridors to add significant natural elements and visual interest to soften the hard-edged, linear transportation corridors.</li> <li>Require development of design guidelines for projects that make elements of proposed buildings/facilities visually compatible, or minimize visibility of changes in visual quality or character through use of hardscape and softscape solutions. Specific measures to be addressed include setback buffers, landscaping, color, texture, signage, and lighting criteria.</li> <li>Design projects consistent with design guidelines of applicable general plans.</li> <li>Apply development standards and guidelines to maintain compatibility with surrounding natural areas, including site coverage, building height and massing, building materials and</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as Public Resources Code Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.”</p> <p>The Proposed Project is a mixed-use residential and commercial infill development project with 121 dwelling units, 125 hotel rooms, and 13,037 square feet of commercial uses. The Project Site is located immediately adjacent to the future Wilshire/La Brea Metro station (currently under construction) and from major transit stops at the intersection of La Brea Avenue/6<sup>th</sup> Street and Wilshire Boulevard/La Brea Avenue. La Brea Avenue, Wilshire Boulevard, and 6<sup>th</sup> Street are served by several bus lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro) with headways of 15 minutes or less during the peak commute hours. Therefore, the Proposed Project is located in a Transit Priority Area as defined in Public Resources Code Section 21099. The Proposed Project’s aesthetic impacts shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>color, landscaping, site grading, and so forth in accordance with general plans and adopted design guidelines, where applicable.</p> <ul style="list-style-type: none"> <li>Require that sites are kept in a blight/nuisance-free condition. Remove blight or nuisances that compromise visual character or visual quality of project areas including graffiti abatement, trash removal, landscape management, maintenance of signage and billboards in good condition, and replace compromised native vegetation and landscape.</li> </ul>	
<p><u>Aesthetics</u> <i>Light/Glare/SHade</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-AES-4(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or minimizing the effects of light and glare on routes of travel for motorists, cyclists, and pedestrians, or on adjacent properties, and limit expanded areas of shade and shadow to areas that would not adversely affect open space or outdoor recreation areas that are in the jurisdiction and responsibility of local jurisdictions and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies within county and city general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>Use lighting fixtures that are adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.</li> <li>Restrict the operation of outdoor lighting for construction and operation activities in accordance with local regulations.</li> <li>Use high pressure sodium and/or cut-off fixtures instead of typical mercury-vapor fixtures for outdoor lighting.</li> <li>Use unidirectional lighting to avoid light trespass onto adjacent properties.</li> <li>Design exterior lighting to confine illumination to the project site, and/or to areas which do not include light-sensitive uses.</li> <li>Provide structural and/or vegetative screening from light-sensitive uses.</li> <li>Shield and direct all new street and pedestrian lighting away from light-sensitive off-site uses.</li> <li>Use non-reflective glass or glass treated with a non-reflective coating for all exterior windows and glass used on building surfaces.</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as Public Resources Code Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.”</p> <p>The Project Site is located immediately adjacent to the future Wilshire/La Brea Metro station (currently under construction) and from major transit stops at the intersection of La Brea Avenue/6<sup>th</sup> Street and Wilshire Boulevard/La Brea Avenue. La Brea Avenue, Wilshire Boulevard, and 6<sup>th</sup> Street are served by several bus lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro) with headways of 15 minutes or less during the peak commute hours. Therefore, the Proposed Project is located in a Transit Priority Area as defined in Public Resources Code Section 21099. The Proposed Project’s aesthetic impacts shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<ul style="list-style-type: none"> <li>Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.</li> </ul>	
<p><i>Agriculture and Forestry Conversion of Farmland to Non-Agricultural Use, Conversion of Forest Land</i></p>	<p><b>Project-Level Mitigation Measure</b>  <b>MM-AF-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses that are within the jurisdiction and responsibility of the Natural Resources Conservation Service, the California Resources Agency, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the Farmland Protection Act and implementing regulations, and the goals and policies established within the applicable adopted county and city general plans to protect agricultural resources consistent with the Farmland Mapping and Monitoring Program of the California Resources Agency. Such measures may include the following, or other comparable measures identified by the Lead Agency taking into account project and site-specific considerations as applicable and feasible:</p> <ul style="list-style-type: none"> <li>For projects that require approval or funding by the USDOT, comply with Section 4(f) U.S. Department of Transportation Act of 1966 (USDOT Act).</li> <li>Project relocation or corridor realignment to avoid Prime Farmland, Unique Farmland, or Farmland of Local or Statewide Importance.</li> <li>Maintain and expand agricultural land protections such as urban growth boundaries.</li> </ul> <p>Support the acquisition or voluntary dedication of agriculture conservation easements and other programs that preserve agricultural lands, including the creation of farmland mitigation banks. Local governments would be responsible for encouraging the development of agriculture conservation easements or farmland mitigation banks, purchasing conservation agreements or farmland for mitigation, and ensuring that the terms of the conservation easement agreements are upheld. The California Department of Fish and Wildlife provides a definition for conservation or mitigation banks on their website (please see <a href="https://www.wildlife.ca.gov/Conservation/Planning/">https://www.wildlife.ca.gov/Conservation/Planning/</a>)</p>	<p>This Mitigation Measure is not relevant to the Proposed Project as no farmland or agricultural activity exists on or in the vicinity of the Project Site.</p>



**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>Banking)</p> <p>“A conservation or mitigation bank is privately or publicly owned land managed for its natural resource values. In exchange for permanently protecting, managing, and monitoring the land, the bank sponsor is allowed to sell or transfer habitat credits to permittees who need to satisfy legal requirements and compensate for the environmental impacts of developmental projects.</p> <p>A privately owned conservation or mitigation bank is a free-market enterprise that:</p> <ul style="list-style-type: none"> <li>• Offers landowners economic incentives to protect natural resources;</li> <li>• Saves permittees time and money by providing them with the certainty of pre-approved compensation lands;</li> <li>• Consolidates small, fragmented wetland mitigation projects into large contiguous sites that have much higher wildlife habitat values;</li> <li>• Provides for long-term protection and management of habitat.</li> </ul> <p>A publicly owned conservation or mitigation bank:</p> <ul style="list-style-type: none"> <li>• Offers the sponsoring public agency advance mitigation for large projects or multiple years of operations and maintenance.”</li> </ul> <p>In 2013, the University of California published an article entitled “Reforms could boost conservation banking by landowners” that speaks specifically to the use of agricultural lands for in conjunction with conservation banking programs.</p> <ul style="list-style-type: none"> <li>• Provide for mitigation fees to support a mitigation bank that invests in farmer education, agricultural infrastructure, water supply, marketing, etc. that enhance the commercial viability of retained agricultural lands.</li> <li>• Include underpasses and overpasses at reasonable intervals to maintain property access.</li> <li>• Use berms, buffer zones, setbacks, and fencing to reduce conflicts between new development and farming uses and protect the functions of farmland.</li> <li>• Ensure individual projects are consistent with federal, state, and local policies that preserve agricultural lands and support the economic viability of agricultural activities, as well as</li> </ul>	

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>policies that provide compensation for property owners if preservation is not feasible.</p> <ul style="list-style-type: none"> <li>Contact the California Department of Conservation and each county’s Agricultural Commissioner’s office to identify the location of prime farmlands and lands that support crops considered valuable to the local or regional economy and evaluate potential impacts to such lands using the land evaluation and site assessment (LESA) analysis method (CEQA Guidelines §21095), as appropriate. Use conservation easements or the payment of in-lieu fees to offset impacts.</li> </ul>	
<p><u>Agriculture and Forestry Zoning for Ag Use, Williamson Act Contract</u></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-AF-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from conflict with existing zoning for agricultural use or a Williamson Act contract that are within the jurisdiction and responsibility of the California Department of Conservation, other public agencies, and Lead Agencies. Where the Lead Agency has identified that a project has potential for significant effects, the Lead Agency can and should consider mitigation measures to mitigate the significant effects of agriculture and forestry resources to ensure compliance with the goals and policies established within the applicable adopted county and city general plans to protect agricultural resources consistent with the California Land Conservation Act of 1965, the Farmland Security Zone Act, and county and city zoning codes, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking into account project and site-specific considerations as applicable and feasible:</p> <ul style="list-style-type: none"> <li>Project relocation or corridor realignment to avoid lands in Williamson Act contracts.</li> <li>Establish conservation easements consistent with the recommendations of the Department of Conservation, or 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.), 10-year Williamson Act contracts (Government Code Section 51200 et seq.), or use of other conservation tools available from the California Department of Conservation Division of Land Resource Protection.</li> <li>Prior to final approval of each project, encourage enrollments of agricultural lands for counties that have Williamson Act programs, where applicable.</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site is not zoned for agricultural production, there is no farmland on the Project Site, and there are no Williamson Act Contracts in effect for the Project Site.</p>
<p><u>Air Quality</u></p>	<p><u>Project-Level Mitigation Measure</u></p>	

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Potential to Violate AQ Standard</i></p>	<p><b>MM-AIR-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures that are within the jurisdiction and authority of the CARB, air quality management districts, and other regulatory agencies. Where the Lead Agency has identified that a project has the potential to violate an air quality standard or contribute substantially to an existing air quality violation, the Lead Agency can and should consider the measures that have been identified by CARB and air district(s) and other agencies as set forth below, or other comparable measures, to facilitate consistency with plans for attainment of the NAAQS and CAAQS, as applicable and feasible.</p> <p>CARB, South Coast AQMD, Antelope Valley AQMD, Imperial County APCD, Mojave Desert AQMD, Ventura County APCD, and Caltrans have identified project-level feasible measures to reduce construction emissions:</p> <ul style="list-style-type: none"> <li>• Minimize land disturbance.</li> <li>• Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas.</li> <li>• Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.</li> <li>• Cover trucks when hauling dirt.</li> <li>• Stabilize the surface of dirt piles if not removed immediately.</li> <li>• Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.</li> <li>• Minimize unnecessary vehicular and machinery activities.</li> <li>• Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.</li> <li>• On Caltrans projects, Caltrans Standard Specifications 10-Dust Control, 17-Watering, and 18-Dust Palliative shall be incorporated into project specifications.</li> <li>• Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.</li> <li>• Ensure that all construction equipment is properly tuned and maintained.</li> </ul>	<p>The Proposed Project substantially conforms with this Mitigation Measure as it is subject to regulatory compliance measures that have been identified by CARB and air district(s) and other agencies as set forth below, or other comparable measures, to facilitate consistency with plans for attainment of the NAAQS and CAAQS, as applicable and feasible:</p> <ul style="list-style-type: none"> <li>• Air Quality (Site Clearing, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403. The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403: <ul style="list-style-type: none"> <li>○ All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.</li> <li>○ The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.</li> <li>○ All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.</li> <li>○ All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.</li> <li>○ All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.</li> <li>○ General contractors shall maintain and operate</li> </ul> </li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>• Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.</li> <li>• Project sponsors should ensure to the extent possible that construction activities utilize grid-based electricity and/or onsite renewable electricity generation rather than diesel and/or gasoline powered generators.</li> <li>• Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through- traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.</li> <li>• As appropriate, require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.</li> <li>• Implement EPA’s National Clean Diesel Program.</li> <li>• Diesel- or gasoline-powered equipment shall be replaced by lowest emitting feasible for each piece of equipment from among these options: electric equipment whenever feasible, gasoline-powered equipment if electric infeasible.</li> <li>• On-site electricity shall be used in all construction areas that are demonstrated to be served by electricity.</li> <li>• If cranes are required for construction, they shall be rated at 200 hp or greater equipped with Tier 4 or equivalent engines.</li> <li>• Use alternative diesel fuels, such as Clean Fuels Technology (water emulsified diesel fuel) or O2 diesel ethanol-diesel fuel (O2 Diesel) in existing engines</li> <li>• Convert part of the construction truck fleet to natural gas.</li> <li>• Include “clean construction equipment fleet”, defined as a fleet mix cleaner than the state average, in all construction contracts</li> </ul>	<p>construction equipment so as to minimize exhaust emissions.</p> <ul style="list-style-type: none"> <li>○ Trucks having no current hauling activity shall not idle but be turned off.</li> <li>• The Project shall comply with South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil, which sets requirements to control the emission of VOC from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.</li> <li>• The Project shall comply with South Coast Air Quality Management District Rule 1403 – Asbestos Emissions from Demolition/ Renovation Activities, which specify work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM).</li> <li>• In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.</li> <li>• In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.</li> <li>• The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.</li> <li>• The Project shall comply with South Coast Air Quality Management District Rule 1108 limiting the volatile organic compound content from cutback asphalt.</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<ul style="list-style-type: none"> <li>• Fuel all off-road and portable diesel powered equipment with ARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road)</li> <li>• Use electric fleet or alternative fueled vehicles where feasible including methanol, propane, and compressed natural gas</li> <li>• Use diesel construction equipment meeting ARB’s Tier 4 certified engines or cleaner offroad heavy-duty diesel engines and comply with State off-road regulation</li> <li>• Use on-road, heavy-duty trucks that meet the ARB’s 2007 or cleaner certification standard for on-road diesel engines, and comply with the State on-road regulation</li> <li>• Use idle reduction technology, defined as a device that is installed on the vehicle that automatically reduces main engine idling and/or is designed to provide services, e.g., heat, air conditioning, and/or electricity to the vehicle or equipment that would otherwise require the operation of the main drive engine while the vehicle or equipment is temporarily parked or is stationary</li> <li>• Minimize idling time either by shutting off equipment when not in use or limit idling time to 3 minutes Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 3 minute idling limit. The construction contractor shall maintain a written idling policy and distribute it to all employees and subcontractors. The on-site construction manager shall enforce this limit.</li> <li>• Prohibit diesel idling within 1,000 feet of sensitive receptors.</li> <li>• Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.</li> <li>• The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.</li> <li>• The engine size of construction equipment shall be the minimum practical size.</li> <li>• Catalytic converters shall be installed on gasoline-powered equipment.</li> <li>• Signs shall be posted in designated queuing areas and job sites to remind drivers and operators of the idling limit.</li> <li>• Construction worker trips shall be minimized by providing options for carpooling and by providing for lunch onsite.</li> <li>• Use new or rebuilt equipment.</li> <li>• Maintain all construction equipment in proper</li> </ul>	<ul style="list-style-type: none"> <li>• The Project shall install odor-reducing equipment in accordance with South Coast Air Quality Management District Rule 1138.</li> <li>• New on-site facility nitrogen oxide emissions shall be minimized through the use of emission control measures (e.g., use of best available control technology for new combustion sources such as boilers and water heaters) as required by South Coast Air Quality Management District Regulation XIII, New Source Review.</li> </ul>



**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>working order, according to manufacturer's specifications. The equipment must be checked by an ASE-certified mechanic and determined to be running in proper condition before it is operated.</p> <ul style="list-style-type: none"> <li>• Use low rolling resistance tires on long haul class 8 tractor-trailers.</li> <li>• Suspend all construction activities that generate air pollutant emissions during air alerts.</li> <li>• Install a CARB-verified, Level 3 emission control device, e.g., diesel particulate filters, on all diesel engines.</li> </ul>	
<p><i>Air Quality Expose Sensitive Receptors to Pollutants</i></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-AIR-4(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures that are within the jurisdiction and authority of the air quality management district(s) where proposed 2016 RTP/SCS transportation projects would be located. Where the Lead Agency has identified that a project has the potential to expose sensitive receptors to substantial pollutant concentrations and harm public health outcomes substantially, the Lead Agency can and should consider the measures that have been identified by CARB and air district(s), or other comparable measures, to reduce cancer risk pursuant to the Air Toxics "Hot Spots" Act of 1987 (AB2588), as applicable and feasible. Such measures include those adopted by CARB designed to reduce substantial pollutant concentrations, specifically diesel, from mobile sources and equipment. CARB's strategy includes the following elements:</p> <ul style="list-style-type: none"> <li>• Set technology forcing new engine standards.</li> <li>• Reduce emissions from the in-use fleet.</li> <li>• Require clean fuels, and reduce petroleum dependency.</li> <li>• Work with US EPA to reduce emissions from federal and state sources.</li> <li>• Pursue long-term advanced technology measures</li> </ul> <p>Proposed new transportation-related SIP measures include:</p> <p>On-Road Sources</p> <ul style="list-style-type: none"> <li>○ Improvements and Enhancements to California's Smog Check Program</li> <li>○ Expanded Passenger Vehicle Retirement Program</li> <li>○ Modifications to Reformulated Gasoline Program</li> <li>○ Cleaner In-Use Heavy-Duty Trucks</li> </ul>	<p>This Mitigation Measure is not relevant to the Project, as the Proposed Project does not involve a 2016-2040 RTP/SCS transportation project. As a mixed-use development, the Proposed Project cannot establish new regulatory standards or requirements, such as setting new engine standards or making improvements and enhancements to California's Smog Check Program.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>○ Ship Auxiliary Engine Cold Ironing and Other Clean Technology Cleaner Ship Main Engines and Fuel</li> <li>○ Port Truck Modernization</li> <li>○ Accelerated Introduction of Cleaner Line-Haul Locomotives</li> <li>○ Clean Up Existing Commercial Harbor Craft</li> <li>○ Limited idling of diesel-powered trucks</li> <li>○ Consolidated truck trips and improve traffic flow</li> <li>○ Late model engines, Low emission diesel products, engine retrofit technology</li> <li>○ Alternative fuels for on-road vehicles</li> </ul> <p>Off-Road Sources</p> <ul style="list-style-type: none"> <li>○ Cleaner Construction and Other Equipment</li> <li>○ Cleaner In-Use Off-Road Equipment</li> <li>○ Agricultural Equipment Fleet Modernization</li> <li>○ New Emission Standards for Recreational Boats</li> <li>○ Off-Road Recreational Vehicle Expanded Emission Standards</li> </ul>	
<p><u>Biological Resources</u> <i>Adverse Effect on Candidate, Sensitive, or Special Status Species, Adverse Effect on Riparian Habitat or Other Sensitive Natural Community, Adverse Effect on Wetlands, Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-BIO-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on threatened and endangered species and other special status species that are in the jurisdiction and responsibility of U.S. Fish and Wildlife Service, National Marine Fisheries Service, California Department of Fish and Wildlife, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Sections 7, 9, and 10(a) of the federal Endangered Species Act; the California Endangered Species Act; the Native Plant Protection Act; the State Fish and Game Code; and the Desert Native Plant Act; and related applicable implementing regulations, as applicable and feasible. Additional compliance should adhere to applicable implementing regulations from the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and/or the California Department of Fish and Wildlife. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>● Require project design to avoid occupied habitat, potentially suitable habitat, and designated</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site does not contain any critical habitat or support any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The Project Site is located in an urbanized area of the City. The Project Site is improved with four office/retail buildings.</p> <p>Nevertheless, the City has required the following regulatory compliance measure which are consistent with the SCAG EIR mitigation measures, as it is equal to or more effective than SCAG RTP/SCS Program EIR MM-BIO-12(b). with regard to avoiding potentially significant effects related to nesting native birds that are in the jurisdiction and responsibility of the City:</p> <ul style="list-style-type: none"> <li>● Habitat Modification (Nesting Native Birds)</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Biological Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan</i></p>	<p>critical habitat, wherever practicable and feasible.</p> <ul style="list-style-type: none"> <li>• Where avoidance is determined to be infeasible, provide conservation measures to fulfill the requirements of the applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act to support issuance of an Incidental take permit. A wide variety of conservation strategies have been successfully used in the SCAG region to protect the survival and recovery in the wild of federally and state-listed endangered species including the bald eagle:               <ul style="list-style-type: none"> <li>○ Avoidance strategies</li> <li>○ Contribution of in-lieu fees</li> <li>○ Use of mitigation bank credits</li> <li>○ Funding of research and recovery efforts</li> <li>○ Habitat restoration</li> <li>○ Conservation easements</li> <li>○ Permanent dedication of habitat</li> <li>○ Other comparable measures</li> </ul> </li> <li>• Design projects to avoid desert native plants, salvage and relocate desert native plants, and/or pay in lieu fees to support off-site long-term conservation strategies.</li> <li>• Develop and implement a Worker Awareness Program (environmental education) to inform project workers of their responsibilities in regards to avoiding and minimizing impacts on sensitive biological resources.</li> <li>• Appoint an Environmental Inspector to monitor implementation of mitigation measures.</li> <li>• Schedule construction activities to avoid sensitive times for biological resources (e.g., steelhead spawning periods during the winter and spring, nesting bird season) and to avoid the rainy season when erosion and sediment transport is increased.</li> <li>• Conduct pre-construction monitoring to delineate occupied sensitive species' habitat to facilitate avoidance.</li> <li>• Where projects are determined to be within suitable habitat of listed or sensitive species that have specific field survey protocols or guidelines outlined by the USFWS, CDFW, or other local agency, conduct preconstruction surveys that follow applicable protocols and guidelines and are conducted by qualified and/or certified personnel.</li> </ul>	<ul style="list-style-type: none"> <li>○ Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).</li> <li>○ If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:               <ul style="list-style-type: none"> <li>○ Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.</li> <li>○ If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species (within 500 feet for suitable raptor nesting habitat) until August 31.</li> <li>○ Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at</li> </ul> </li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
		<p>nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.</p> <ul style="list-style-type: none"> <li>○ The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.</li> </ul>
<p><u>Biological Resources</u> <i>Adverse Effect on Riparian Habitat or Other Sensitive Natural Community, Adverse Effect on Wetlands, Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Biological Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-BIO-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on state-designated sensitive habitats, including riparian habitats, that are in the jurisdiction and responsibility of U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the California Department of Fish and Wildlife; and other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Section 1600 of the State Fish and Game Code, USFS Land Management Plan for the four national forests in the six-county area: Angeles, Cleveland, Los Padres, and San Bernardino, implementing regulations for the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the California Department of Fish and Wildlife; and other related federal, state, and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consult with the USFWS and NMFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal Endangered Species Act.</li> <li>• Consult with the USFS where such state-</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site does not contain any critical habitat or support any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The Project Site is located in an urbanized area of the City. The Project Site is improved with four office/commercial buildings.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal Endangered Species Act and any additional species afforded protection by an adopted Forest Land Management Plan or Resource Management Plan for the four national forests in the six-county area: Angeles, Cleveland, Los Padres, and San Bernardino.</p> <ul style="list-style-type: none"> <li>• Consult with the CDFW where such state-designated sensitive or riparian habitats provide potential or occupied habitat for state-listed rare, threatened, and endangered species afforded protection pursuant to the California Endangered Species Act, or Fully-Protected Species afforded protection pursuant to the State Fish and Game Code.</li> <li>• Consult with the CDFW pursuant to the provisions of Section 1600 of the State Fish and Game Code as they relate to lakes and streambeds.</li> <li>• Consult with the USFWS, USFS, CDFW, and counties and cities in the SCAG region, where state-designated sensitive or riparian habitats are occupied by birds afforded protection pursuant to the Migratory Bird Treaty Act during the breeding season.</li> <li>• Consult with the CDFW for state-designated sensitive or riparian habitats where fur-bearing mammals, afforded protection pursuant to the provisions of the State Fish and Game Code for fur-bearing mammals, are actively using the areas in conjunction with breeding activities.</li> <li>• Utilize applicable and CDFW approved plant community classification resources during delineation of sensitive communities and invasive plants including, but not limited to, the <i>Manual of California Vegetation</i>, the California Invasive Plant Inventory Database, and the Orange County California Native Plant Society (OCCNPS) Emergent Invasive Plant Management Program, where appropriate.</li> <li>• Encourage project design to avoid sensitive natural communities and riparian habitats, wherever practicable and feasible.</li> <li>• Where avoidance is determined to be infeasible, develop sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) to protect sensitive natural communities and riparian habitats.</li> <li>• Install fencing and/or mark sensitive habitat to be avoided during construction activities.</li> </ul>	



**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>• Salvage and stockpile topsoil (the surface material from 6 to 12 inches deep) and perennial plants for use in restoring native vegetation to all areas of temporary disturbance within the project area.</li> <li>• Revegetate with appropriate native vegetation following the completion of construction activities.</li> <li>• Complete habitat enhancement (e.g., through removal of non-native invasive wetland species and replacement with more ecologically valuable native species).</li> <li>• Use Best Management Practices (BMPs) at construction sites to minimize erosion and sediment transport from the area. BMPs include encouraging growth of vegetation in disturbed areas, using straw bales or other silt-catching devices, and using settling basins to minimize soil transport.</li> </ul>	
<p><u>Biological Resources</u> <i>Adverse Effect on Wetlands, Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Biological Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-BIO-3(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on protected wetlands that are in the jurisdiction and responsibility of the U.S. Army Corps of Engineers, public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Section 404 of the Clean Water Act and regulations of the U.S. Army Corps of Engineers (USACOE), and other applicable federal, state and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Require project design to avoid federally protected wetlands consistent with the provisions of Section 404 of the Clean Water Act, wherever practicable and feasible.</li> <li>• Where the Lead Agency has identified that a project, or other regionally significant project, has the potential to impact other wetlands or waters not protected under Section 404 of the Clean Water Act, seek comparable coverage for these wetlands and waters in consultation with the USACOE and applicable Regional Water Quality Control Boards (RWQCB). Where avoidance is determined to be infeasible, develop sufficient conservation measures to fulfill the requirements of the applicable authorization for impacts to federally protected wetlands to support issuance of a permit under</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site is not located on protected wetlands that are in the jurisdiction and responsibility of the U.S. Army Corps of Engineers, public agencies and/or Lead Agencies.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>Section 404 of the Clean Water Act as administered by the USACOE. The use of an authorized Nationwide Permit or issuance of an individual permit requires the project applicant to demonstrate compliance with the USACOE's Final Compensatory Mitigation Rule. The USACOE reviews projects to ensure environmental impacts to aquatic resources are avoided or minimized as much as possible. Consistent with the administration's performance standard of "no net loss of wetlands" a USACOE permit may require a project proponent to restore, establish, enhance or preserve other aquatic resources in order to replace those affected by the proposed project. This compensatory mitigation process seeks to replace the loss of existing aquatic resource functions and area. Project proponents required to complete mitigation are encouraged to use a watershed approach and watershed planning information. The new rule establishes performance standards, sets timeframes for decision making, and to the extent possible, establishes equivalent requirements and standards for the three sources of compensatory mitigation:</p> <ul style="list-style-type: none"> <li>○ Permittee-responsible mitigation</li> <li>○ Contribution of in-lieu fees</li> <li>○ Use of mitigation bank credits</li> <li>● Require review of construction drawings by a certified wetland delineator as part of each project-specific environmental analysis to determine whether wetlands will be affected and, if necessary, perform a formal wetland delineation.</li> </ul>	
<p><i>Biological Resources Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Biological Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or</i></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-BIO-4(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on migratory fish or wildlife species or within established native resident and/or migratory wildlife corridors, and native wildlife nursery sites that are in the jurisdiction and responsibility of U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, U.S. Forest Service, public agencies and/or Lead Agencies, as applicable and feasible. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with regulations of the USFWS, USFS, CDFW, and related regulations, goals and polices of counties and cities, as applicable and feasible. Such measures may include the following, or other comparable measures</p>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site is not located within or adjacent to migratory fish, wildlife species, or established native resident and/or migratory wildlife corridors, and native wildlife nursery sites. The Project Site is improved with four office/commercial buildings and is located in an urbanized area of the City.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Other Conservation Plan</i></p>	<p>identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consult with the USFWS, USFS, CDFW, and counties and cities in the SCAG region, where impacts to birds afforded protection pursuant to the Migratory Bird Treaty Act during the breeding season may occur.</li> <li>• Consult with the USFS where impacts to migratory wildlife corridors may occur in an area afforded protection by an adopted Forest Land Management Plan or Resource Management Plan for the four national forests in the six-County area: Angeles, Cleveland, Los Padres, and San Bernardino.</li> <li>• Consult with counties, cities, and other local organizations when impacts may occur to open space areas that have been designated as important for wildlife movement.</li> <li>• Prohibit construction activities within 500 feet of occupied breeding areas for wildlife afforded protection pursuant to Title 14 § 460 of the California Code of Regulations protecting fur-bearing mammals, during the breeding season.</li> <li>• Prohibit clearing of vegetation and construction within the peak avian breeding season (February 1<sup>st</sup> through September 1<sup>st</sup>), where feasible.</li> <li>• Conduct weekly surveys to identify active raptor and other migratory nongame bird nests by a qualified biologist with experience in conducting breeding bird surveys within three days prior to the work in the area from February 1 through August 31.</li> <li>• Prohibit construction activities with 300 feet (500 feet for raptors) of occupied nests of birds afforded protection pursuant to the Migratory Bird Treaty Act, during the breeding season. Delineate the non-disturbance buffer by temporary fencing and keep the buffer in place until construction is complete, or the nest is no longer active. No construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reductions or expansions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.</li> <li>• Ensure that suitable nesting sites for migratory nongame native bird species protected under the Migratory Bird Treaty Act and/or trees with unoccupied raptor nests should only be removed prior to February 1, or following the nesting season.</li> </ul>	

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<ul style="list-style-type: none"> <li>• Conduct site-specific analyses of opportunities to preserve or improve habitat linkages with areas on- and off-site. Analyze habitat linkages/wildlife movement corridors on a broader and cumulative impact analysis scale to avoid adverse impacts from linear projects that have potential for impacts on a broader scale or critical narrow choke points that could reduce function of recognized movement corridors on a larger scale. Require review of construction drawings and habitat connectivity mapping provided by the CDFW or CNDDDB by a qualified biologist to determine the risk of habitat fragmentation.</li> <li>• Pursue mitigation banking to preserve habitat linkages and corridors (opportunities to purchase, maintain, and/or restore offsite habitat).</li> <li>• Demonstrate that proposed projects would not adversely affect movement of any native resident or migratory fish or wildlife species, wildlife movement corridors, or wildlife nursery sites through the incorporation of avoidance strategies into project design, wherever practicable and feasible.</li> <li>• Evaluate the potential for overpasses, underpasses, and culverts in cases where a roadway or other transportation project may interrupt the flow of species through their habitat. Provide wildlife crossings in accordance with proven standards, such as FHWA's Critter Crossings or Ventura County Mitigation Guidelines and in consultation with wildlife corridor authorities with sufficient knowledge of both regional and local wildlife corridors, and at locations useful and appropriate for the species of concern.</li> <li>• Install wildlife fencing where appropriate to minimize the probability of wildlife injury due to direct interaction between wildlife and roads or construction.</li> <li>• Establish native vegetation and facilitate the enhancement and maintenance of biological diversity within existing habitat pockets in urban environments that provide connectivity to large-scale habitat areas.</li> <li>• Where avoidance is determined to be infeasible, design sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) and in accordance with the respective counties and cities general plans to establish plans to mitigate for the loss of fish and wildlife movement corridors and/or wildlife nursery sites. The consideration of conservation</li> </ul>	

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>measures may include the following measures, in addition to the measures outlined in <b>MM-BIO-1(b)</b>, where applicable:</p> <ul style="list-style-type: none"> <li>○ Wildlife movement buffer zones</li> <li>○ Corridor realignment</li> <li>○ Appropriately spaced breaks in center barriers</li> <li>○ Stream rerouting</li> <li>○ Culverts</li> <li>○ Creation of artificial movement corridors such as freeway under- or overpasses</li> <li>○ Other comparable measures</li> </ul> <ul style="list-style-type: none"> <li>● Where the Lead Agency has identified that a RTP/SCS project, or other regionally significant project, has the potential to impact other open space or nursery site areas, seek comparable coverage for these areas in consultation with the USFWS, CDFW, NMFS, or other local jurisdictions.</li> <li>● Project sponsors should emphasize that urban habitats and the plant and wildlife species they support are indeed valuable, despite the fact they are located in urbanized (previously disturbed) areas. Established habitat connectivity and wildlife corridors in these urban ecosystems will likely be impacted with further urbanization, as proposed in the Project. Appropriate mitigation measures should be proposed, developed, and implemented in these sensitive urban microhabitats to support or enhance the rich diversity of urban plant and wildlife species.</li> <li>● Establish native vegetation within habitat pockets or the “wildling of urbanized habitats” that facilitate the enhancement and maintenance of biological diversity in these areas. These habitat pockets, as the hopscotch across an urban environment, provide connectivity to large-scale habitat areas.</li> </ul>	
<p><u>Biological Resources</u> <i>Conflict with Local Policies or Ordinances Protecting Biological Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-BIO-5(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts related to conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, that are in the jurisdiction and responsibility of local jurisdictions and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to comply with county, city and local policies or ordinances, protecting biological resources, such as tree preservation policies or ordinances, as</p>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site is completely paved and developed, and no significant vegetation exists, including protected trees. No protected biological resources or tree species, such as oak trees, currently exist on the Project Site. As such, none of the mitigation measures that pertain to local policies or ordinances protecting biological resources, such as the City of Los Angeles Protected Tree Ordinance, are applicable.</p>



**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Other Conservation Plan</i></p>	<p>applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consult with the appropriate local agency responsible for the administration of the policy or ordinance protecting biological resources.</li> <li>• Prioritize retention of trees on-site consistent with local regulations. Provide adequate protection during the construction period for any trees that are to remain standing, as recommended by a certified arborist.</li> <li>• If specific project area trees are designated as “Protected Trees,” “Landmark Trees,” or “Heritage Trees,” obtain approval for encroachment or removals through the appropriate entity, and develop appropriate mitigation measures at that time, to ensure that the trees are replaced. Mitigation trees shall be locally collected native species.</li> <li>• Before the start of any clearing, excavation, construction or other work on the site, securely fence off every protected tree deemed to be potentially endangered by said site work. Keep such fences in place for duration of all such work. Clearly mark all trees to be removed. Establish a scheme for the removal and disposal of logs, brush, earth and other debris that will avoid injury to any protected tree.</li> <li>• Where proposed development or other site work could encroach upon the protected perimeter of any protected tree, incorporate special measures to allow the roots to breathe and obtain water and nutrients. Minimize any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter. Require that no change in existing ground level occur from the base of any protected tree at any time. Require that no burning or use of equipment with an open flame occur near or within the protected perimeter of any protected tree.</li> <li>• Require that no storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees occur from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. Require that no heavy construction equipment or construction materials be operated or stored within a distance from the base of any protected trees. Require that wires, ropes, or other devices not be attached to any protected tree, except as needed for support of the tree. Require that no sign, other than a tag showing the botanical classification, be attached to any protected tree.</li> </ul>	

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>• Thoroughly spray the leaves of protected trees with water periodically during construction to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</li> <li>• If any damage to a protected tree should occur during or as a result of work on the site, the appropriate local agency will be immediately notified of such damage. If, such tree cannot be preserved in a healthy state, require replacement of any tree removed with another tree or trees on the same site deemed adequate by the local agency to compensate for the loss of the tree that is removed.</li> <li>• Remove all debris created as a result of any tree removal work from the property within two weeks of debris creation, and such debris shall be properly disposed of in accordance with all applicable laws, ordinances, and regulations.</li> <li>• Design projects to avoid conflicts with local policies and ordinances protecting biological resources.</li> <li>• Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the applicable policy or ordinance shall be developed, such as to support issuance of a tree removal permit. The consideration of conservation measures may include:               <ul style="list-style-type: none"> <li>○ Avoidance strategies</li> <li>○ Contribution of in-lieu fees</li> <li>○ Planting of replacement trees at a minimum ratio of 2:1</li> <li>○ Re-landscaping areas with native vegetation post-construction</li> <li>○ Other comparable measures</li> </ul> </li> </ul>	
<p><u>Biological Resources</u> <i>Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-BIO-6(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on HCP and NCCPs that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act; and implementing regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consult with the appropriate federal, state, and/or local agency responsible for the</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as no locally designated natural communities are known to occur on or adjacent to the Project Site. Therefore, none of the mitigation measures that pertain to Habitat Conservation Plans or Natural Community Conservation Plans are applicable to the Proposed Project.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>administration of HCPs, NCCPs or other conservation programs.</p> <ul style="list-style-type: none"> <li>Wherever practicable and feasible, the project shall be designed to avoid through project design lands preserved under the conditions of an HCP, NCCP, or other conservation program.</li> <li>Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the HCP and/or NCCP or other conservation program, which would include but not be limited to applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act, shall be developed to support issuance of an Incidental take permit or any other permissions required for development within the HCP/NCCP boundaries. The consideration of additional conservation measures would include the measures outlined in <b>MM-BIO-1(b)</b>, where applicable.</li> </ul>	
<p><i>Cultural Resources Potential to Destroy Unique Paleontological Resources or Unique Geological Features</i></p>	<p><b>Project-Level Mitigation Measure</b>  <b>MM-CUL-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on unique paleontological resources or sites and unique geologic features that are within the jurisdiction and responsibility of National Park Service, Office of Historic Preservation, and Native American Heritage Commission, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with Section 15064.5 of the State CEQA Guidelines capable of avoiding or reducing significant impacts on unique paleontological resources or sites or unique geologic features. Ensure compliance with the National Historic Preservation Act, Section 5097.5 of the Public Resources Code (PRC), state programs pursuant to Sections 5024 and 5024.5 of the PRC, adopted county and city general plans, and other federal, state and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>Obtain review by a qualified geologist or paleontologist to determine if the project has the potential to require excavation or blasting of parent material with a moderate to high potential to contain unique paleontological or resources, or to require the substantial alteration of a unique</li> </ul>	<p>This Mitigation Measure is not incorporated because the City has determined that the following regulatory compliance measure, which is capable of avoiding or reducing significant impacts on unique paleontological resources or sites or unique geologic features, are equal to or more effective than the SCAG RTP/SCS Program EIR MM-CUL-1(b):</p> <p>Under California Public Resources Code Sections 5097.5 and 30244, if any paleontological materials are encountered during the course of project development, all further development activities shall halt and:</p> <ul style="list-style-type: none"> <li>The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.</li> <li>The paleontologist's survey, study or report shall contain a recommendation(s), if necessary,</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>geologic feature.</p> <ul style="list-style-type: none"> <li>• Avoid exposure or displacement of parent material with a moderate to high potential to yield unique paleontological resources.</li> <li>• Where avoidance of parent material with a moderate to high potential to yield unique paleontological resources is not feasible:               <ul style="list-style-type: none"> <li>○ All on-site construction personnel receive Worker Education and Awareness Program (WEAP) training to understand the regulatory framework that provides for protection of paleontological resources and become familiar with diagnostic characteristics of the materials with the potential to be encountered.</li> <li>○ Prepare a Paleontological Resource Management Plan (PRMP) to guide the salvage, documentation and repository of representative samples of unique paleontological resources encountered during construction. If unique paleontological resources are encountered during excavation or blasting, use a qualified paleontologist to oversee the implementation of the PRMP.</li> <li>○ Monitor blasting and earth-moving activities in parent material, with a moderate to high potential to yield unique paleontological resources using a qualified paleontologist or archeologists cross-trained in paleontology to determine if unique paleontological resources are encountered during such activities, consistent with the specified or comparable protocols.</li> <li>○ Identify where excavation and earthmoving activity is proposed in a geologic unit having a moderate or high potential for containing fossils and specify the need for a paleontological or archeological (cross-trained in paleontology) to be present during earth-moving activities or blasting in these areas.</li> </ul> </li> <li>• Avoid routes and project designs that would permanently alter unique features with archaeological and/or paleontological significance.</li> <li>• Salvage and document adversely affected resources sufficient to support ongoing scientific research and education.</li> </ul>	<p>for the preservation, conservation, or relocation of the resource.</p> <ul style="list-style-type: none"> <li>• The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.</li> <li>• Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.</li> </ul>
<p><i>Cultural Resources Substantial Adverse Change in Significance</i></p>	<p><b>Project-Level Mitigation Measure</b>  <b>MM-CUL-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of on historical resources within the jurisdiction and</p>	<p>The Proposed Project would include the following Performance Standard as a condition of approval, which is consistent with the SCAG RTP/SCS Program EIR MM-CUL-2(b)CUL in</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>of a Historical Resource, Substantial Adverse Change in the Significance of an Archaeological Resource</i></p>	<p>responsibility of the Office of Historical Preservation, Native American Heritage Commission, other public agencies, and/or Local Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with Section 15064.5 of the State CEQA Guidelines capable of avoiding or reducing significant impacts on historical resources, to ensure compliance with the National Historic Preservation Act, Section 5097.5 of the Public Resources Code (PRC), state programs pursuant to Sections 5024 and 5024.5 of the PRC, adopted county and city general plans and other federal, state and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Pursuant to CEQA Guidelines Section 15064.5, conduct a record search at the appropriate Information Center to determine whether the project area has been previously surveyed and whether historic resources were identified.</li> <li>• Obtain a qualified architectural historian to conduct historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for historical resources within 1,000 feet of the project.</li> <li>• Comply with Section 106 of the National Historic Preservation Act including, but not limited to, projects for which federal funding or approval is required for the individual project. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following:             <ul style="list-style-type: none"> <li>○ Employ design measures to avoid historical resources and undertake adaptive reuse where appropriate and feasible. If resources are to be preserved, as feasible, carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction in a manner consistent with the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring, and</li> </ul> </li> </ul>	<p>avoiding potential impacts to inadvertent finds of historic, archeological, or tribal cultural resources:</p> <ul style="list-style-type: none"> <li>• Performance Standard CR-1 (Cultural Resources): Prior to the commencement of ground disturbing activities, a Cultural Resources Monitoring Plan (Monitoring Plan) shall be prepared. The Monitoring Plan shall include, but not be limited to, monitoring protocol for ground-disturbing activities; a construction worker training program; and discovery and processing protocol for inadvertent discoveries of cultural resources or Tribal Cultural Resources. The plan shall identify the areas of sensitivity determined for cultural resources and Tribal Cultural Resources that require monitoring and detail a protocol for determining circumstances in which additional, or reduced levels of monitoring (e.g., spot checking) may be appropriate. Specifically, the Monitoring Plan shall include a framework for assessing the geoarchaeological setting to determine whether undisturbed sediments (i.e., ‘native’ sediments) capable of preserving archaeological remains are present adjacent to or beneath those sediments disturbed by urban development, and the depth at which these sediments would no longer be capable of containing archaeological material and thereby cease to require an archaeological monitoring to be present. Because of the overall sensitivity for archaeological resources affiliated with Native American occupation, the Monitoring Plan shall consider the extent of existing disturbances and determine the presence of cultural resources within those or surrounding native sediments. The plan shall identify the process for contacting tribal groups in the event of inadvertent discovery of archaeological resources, Tribal</li> </ul>



**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>Reconstructing Historic Buildings. If resources would be impacted, impacts should be minimized to the extent feasible.</p> <ul style="list-style-type: none"> <li>○ Where feasible, noise buffers/walls and/or visual buffers/landscaping should be constructed to preserve the contextual setting of significant built resources.</li> <li>● Secure a qualified environmental agency and/or architectural historian, or other such qualified person to document any significant historical resource(s), by way of historic narrative, photographs, and architectural drawings, as mitigation for the effects of demolition of a resource.</li> <li>● Consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area, and identify the Native American(s) to contact to obtain information about the project site.</li> <li>● Prior to construction activities, obtain a qualified archaeologist to conduct a record search at the appropriate Information Center of the California Archaeological Inventory to determine whether the project area has been previously surveyed and whether resources were identified.</li> <li>● Prior to construction activities, obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for archaeological resources.</li> <li>● If a record search indicates that the project is located in an area rich with cultural materials, retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.</li> <li>● Conduct construction activities and excavation to avoid cultural resources (if identified). If avoidance is not feasible, further work may be needed to determine the importance of a resource. Retain a qualified archaeologist familiar with the local archaeology, and/or as appropriate, an architectural historian who should make recommendations regarding the work necessary to determine importance. If the cultural resource is determined to be important under state or federal guidelines, impacts on the cultural resource will need to be mitigated.</li> </ul>	<p>Cultural Resources, or human remains.</p> <ul style="list-style-type: none"> <li>● Performance Standard CR-2 (Archaeological Resources): In the event that archaeological resources (sites, features, artifacts, or fossilized material) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified specialist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>Stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine the importance of these resources.</li> </ul>	
<p><u>Cultural Resources</u> <i>Disturb Human Remains</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-CUL-4(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects to human remains that are within the jurisdiction and responsibility of the Native American Heritage Commission, other public agencies, and/or Local Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency should consider mitigation measures capable of avoiding or reducing significant impacts on human remains, to ensure compliance with the California Health and Safety Code, Section 7060 and Section 18950-18961 and Native American Heritage Commission, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>In the event of discovery or recognition of any human remains during construction or excavation activities associated with the project, in any location other than a dedicated cemetery, cease further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remains are discovered has been informed and has determined that no investigation of the cause of death is required.</li> <li>If any discovered remains are of Native American origin:               <ul style="list-style-type: none"> <li>Contact the County Coroner to contact the Native American Heritage Commission to ascertain the proper descendants from the deceased individual. The coroner should make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods. This may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</li> <li>If the Native American Heritage Commission is unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by the commission, obtain a Native American monitor, and an</li> </ul> </li> </ul>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measure, which is capable of avoiding or reducing significant impacts on historical resources within the jurisdiction and responsibility of the Office of Historical Preservation, Native American Heritage Commission, other public agencies, and/or Local Agencies:</p> <ul style="list-style-type: none"> <li>Cultural Resources (Human Remains): If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:               <ul style="list-style-type: none"> <li>Stop immediately and contact the County Coroner: 1104 N. Mission Road Los Angeles, CA 90033 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)</li> <li>If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).</li> <li>The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.</li> <li>The most likely descendent has 48 hours to make</li> </ul> </li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance where the following conditions occur:</p> <ul style="list-style-type: none"> <li>▪ The Native American Heritage Commission is unable to identify a descendent;</li> <li>▪ The descendant identified fails to make a recommendation; or</li> <li>▪ The landowner or their authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul>	<p>recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.</p> <ul style="list-style-type: none"> <li>○ If the owner does not accept the descendant’s recommendations, the owner or the descendent may request mediation by the NAHC.</li> </ul>
<p><i>Energy Increase Residential Energy Use, Increase Building Energy Use</i></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-EN-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of increased residential energy consumption that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with CALGreen, local building codes, and other applicable laws and regulations governing residential building standards, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Integrate green building measures consistent with CALGreen (California Building Code Title 24) into project design including: <ul style="list-style-type: none"> <li>○ Use energy efficient materials in building design, construction, rehabilitation, and retrofit.</li> <li>○ Install energy-efficient lighting, heating, and cooling systems (cogeneration); water heaters; appliances; equipment; and control systems.</li> <li>○ Reduce lighting, heating, and cooling needs by taking advantage of light colored roofs, trees for shade, and sunlight.</li> <li>○ Incorporate passive environmental control systems that account for the characteristics of the natural environment.</li> <li>○ Use high-efficiency lighting and cooking devices.</li> </ul> </li> </ul>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measure(s), which is capable of avoiding or reducing the significant effects of increased residential energy consumption that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Energy (Green Building Code): In accordance with the City of Los Angeles Green Building Code (Chapter IX, Article 9, of the Los Angeles Municipal Code), the Project shall comply with all applicable mandatory provisions of the Los Angeles Green Building Code and as it may be subsequently amended or modified.</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>○ Incorporate passive solar design.</li> <li>○ Use high-reflectivity building materials and multiple glazing.</li> <li>○ Prohibit gas-powered landscape maintenance equipment.</li> <li>○ Install electric vehicle charging stations.</li> <li>○ Reduce wood burning stoves or fireplaces.</li> <li>○ Provide bike lanes accessibility and parking at residential developments.</li> </ul>	
<p><u>Geology and Soils</u> <i>Adverse Effects due to Earthquake or Other Seismic Activity, Unstable Geologic Unit or Soil, Expansive Soil</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-GEO-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the potential for projects to result in the exposure of people and infrastructure to the effects of earthquakes, seismic related ground-failure, liquefaction, and seismically induced landslides, that are in the jurisdiction and responsibility of public agencies, regulatory agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with County and City Public Works and Building and Safety Department Standards, the Uniform Building Code (UBC) and the California Building Code (CBC), and other applicable laws and regulations governing building standards, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consistent with Section 4.7.2 of the Alquist-Priolo Earthquake Fault Zoning Act, conduct a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. An evaluation and written report of a specific site can and should be prepared by a licensed geologist. If an active fault is found and unfit for human occupancy over the fault, place a setback of 50 feet from the fault.</li> <li>• Use site-specific fault identification investigations conducted by licensed geotechnical professionals in accordance with the requirements of the Alquist-Priolo Act, as well as any applicable Caltrans regulations that exceed or reasonably replace the requirements of the Act to either determine that the anticipated risk to people and property is at or below acceptable levels or site-specific measures have been incorporated into the project design, consistent with the CBC and</li> </ul>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measure(s), which is capable of avoiding or reducing the significant effects on the potential for projects to result in the exposure of people and infrastructure to the effects of earthquakes, seismic related ground-failure, liquefaction, and seismically induced landslides, that are in the jurisdiction and responsibility of public agencies, regulatory agencies, and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Geology (Seismic): The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.</li> <li>• Geology (Geotechnical Investigation): The Proposed Project shall comply with the conditions contained within the Department of Building and Safety’s Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.</li> </ul> <p>The Project Geotechnical Investigation is included as Attachment D to this document.</p>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>UBC.</p> <ul style="list-style-type: none"> <li>• Ensure that projects located within or across Alquist-Priolo Zones comply with design requirements provided in Special Publication 117, published by the California Geological Survey, as well as relevant local, regional, state, and federal design criteria for construction in seismic areas.</li> <li>• Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that projects are designed in accordance with county and city code requirements for seismic ground shaking. With respect to design, consider seismicity of the site, soil response at the site, and dynamic characteristics of the structure, in compliance with the appropriate California Building Code and State of California design standards for construction in or near fault zones, as well as all standard design, grading, and construction practices in order to avoid or reduce geologic hazards.</li> <li>• Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that site-specific geotechnical investigations conducted by a qualified geotechnical expert be required prior to preparation of project designs. These investigations shall identify areas of potential expansive soils and recommend remedial geotechnical measures to eliminate any problems. Recommended corrective measures, such as structural reinforcement and replacing soil with engineered fill, shall be implemented in project designs. Geotechnical investigations identify areas of potential failure and recommend remedial geotechnical measures to eliminate any problems.</li> <li>• Adhere to design standards described in the CBC and all standard geotechnical investigation, design, grading, and construction practices to avoid or reduce impacts from earthquakes, ground shaking, ground failure, and landslides.</li> <li>• Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, design projects to avoid geologic units or soils that are unstable, expansive soils and soils prone to lateral spreading, subsidence, liquefaction, or collapse wherever feasible.</li> </ul>	
<p><u>Geology and Soils</u> <i>Soil Erosion or Loss of Topsoil</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-GEO-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable</p>	<p>The Project already substantially conforms with this Mitigation Measure as it is subject to the following</p>



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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>of avoiding or reducing the significant effects on the potential for projects to result in substantial soil erosion or the loss of topsoil, that are in the jurisdiction and responsibility of public agencies, regulatory agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with County and City Public Works and Building and Safety Department Standards, the Uniform Building Code (UBC) and the California Building Code (CBC), and other applicable laws and regulations governing building standards, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that site-specific geotechnical investigations conducted by a qualified geotechnical expert are conducted to ascertain soil types prior to preparation of project designs. These investigations can and should identify areas of potential failure and recommend remedial geotechnical measures to eliminate any problems.</li> <li>• Consistent with the requirements of the State Water Resources Control Board (SWRCB) for projects over one acre in size, obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the SWRCB and conduct the following:               <ul style="list-style-type: none"> <li>○ File a Notice of Intent (NOI) with the SWRCB.</li> <li>○ Prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Regional Water Quality Control Board (RWQCB). At a minimum, the SWPPP should include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; best management practices (BMPs); and an inspection and monitoring program.</li> <li>○ Submit to the RWQCB a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP should start with the commencement of construction and continue through the</li> </ul> </li> </ul>	<p>regulatory compliance measure(s), which are capable of avoiding or reducing the significant effects on the potential for projects to result in substantial soil erosion or the loss of topsoil, that are in the jurisdiction and responsibility of public agencies, regulatory agencies, and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Geology (Erosion/Grading/Short-Term Construction Impacts): The Applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.</li> <li>• Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. The Applicant shall implement Best Management Practices (“BMPs”) during grading and excavation to reduce erosion, including, but not limited to the following:               <ul style="list-style-type: none"> <li>○ Excavation and grading activities shall be scheduled during dry weather periods to the extent practical. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.</li> <li>○ Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.</li> </ul> </li> <li>• Hydrology (National Pollutant Discharge Elimination System General Permit): Prior to issuance of a grading permit, the Applicant shall obtain coverage under the State Water Resources Control</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>completion of the project.</p> <ul style="list-style-type: none"> <li>o After construction is completed, the project sponsor can and should submit a notice of termination to the SWRCB.</li> <li>• Consistent with the requirements of the SWRCB and local regulatory agencies with oversight of development associated with the Plan, ensure that project designs provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion. Design features should include measures to reduce erosion caused by storm water. Road cuts should be designed to maximize the potential for revegetation.</li> <li>• Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that, prior to preparing project designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.</li> </ul>	<p>Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit) for the Proposed Project. The Applicant shall provide the Waste Discharge Identification Number to the City of Los Angeles to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan shall be prepared and implemented for the Proposed Project in compliance with the requirements of the Construction General Permit. The Storm Water Pollution Prevention Plan shall identify construction Best Management Practices to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities.</p> <p>The Project Geotechnical Investigation is included as Attachment D to this document.</p>
<p><u>Greenhouse Gases</u> <i>Cumulative Impacts, Forest Land Conversion</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-GHG-3(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases, the Lead Agency can and should consider mitigation measures to mitigate the significant effects of greenhouse gas impacts to ensure compliance with all applicable laws, regulations, governing CAPs, general plans, adopted policies and plans of local agencies, and standards set forth by responsible public agencies for the purpose of reducing emissions of greenhouse</p>	<p>The Project already substantially complies with this Mitigation Measure because it incorporates project design features, or is subject to regulatory compliance measures, that are capable of avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies. Such features and measures include the following:</p> <ul style="list-style-type: none"> <li>• The Proposed Project is located on an infill development site that is currently improved with four buildings with office/commercial uses. The Project Site is also</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>gases, as applicable and feasible. Consistent with Section 15126.4(c) of the State CEQA Guidelines, compliance can be achieved through adopting greenhouse gas mitigation measures that have been used for projects in the SCAG region as set forth below, or through comparable measures identified by Lead Agency:</p> <ul style="list-style-type: none"> <li>• Measures in an adopted plan or mitigation program for the reduction of emissions that are required as part of the Lead Agency’s decision.</li> <li>• Reduction in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines.</li> <li>• Off-site measures to mitigate a project’s emissions.</li> <li>• Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:               <ul style="list-style-type: none"> <li>○ Use energy and fuel efficient vehicles and equipment. Project proponents are encouraged to meet and exceed all EPA/NHTSA/CARB standards relating to fuel efficiency and emission reduction;</li> <li>○ Use alternative (non-petroleum based) fuels;</li> <li>○ Deployment of zero- and/or near zero emission technologies as defined by CARB;</li> <li>○ Use lighting systems that are energy efficient, such as LED technology;</li> <li>○ Use the minimum feasible amount of GHG-emitting construction materials that is feasible;</li> <li>○ Use cement blended with the maximum feasible amount of fly ash or other materials that reduce GHG emissions from cement production;</li> <li>○ Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste reduction, recycling, and reuse;</li> <li>○ Incorporate passive solar and other design measures to reduce energy consumption and increase production and use of renewable energy;</li> <li>○ Incorporate design measures like WaterSense fixtures and water capture to reduce water consumption;</li> <li>○ Use lighter-colored pavement where feasible;</li> <li>○ Recycle construction debris to maximum extent feasible;</li> <li>○ Protect and plant shade trees in or near</li> </ul> </li> </ul>	<p>located in an area that is adequately served by existing infrastructure and would not require the extension of utilities or roads to accommodate the proposed development.</p> <ul style="list-style-type: none"> <li>• The Project must meet Title 24 2016 standards and include ENERGY STAR appliances. Energy Star-rated appliances would reduce the projects energy demand during the operational life of the multi-family dwelling units.</li> <li>• The Project is subject to construction waste reduction of at least 50 percent. In addition, Project Site operations are subject to AB 939 requirements to divert 50 percent of solid waste to landfills through source reduction, recycling, and composting. Finally, the Project is required by the California Solid Waste Reuse and Recycling Access Act of 1991 to provide adequate storage areas for collection and storage of recyclable waste materials.</li> <li>• As mandated by the LA Green Building Code, the Project would be required to provide a schedule of plumbing fixtures and fixture fittings that reduce potable water use within the development by at least 20 percent. It must also provide irrigation design and controllers that are weather- or soil moisture-based and automatically adjust in response to weather conditions and plants’ needs.</li> <li>• The Project would use energy from the Los Angeles Department of Water and Power (LADWP), which has goals to diversify its portfolio of energy sources to increase the use of renewable energy.</li> <li>• The Project would use water-efficient landscaping including point-to-point irrigation and a smart controller drip system to reduce water use.</li> <li>• The Project would include a minimum of five percent of the total number of parking spaces to include Electric Vehicle (EV) Charging Stations.</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>construction projects where feasible; and</p> <ul style="list-style-type: none"> <li>○ Solicit bids that include concepts listed above.</li> </ul> <ul style="list-style-type: none"> <li>● Measures that encourage transit use, carpooling, bike-share and car-share programs, active transportation, and parking strategies, including, but not limited to, transit-active transportation coordinated strategies, increased bicycle carrying capacity on transit and rail vehicles.</li> <li>● Incorporating bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; providing adequate bicycle parking and planning for and building local bicycle projects that connect with the regional network.</li> <li>● Improving transit access to rail and bus routes by incentives for construction of transit facilities within developments, and/or providing dedicated shuttle service to transit stations.</li> <li>● Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs.</li> <li>● Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles.</li> <li>● Land use siting and design measures that reduce GHG emissions, including:               <ul style="list-style-type: none"> <li>○ Developing on infill and brownfields sites;</li> <li>○ Building high density and mixed-use developments near transit;</li> <li>○ Retaining on-site mature trees and vegetation, and planting new canopy trees;</li> <li>○ Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and</li> <li>○ Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● The Project would be consistent with the following key GHG reduction strategies in SCAG’s 2016-2040 RTP/SCS which are based on changing the region’s land use and travel patterns:               <ul style="list-style-type: none"> <li>○ Compact growth in areas accessible to transit;</li> <li>○ More multi-family housing;</li> <li>○ Jobs and housing closer to transit;</li> <li>○ New housing and job growth focused in High Quality Transit Areas (HQTA); and</li> <li>○ Biking and walking infrastructure to improve active transportation options, transit access.</li> </ul> </li> <li>● Greenhouse Gas Emissions (Green Building Code): In accordance with the City of Los Angeles Green Building Code (Chapter IX, Article 9, of the Los Angeles Municipal Code), the Project shall comply with all applicable mandatory provisions of the Los Angeles Green Code and as it may be subsequently amended or modified.</li> </ul>
<p><u>Hazards and Hazardous Materials Significant Hazard due to Routine Transport, Use, or Disposal of</u></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-HAZ-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to the routine transport, use or disposal of hazardous materials that are in the jurisdiction and responsibility of public agencies and/or Lead</p>	<p>The Proposed Project would include the following Performance Standard as a condition of approval, which are consistent with the SCAG EIR mitigation measures as they are capable of avoiding or reducing the significant effects related to a project</p>

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Hazardous Materials, Reasonably Foreseeable Upset and Accident Conditions, Hazardous Emissions or Materials Near School</i></p>	<p>Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the provisions of the Hazardous Waste Control Act, the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program, the Hazardous Waste Source Reduction and Management Review Act of 1989, the California Vehicle Code, and other applicable laws and regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Where the construction or operation of projects involves the transport of hazardous material, provide a written plan of proposed routes of travel demonstrating use of roadways designated for the transport of such materials.</li> <li>• Where the construction or operation of projects involves the transport of hazardous materials, avoid transport of such materials within one-quarter mile of schools, when school is in session, wherever feasible.</li> <li>• Where it is not feasible to avoid transport of hazardous materials, within one-quarter mile of schools on local streets, provide notification of the anticipated schedule of transport of such materials.</li> <li>• Specify the need for interim storage and disposal of hazardous materials to be undertaken consistent with applicable federal, state, and local statutes and regulations in the plans and specifications of the transportation improvement project.</li> <li>• Submit a Hazardous Materials Business/Operations Plan for review and approval by the appropriate local agency. Once approved, keep the plan on file with the Lead Agency (or other appropriate government agency) and update, as applicable. The purpose of the Hazardous Materials Business/Operations Plan is to ensure that employees are adequately trained to handle the materials and provides information to the local fire protection agency should emergency response be required. The Hazardous Materials Business/Operations Plan should include the following: <ul style="list-style-type: none"> <li>○ The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.</li> <li>○ The location of such hazardous materials.</li> <li>○ An emergency response plan including employee training information.</li> <li>○ A plan that describes the manner in which</li> </ul> </li> </ul>	<p>placed on a hazardous materials site, that are in the jurisdiction and responsibility of regulatory agencies, other public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Performance Standard HAZ-1 (Dewatering and Groundwater Management Plan): <ul style="list-style-type: none"> <li>○ A Dewatering and Groundwater Management Plan (DGMP) shall be prepared and implemented to provide a framework under which work can proceed safely and contaminated groundwater can be properly handled, treated, and disposed of at a licensed disposal facility. Proper handling of the contaminated groundwater would be required regardless of the contamination source.</li> <li>○ In the unlikely event that contaminated groundwater is discovered, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) prior to the issuance of a use of land or building permit, or issuance of a change of occupancy.</li> </ul> </li> </ul>



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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>these materials are handled, transported and disposed.</p> <ul style="list-style-type: none"> <li>• Specify the appropriate procedures for interim storage and disposal of hazardous materials, anticipated to be required in support of operations and maintenance activities, in conformance with applicable federal, state, and local statutes and regulations, in the Operations Manual for projects.</li> <li>• Follow manufacturer’s recommendations on use, storage, and disposal of chemical products used in construction.</li> <li>• Avoid overtopping construction equipment fuel gas tanks.</li> <li>• During routine maintenance of construction equipment, properly contain and remove grease and oils.</li> <li>• Properly dispose of discarded containers of fuels and other chemicals.</li> </ul>	
<p><u>Hazards and Hazardous Materials Located on a Hazardous Materials Site Section 65962.5</u></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-HAZ-4(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to a project placed on a hazardous materials site, that are in the jurisdiction and responsibility of regulatory agencies, other public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the provisions of the Government Code Section 65962.5, Occupational Safety and Health Code of 197; the Response Conservation, and Recovery Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Hazardous Materials Release and Clean-up Act, and the Uniform Building Code, and County and City building standards, and all applicable federal, state, and local laws and regulations governing hazardous waste sites, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Complete a Phase I Environmental Site Assessment, including a review and consideration of data from all known databases of contaminated sites, during the process of planning, environmental clearance, and construction for projects.</li> <li>• Where warranted due to the known presence of contaminated materials, submit to the appropriate agency responsible for hazardous materials/wastes oversight a Phase II Environmental Site Assessment report if</li> </ul>	<p>The Proposed Project would include the following condition of approval, which is consistent with the SCAG EIR mitigation measures as it is capable of avoiding or reducing the significant effects related to a project placed on a hazardous materials site, that are in the jurisdiction and responsibility of regulatory agencies, other public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Performance Standard HAZ-1 (Dewatering and Groundwater Management Plan):             <ul style="list-style-type: none"> <li>○ A Dewatering and Groundwater Management Plan (DGMP) shall be prepared and implemented to provide a framework under which work can proceed safely and contaminated groundwater can be properly handled, treated, and disposed of at a licensed disposal facility. Proper handling of the contaminated groundwater would be required regardless of the contamination source.</li> <li>○ In the unlikely event that contaminated groundwater is discovered, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use,</li> </ul> </li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>warranted by a Phase I report for the project site. The reports should make recommendations for remedial action, if appropriate, and be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.</p> <ul style="list-style-type: none"> <li>• Implement the recommendations provided in the Phase II Environmental Site Assessment report, where such a report was determined to be necessary for the construction or operation of the project, for remedial action.</li> <li>• Submit a copy of all applicable documentation required by local, state, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II Environmental Site Assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.</li> <li>• Conduct soil sampling and chemical analyses of samples, consistent with the protocols established by the U.S. EPA to determine the extent of potential contamination beneath all underground storage tanks (USTs), elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building.</li> <li>• Consult with the appropriate local, state, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.</li> <li>• Obtain and submit written evidence of approval for any remedial action if required by a local, state, or federal environmental regulatory agency.</li> <li>• Cease work if soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums, or other hazardous materials or wastes are encountered), in the vicinity of the suspect material. Secure the area as necessary and take all appropriate measures to protect human health and the environment, including but not limited to: notification of regulatory agencies and identification of the nature and extent of contamination. Stop work in the areas affected until the measures have been implemented consistent with the guidance of the appropriate</li> </ul>	<p>containment, treatment, and disposal of the hazardous material(s) prior to the issuance of a use of land or building permit, or issuance of a change of occupancy.</p> <ul style="list-style-type: none"> <li>• Performance Standard HAZ-2 (Asbestos-Containing Materials and Lead-Based Paint): <ul style="list-style-type: none"> <li>○ Disturbance of any ACM material would be handled in accordance with applicable local and state regulations (which include SCAQMD Rule 1403 and Cal/OSHA Asbestos Construction Standard Title 8 CCR 1529).</li> <li>○ Disturbance of any LBP materials would be handled in accordance with CDPH regulations in residential or public buildings and the US Department of Housing and Urban Development (HUD) and 2010 Toxic Substances Control Act (TSCA) Renovation, Repair and Painting Rule (RRP) in pre-1978 target housing and child-occupied facilities. DOSH or Cal/OSHA requirements must also be followed where employees may be occupationally exposed to lead.</li> </ul> </li> <li>• Project Condition HAZ-3 (Methane Report): <ul style="list-style-type: none"> <li>○ Due to the potential environmental risk associated with construction in Methane Buffer Zones, a Methane Assessment Report shall be conducted prior to the redevelopment of the Project Site.</li> </ul> </li> </ul>

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	<p>regulatory oversight authority.</p> <ul style="list-style-type: none"> <li>• Use best management practices (BMPs) regarding potential soil and groundwater hazards.</li> <li>• Soil generated by construction activities should be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Complete sampling and handling and transport procedures for reuse or disposal, in accordance with applicable local, state and federal laws and policies.</li> <li>• Groundwater pumped from the subsurface should be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Utilize engineering controls, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.</li> <li>• Prior to issuance of any demolition, grading, or building permit, submit for review and approval by the Lead Agency (or other appropriate government agency) written verification that the appropriate federal, state and/or local oversight authorities, including but not limited to the Regional Water Quality Control Board (RWQCB), have granted all required clearances and confirmed that the all applicable standards, regulations, and conditions have been met for previous contamination at the site.</li> <li>• Develop, train, and implement appropriate worker awareness and protective measures to assure that worker and public exposure is minimized to an acceptable level and to prevent any further environmental contamination as a result of construction.</li> <li>• If asbestos-containing materials (ACM) are found to be present in building materials to be removed, submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health and Safety Code Section 25915- 25919.7; and other local regulations.</li> <li>• Where projects include the demolitions or modification of buildings constructed prior to 1968, complete an assessment for the potential presence or lack thereof of ACM, lead-based paint, and any other building materials or stored materials classified as hazardous waste by state</li> </ul>	

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	<p>or federal law.</p> <ul style="list-style-type: none"> <li>Where the remediation of lead-based paint has been determined to be required, provide specifications to the appropriate agency, signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: California Occupational Safety and Health Administration's (Cal OSHA's) Construction Lead Standard, Title 8 California Code of Regulations (CCR) Section 1532.1 and Department of Health Services (DHS) Regulation 17 CCR Sections 35001–36100, as may be amended. If other materials classified as hazardous waste by state or federal law are present, the project sponsor should submit written confirmation to the appropriate local agency that all state and federal laws and regulations should be followed when profiling, handling, treating, transporting, and/or disposing of such materials.</li> <li>Where a project site is determined to contain materials classified as hazardous waste by state or federal law are present, submit written confirmation to appropriate agency that all state and federal laws and regulations should be followed when profiling, handling, treating, transporting, and/or disposing of such materials.</li> </ul>	
<p><u>Hazards and Hazardous Materials</u> <i>Wildland Fire Risk</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-HAZ-8(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the potential exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands; that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with local general plans, specific plans, and regulations provided by County and City fire departments, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>Adhere to fire code requirements, including ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system. Other fire-resistant measures would be applied to</li> </ul>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site is located in a fully urbanized area and there are no wildlands in the vicinity. Furthermore, the Proposed Project is subject to regulatory compliance measures, such as adherence to fire code requirements.</p>

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>eaves, vents, windows, and doors to avoid any gaps that would allow intrusion by flame or embers.</p> <ul style="list-style-type: none"> <li>• Adhere to the Multi-Jurisdictional Hazards Mitigation Plan, as well as local general plans, including policies and programs aimed at reducing the risk of wildland fires through land use compatibility, training, sustainable development, brush management, and public outreach.</li> <li>• Encourage the use of fire-resistant vegetation native to Southern California and/or to the local microclimate (e.g., vegetation that has high moisture content, low growth habits, ignition-resistant foliage, or evergreen growth), eliminate brush and chaparral, and discourage the use of fire-promoting species especially non-native, invasive species (e.g., pampas grass, fennel, mustard, or the giant reed) in the immediate vicinity of development in areas with high fire threat.</li> <li>• Encourage natural revegetation or seeding with local, native species after a fire and discourage reseeding of non-native, invasive species to promote healthy, natural ecosystem regrowth. Native vegetation is more likely to have deep root systems that prevent slope failure and erosion of burned areas than shallow-rooted non-natives.</li> <li>• Submit a fire safety plan (including phasing) to the Lead Agency and local fire agency for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. The local fire protection agency may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.</li> <li>• Utilize Fire-wise Land Management by encouraging the use of fire-resistant vegetation and the elimination of brush and chaparral in the immediate vicinity of development in areas with high fire threat.</li> <li>• Promote Fire Management Planning that would help reduce fire threats in the region as part of the Compass Blueprint process and other ongoing regional planning efforts.</li> <li>• Encourage the use of fire-resistant materials when constructing projects in areas with high fire threat.</li> </ul>	
<u>Hydrology and Water Quality</u>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-HYD-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG</p>	<p>The Proposed Project already substantially conforms with this</p>



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<p><i>Violate Water Quality Standards or Waste Discharge Requirements, Alteration of Site Drainage Pattern, Runoff Exceeding Stormwater Drainage System Capacity, Otherwise Degrade Water Quality</i></p>	<p>has identified mitigation measures capable of avoiding or reducing the potential impacts on water quality on related waste discharge requirements that are within the jurisdiction and authority of the Regional Water Quality Control Boards and other regulatory agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with all applicable laws, regulations, and health and safety standards set forth by regulatory agencies responsible for regulating and enforcing water quality and waste discharge requirements in a manner that conforms with applicable water quality standards and/or waste discharge requirements, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <p align="center">◇</p> <ul style="list-style-type: none"> <li>• Complete, and have approved, a Stormwater Pollution Prevention Plan (SWPPP) prior to initiation of construction.</li> <li>• Implement Best Management Practices to reduce the peak stormwater runoff from the project site to the maximum extent practicable.</li> <li>• Comply with the Caltrans storm water discharge permit as applicable; and identify and implement Best Management Practices to manage site erosion, wash water runoff, and spill control.</li> <li>• Complete, and have approved, a Standard Urban Stormwater Management Plan, prior to occupancy of residential or commercial structures.</li> <li>• Ensure adequate capacity of the surrounding stormwater system to support stormwater runoff from new or rehabilitated structures or buildings.</li> <li>• Prior to construction within an area subject to Section 404 of the Clean Water Act, obtain all required permit approvals and certifications for construction within the vicinity of a watercourse:             <ul style="list-style-type: none"> <li>○ U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps should be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.</li> <li>○ Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.</li> <li>○ California Department of Fish and Wildlife</li> </ul> </li> </ul>	<p>Mitigation Measure as it is subject to the following regulatory compliance measure(s), which are capable of avoiding or reducing the potential impacts on water quality on related waste discharge requirements that are within the jurisdiction and authority of the Regional Water Quality Control Boards and other regulatory agencies:</p> <ul style="list-style-type: none"> <li>• Hydrology (National Pollutant Discharge Elimination System General Permit): Prior to issuance of a grading permit, the Applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit) for the Proposed Project. The Applicant shall provide the Waste Discharge Identification Number to the City of Los Angeles to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan shall be prepared and implemented for the Proposed Project in compliance with the requirements of the Construction General Permit. The Storm Water Pollution Prevention Plan shall identify construction Best Management Practices to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities.</li> <li>• Hydrology (Stormwater Pollution (Demolition, Grading, and Construction Activities): Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>(CDFW): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFW.</p> <ul style="list-style-type: none"> <li>• Where feasible, restore or expand riparian areas such that there is no net loss of impervious surface as a result of the project.</li> <li>• Install structural water quality control features, such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban storm water runoff discharge permits, on new facilities.</li> <li>• Provide structural storm water runoff treatment consistent with the applicable urban storm water runoff permit. Where Caltrans is the operator, the statewide permit applies.</li> <li>• Provide operational best management practices for street cleaning, litter control, and catch basin cleaning are implemented to prevent water quality degradation in compliance with applicable storm water runoff discharge permits; and ensure treatment controls are in place as early as possible, such as during the acquisition process for rights-of-way, not just later during the facilities design and construction phase.</li> <li>• Comply with applicable municipal separate storm sewer system discharge permits as well as Caltrans' storm water discharge permit including long-term sediment control and drainage of roadway runoff.</li> <li>• Incorporate as appropriate treatment and control features such as detention basins, infiltration strips, and porous paving, other features to control surface runoff and facilitate groundwater recharge into the design of new transportation projects early on in the process to ensure that adequate acreage and elevation contours are provided during the right-of-way acquisition process.</li> <li>• Design projects to maintain volume of runoff, where any downstream receiving water body has not been designed and maintained to accommodate the increase in flow velocity, rate, and volume without impacting the water's beneficial uses. Pre-project flow velocities, rates, and volumes must not be exceeded. This applies not only to increases in storm water runoff from the project site, but also to hydrologic changes induced by flood plain encroachment. Projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters.</li> </ul>	<ul style="list-style-type: none"> <li>○ Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.</li> <li>○ All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.</li> <li>○ Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.</li> <li>○ Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.</li> <li>• Hydrology (Standard Urban Stormwater Mitigation Plan): Prior to the issuance of a grading permit, the Project shall comply with the SUSMP and/or the Site Specific Mitigation Plan to mitigate stormwater pollution as required by Ordinance Nos. 172,176 and 173,494. The appropriate design and application of BMP devices and facilities shall be determined by the Watershed Protection Division of the Bureau of Sanitation, Department of Public Works.</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>• Provide culverts and facilities that do not increase the flow velocity, rate, or volume and/or acquiring sufficient storm drain easements that accommodate an appropriately vegetated earthen drainage channel.</li> <li>• Upgrade stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs shall be completed to eliminate increases in peak flow rates from current levels.</li> <li>• Encourage Low Impact Development (LID) and incorporation of natural spaces that reduce, treat, infiltrate and manage stormwater runoff flows in all new developments, where practical and feasible.</li> <li>• If a proposed project has the potential to create a major new stormwater discharge to a water body with an established Total Maximum Daily Load (TMDL), a quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters should be carried out.</li> </ul>	
<p><u>Hydrology and Water Quality</u> <i>Deplete Groundwater Supply or Interfere with Groundwater Recharge</i></p>	<p><b>Project-Level Mitigation Measure</b> <b>MM-HYD-2(b):</b> Consistent with the provisions of the Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential impacts to groundwater resources that are within the jurisdiction and authority of the State Water Resources Control Board, Regional Water Quality Control Boards, Water Districts, and other groundwater management agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with applicable laws, regulations, and health and safety standards set forth by federal, state, regional, and local authorities that regulate groundwater management, consistent with the provisions of the Groundwater Management Act and implementing regulations, including recharge in a manner that conforms with federal, state, regional, and local standards for sustainable management of groundwater basins, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• For projects requiring continual dewatering facilities, implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes, to the greatest extent possible, adverse impacts on</li> </ul>	<p>The Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measure(s), which are capable of avoiding or reducing the potential impacts to groundwater resources that are within the jurisdiction and authority of the State Water Resources Control Board, Regional Water Quality Control Boards, Water Districts, and other groundwater management agencies:</p> <ul style="list-style-type: none"> <li>• Hydrology (Dewatering): If required, any dewatering activities during construction shall comply with the requirements of the Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2008-0032, National Pollutant Discharge Elimination System No. CAG994004) or subsequent permit. This will include submission of a Notice of Intent for coverage under</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>groundwater for the life of the project, Construction designs shall comply with appropriate building codes and standard practices including the Uniform Building Code.</p> <ul style="list-style-type: none"> <li>• Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimize to the greatest extent possible, new impervious surfaces, including the use of in-lieu fees and off-site mitigation.</li> <li>• Avoid designs that require continual dewatering where feasible.</li> <li>• Avoid construction and siting on groundwater recharge areas, to prevent conversion of those areas to impervious surface.</li> <li>• Reduce hardscape to the extent feasible to facilitate groundwater recharge as appropriate.</li> </ul>	<p>the permit to the Los Angeles Regional Water Quality Control Board at least 45 days prior to the start of dewatering and compliance with all applicable provisions in the permit, including water sampling, analysis, and reporting of dewatering-related discharges.</p> <ul style="list-style-type: none"> <li>• Hydrology (Low Impact Development Plan): Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City of Los Angeles Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.</li> <li>• Hydrology (Best Management Practices): The Best Management Practices shall be designed to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period or the rainfall from an 85<sup>th</sup> percentile 24-hour runoff event, which ever is greater, in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect confirming that the proposed Best Management Practices meet this numerical threshold standard shall be provided.</li> </ul>
<p><u>Hydrology and Water Quality Structures within a 100-Year Floodplain Hazard Area, Risk due to Levee or Dam Failure, Risks due to Seiche, Tsunami, or Mudflow</u></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-HYD-8(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential impacts of locating structures that would impede or redirect flood flows in a 100-year flood hazard area that are within the jurisdiction and authority of the Flood Control District, County Public Works Departments, local agencies, regulatory agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can</p>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project Site is not, according to the Federal Emergency Management Agency (FEMA) flood insurance rate map, located within a designated flood zone.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>and should consider mitigation measures to ensure compliance with all federal, state, and local floodplain regulations, consistent with the provisions of the National Flood Insurance Program, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Comply with Executive Order 11988 on Floodplain Management, which requires avoidance of incompatible floodplain development, restoration and preservation of the natural and beneficial floodplain values, and maintenance of consistency with the standards and criteria of the National Flood Insurance Program.</li> <li>• Ensure that all roadbeds for new highway and rail facilities be elevated at least one foot above the 100-year base flood elevation. Since alluvial fan flooding is not often identified on FEMA flood maps, the risk of alluvial fan flooding should be evaluated and projects should be sited to avoid alluvial fan flooding. Delineation of floodplains and alluvial fan boundaries should attempt to account for future hydrologic changes caused by global climate change.</li> </ul>	
<p><u>Land Use and Planning</u> <i>Conflict with Applicable Land Use Plan, Policy, or Regulation</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-LU-1(b)</b>: Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects regarding the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project that are within the jurisdiction and responsibility of local jurisdictions and Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies established within the applicable adopted county and city general plans within the SCAG region to avoid conflicts with zoning and ordinance codes, general plans, land use plan, policy, or regulation of an agency with jurisdiction over the project, as applicable and feasible. Such measures may include the following, and/or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Where an inconsistency with the adopted general plan is identified at the proposed project location, determine if the environmental, social, economic, and engineering benefits of the project warrant a variance from adopted zoning or an amendment to the general plan.</li> </ul>	<p>This Mitigation Measure is not relevant as the Proposed Project would not conflict with local and regional plans applicable to the Project Site. Additionally, the Project already substantially complies with this Mitigation Measure because it incorporates the following project design features regarding the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Proposed Project that are within the jurisdiction and responsibility of local jurisdictions and Lead Agencies:</p> <ul style="list-style-type: none"> <li>• The Proposed Project includes a mix of uses, including dwelling units, hotel guest rooms, and commercial space, which is consistent with the existing pattern of development in the vicinity.</li> </ul>



**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
<p><u>Land Use and Planning</u> <i>Physically Divide a Community</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-LU-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to the physical division of an established community in a project area within the jurisdiction and responsibility of local jurisdictions and Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies established within the applicable adopted county and city general plans within the SCAG region to avoid the creation of barriers that physically divide such communities, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Consider alignments within or adjacent to existing public rights-of-way.</li> <li>• Consider designs to include sections above- or below-grade to maintain viable vehicular, cycling, and pedestrian connections between portions of communities where existing connections are disrupted by the transportation project.</li> <li>• Wherever feasible incorporate direct crossings, overcrossings, or undercrossings at regular intervals for multiple modes of travel (e.g., pedestrians, bicyclists, vehicles).</li> <li>• Consider realigning roadway or interchange improvements to avoid the affected area of residential communities or cohesive neighborhoods.</li> <li>• Where it has been determined that it is infeasible to avoid creating a barrier in an established community, consider other measures to reduce impacts, including but not limited to:               <ul style="list-style-type: none"> <li>○ Alignment shifts to minimize the area affected.</li> <li>○ Reduction of the proposed right-of-way take to minimize the overall area of impact.</li> <li>○ Provisions for bicycle, pedestrian, and vehicle access across improved roadways.</li> </ul> </li> <li>• Design new transportation facilities that consider access to existing community facilities. Identify and consider during the design phase of the project, community amenities and facilities in the design of the project.</li> <li>• Design roadway improvements that minimize barriers to pedestrians and bicyclists. Determine during the design phase, pedestrian and bicycle routes that permit connections to nearby</li> </ul>	<p>For permanent impacts relating to physically dividing a community, this mitigation measure is not relevant as the Proposed Project does not result in new right-of-way alignments or street vacations. The Proposed Project would replace four existing office and commercial buildings and will provide all required street dedications and improvements.</p> <p>For any temporary impacts related to construction, the City imposes the following Performance Standard as a condition of approval for the Proposed Project, which is consistent with the SCAG EIR mitigation measures as they avoid or reduce the significant effects related to the physical division of an established community during construction:</p> <ul style="list-style-type: none"> <li>• Performance Standard TR-2: (Construction Management Plan):               <ul style="list-style-type: none"> <li>○ A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.</li> <li>○ All delivery truck loading and unloading shall take place on site.</li> <li>○ The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.</li> </ul> </li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	community facilities.	<ul style="list-style-type: none"> <li>○ Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.</li> <li>○ Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.</li> <li>○ The Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.</li> </ul>
<p><u>Mineral Resources</u> <i>Loss of Availability of a Known Mineral Resource</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-MIN-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan that are within the jurisdiction and responsibility of the California Department of Conservation, and/or Lead Agencies.</p> <p>Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with SMARA, California Department of Conservation regulations, local general plans, specific plans, and other laws and regulation governing mineral or aggregate resources, as applicable and feasible. Such measures may include the following, other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Provide for the efficient use of known aggregate and mineral resources or locally important mineral resource recovery sites, by ensuring that the consumptive use of aggregate resources is minimized and that access to recoverable sources of aggregate is not precluded, as a result of construction, operation and maintenance of projects.</li> <li>• Where avoidance is infeasible, minimize impacts</li> </ul>	<p>The Project Site is zoned C2-1. The Project Site is not located within a Mineral Resources Zone 2 (MRZ-2).<sup>5</sup> The Project Site is not currently used for the extraction of mineral resources, and there is no evidence to suggest that the Project Site has been historically used for the extraction of mineral resources. The Project Site is currently developed with four office/commercial buildings. Development of the Project Site would not block or hinder access or availability of mineral resources. Therefore, the development of the Proposed Project would not result in the loss of availability of a known mineral resource, and no impact would occur, and no mitigation is required.</p>

<sup>5</sup> City of Los Angeles Department of City Planning, *Environmental and Public Facilities Maps: Areas containing Significant Mineral Deposits in the City of Los Angeles, September 1996.*

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>to the efficient and effective use of recoverable sources of aggregate through measures that have been identified in county and city general plans, or other comparable measures:</p> <ul style="list-style-type: none"> <li>○ Recycle and reuse building materials resulting from demolition, particularly aggregate resources, to the maximum extent practicable.</li> <li>○ Identify and use building materials, particularly aggregate materials, resulting from demolition at other construction sites in the SCAG region, or within a reasonable hauling distance of the project site.</li> <li>○ Design transportation network improvements in a manner (such as buffer zones or the use of screening) that does not preclude adjacent or nearby extraction of known mineral and aggregate resources following completion of the improvement and during long-term operations.</li> <li>○ Avoid or reduce impacts on known aggregate and mineral resources and mineral resource recovery sites through the evaluation and selection of project sites and design features (e.g., buffers) that minimize impacts on land suitable for aggregate and mineral resource extraction by maintaining portions of MRZ-2 areas in open space or other general plan land use categories and zoning that allow for mining of mineral resources.</li> </ul>	
<p><i>Noise Exposure of Persons to Noise in Excess of Local Standards, Excessive Groundborne Vibration or Noise Levels, Substantial Permanent Increase in Noise Level, Substantial Temporary Increase in Noise Levels</i></p>	<p><b>Project-Level Mitigation Measure</b>  <b>MM-NOISE-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of noise impacts that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure consistency with the Federal Noise Control Act, California Government Code Section 65302, the Governor’s Office of Planning and Research Noise Element Guidelines, and the noise ordinances and general plan noise elements for the counties or cities where projects are undertaken, Federal Highway Administration and Caltrans guidance documents and other health and safety standards set forth by federal, state, and local authorities that regulate noise levels, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Install temporary noise barriers during</li> </ul>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measures that avoid or reduce the significant effects of noise impacts that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.</li> <li>• The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>construction.</p> <ul style="list-style-type: none"> <li>• Include permanent noise barriers and sound-attenuating features as part of the project design.</li> <li>• Schedule construction activities consistent with the allowable hours pursuant to applicable general plan noise element or noise ordinance. Where construction activities are authorized outside the limits established by the noise element of the general plan or noise ordinance, notify affected sensitive noise receptors and all parties who will experience noise levels in excess of the allowable limits for the specified land use, of the level of exceedance and duration of exceedance; and provide a list of protective measures that can be undertaken by the individual, including temporary relocation or use of hearing protective devices.</li> <li>• Limit speed and/or hours of operation of rail and transit systems during the selected periods of time to reduce duration and frequency of conflict with adopted limits on noise levels.</li> <li>• Post procedures and phone numbers at the construction site for notifying the Lead Agency staff, local Police Department, and construction contractor (during regular construction hours and off-hours), along with permitted construction days and hours, complaint procedures, and who to notify in the event of a problem.</li> <li>• Notify neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of anticipated times when noise levels are expected to exceed limits established in the noise element of the general plan or noise ordinance.</li> <li>• Hold a preconstruction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.</li> <li>• Designate an on-site construction complaint and enforcement manager for the project.</li> <li>• Ensure that construction equipment are properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps). All intake and exhaust ports on power equipment shall be muffled or shielded.</li> <li>• Ensure that impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction are hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic</li> </ul>	<p>provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.</p> <p>Additionally, the City imposes the following Performance Standards as conditions of approval, which are consistent with the SCAG EIR mitigation measures as they will avoid or reduce the significant effects of noise impacts that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Increased Noise Levels (Demolition, Grading, and Construction Activities)             <ul style="list-style-type: none"> <li>○ Performance Standard N-1: Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.</li> <li>○ Performance Standard N-2: To the maximum extent possible, demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.</li> <li>○ Performance Standard N-3: The project contractor shall use power construction equipment with noise shielding and muffling devices.</li> <li>○ Performance Standard N-4: The project contractor shall erect a temporary noise-attenuating sound barrier along the perimeter of the Project Site. The sound wall shall be a minimum of 8 feet in height to block the line-of-site of</li> </ul> </li> </ul>

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	<p>tools is unavoidable, an exhaust muffler on the compressed air exhaust can and should be used. External jackets on the tools themselves can and should be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures can and should be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <ul style="list-style-type: none"> <li>• Ensure that construction equipment are not idle for an extended time in the vicinity of noise-sensitive receptors.</li> <li>• Locate fixed/stationary equipment (such as generators, compressors, rock crushers, and cement mixers) as far as possible from noise-sensitive receptors.</li> <li>• Locate new roadway lanes, roadways, rail lines, transit-related passenger station and related facilities, park-and-ride lots, and other new noise-generating facilities away from sensitive receptors to the maximum extent feasible.</li> <li>• Where feasible, eliminate noise-sensitive receptors by acquiring freeway and rail rights-of-way.</li> <li>• Use noise barriers to protect sensitive receptors from excessive noise levels during construction.</li> <li>• Construct sound-reducing barriers between noise sources and noise-sensitive receptors to minimize exposure to excessive noise during operation of transportation improvement projects, including but not limited to earth-berms or sound walls.</li> <li>• Where feasible, design projects so that they are depressed below the grade of the existing noise-sensitive receptor, creating an effective barrier between the roadway and sensitive receptors.</li> <li>• Where feasible, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not provide sufficient noise reduction.</li> <li>• Monitor the effectiveness of noise reduction measures by taking noise measurements and installing adaptive mitigation measures to achieve the standards for ambient noise levels established by the noise element of the general plan or noise ordinance.</li> </ul>	<p>construction equipment and off site receptors at the ground level. The sound barrier shall include ¾ inch plywood or other sound absorbing material capable of achieving a 10-dBA reduction in sound level.</p> <ul style="list-style-type: none"> <li>○ Performance Standard N-5: During structural framing, the project contractor shall utilize temporary portable acoustic barriers, partitions, or acoustic blankets to effectively block the line-of-sight between noise producing equipment and the adjacent residential land uses for purposes of ensuring noise levels at the adjacent residential land uses does not exceed 5 dBA over the ambient noise levels.</li> <li>○ Performance Standard N-6: An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels. Any reasonable complaints shall be rectified within 24 hours of their receipt.</li> </ul>
<p align="center"><i>Noise Exposure of Persons to Excessive Groundborne Vibration or Noise Levels</i></p>	<p><b>Project-Level Mitigation Measure</b>  <b>MM-NOISE-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of vibration impacts that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified</p>	<p>The Proposed Project would implement the Performance Standards N-1 through N-6 above as conditions of approval, which is consistent with the SCAG EIR mitigation measure as they avoid or reduce the significant effects of vibration impacts that are in the</p>



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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the Federal Transportation Authority and Caltrans guidance documents, county or city transportation commission, noise and vibration ordinances and general plan noise elements for the counties and cities where projects are undertaken and other health and safety regulations set forth by federal state, and local authorities that regulate vibration levels, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• For projects that require pile driving or other construction techniques that result in excessive vibration, such as blasting, determine the potential vibration impacts to the structural integrity of the adjacent buildings within 50 feet of pile driving locations.</li> <li>• For projects that require pile driving or other construction techniques that result in excessive vibration, such as blasting, determine the threshold levels of vibration and cracking that could damage adjacent historic or other structure, and design means and construction methods to not exceed the thresholds.</li> <li>• For projects where pile driving would be necessary for construction due to geological conditions, utilize quiet pile driving techniques such as predrilling the piles to the maximum feasible depth, where feasible. Predrilling pile holes will reduce the number of blows required to completely seat the pile and will concentrate the pile driving activity closer to the ground where pile driving noise can be shielded more effectively by a noise barrier/curtain.</li> <li>• For projects where pile driving would be necessary for construction due to geological conditions, utilize quiet pile driving techniques such as the use of more than one pile driver to shorten the total pile driving duration.</li> </ul>	<p>jurisdiction and responsibility of public agencies and/or Lead Agencies.</p>
<p><u>Population and Housing Displacement of Housing, Requiring Replacement Housing Elsewhere</u></p>	<p><u>Project-Level Implementation Measures</u>  <b>MM-PHE-2(b).</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to displacement that are within the jurisdiction and responsibility of Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to minimize the displacement of existing housing and people and to ensure compliance with local jurisdiction’s housing elements of their general plans, as applicable and</p>	<p>This Mitigation Measure is not relevant to the Proposed Project as the Project would consist of the development of new housing and commercial land uses on a site that is currently occupied by four office/commercial buildings. No displacement of existing housing would occur with the development of the Proposed Project, and therefore, none of the suggested measures are applicable.</p>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. Use an iterative design and impact analysis where impacts to homes or businesses are involved to minimize the potential of impacts on housing and displacement of people.</li> <li>• Prioritize the use existing ROWs, wherever feasible.</li> <li>• Develop a construction schedule that minimizes potential neighborhood deterioration from protracted waiting periods between right-of-way acquisition and construction.</li> </ul>	
<p><u>Public Services</u> <i>Adverse Impacts Associated with New or Physically Altered Governmental Facilities for Public Protective Fire and Emergency Services</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-PS-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the need for new or physically altered governmental facilities in order to maintain acceptable response times for fire protection and emergency response services that are within the jurisdiction and responsibility of fire departments, law enforcement agencies, and local jurisdictions. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with the Community Facilities Act of 1982, the goals and policies established within the applicable adopted county and city general plans and the performance objectives established in the adopted county and city general plans, to provide sufficient structures and buildings to accommodate fire and emergency response, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking into account project and site-specific considerations as applicable and feasible:</p> <ul style="list-style-type: none"> <li>• Where the project has the potential to generate the need for expanded emergency response services which exceed the capacity of existing facilities, provide for the construction of new facilities directly as an element of the project or through dedicated fair share contributions toward infrastructure improvements.</li> <li>• During project-level review of government facilities projects, require implementation of Mitigation Measures <b>MM-AES-1(b), MM-AES-3(b), MM-AES-4(b), MM-AF-1(b), MM-AF-2(b), MM-BIO-1(b), MM-BIO-2(b), MM-BIO-3(b), MM-CUL-1(b), MM-CUL-2(b), MM-CUL-3(b),</b></li> </ul>	<p>This Mitigation Measure is not incorporated because existing facilities are capable of providing acceptable response times for fire protection and emergency response services. Specifically, the Los Angeles Fire Department considers fire protection services for a project adequate if a project is within the maximum response distance (1.5 miles in this instance). The Project Site is served by LAFD Station No. 61, approximately 0.6 miles northwest of the Project Site. Therefore, fire protection response with existing facilities is therefore considered adequate, and Proposed Project impacts would not be significant.</p> <p>Additionally, this Mitigation Measure is not incorporated because the City has determined that the following regulatory compliance measures are equal to or more effective than the SCAG RTP/SCS Program EIR MM-PS-1(b) with respect to avoiding or reducing the significant effects from the need for new or physically altered governmental facilities in order to maintain acceptable response times for fire protection and emergency response services that are within the jurisdiction and responsibility of fire departments, law enforcement agencies, and local jurisdictions:</p> <ul style="list-style-type: none"> <li>• Public Services (LAFD): The following recommendations of the</li> </ul>

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p><b>MM-CUL-4(b), MM-GEO-1(b), MM-GEO-1(b), MM-HYD-1(b), MM-USS-3(b), MM-USS-4(b), and MM-USS-6(b)</b> to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.</p>	<p>Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:</p> <ul style="list-style-type: none"> <li>o Fire lanes, where required, shall be a minimum of 20 feet in width;</li> <li>o All structures must be within 300 feet of an approved fire hydrant; and</li> <li>o Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.</li> </ul> <ul style="list-style-type: none"> <li>• Prior to plan check review, the Project Applicant shall consult with the Los Angeles Fire Department regarding the installation of public and/or private fire hydrants, sprinklers, access, and/or other fire protection features within the Project. All required fire protection features shall be installed to the satisfaction of the Los Angeles Fire Department.</li> </ul>
<p><u>Public Services</u> <i>Adverse Impacts Associated with New or Physically Altered Governmental Facilities for Public Protective Security Services</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-PS-2(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the need for new or physically altered governmental facilities in order to maintain acceptable service ratios for police protection services that are within the jurisdiction and responsibility of law enforcement agencies and local jurisdictions. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with the Community Facilities Act of 1982, the goals and policies established within the applicable adopted county and city general plans and the standards established in the safety elements of county and city general plans to maintain police response performance objectives, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking in to account project and site-specific considerations as applicable and feasible, including:</p>	<p>The Proposed Project substantially conforms to this mitigation measure because existing facilities are capable of providing acceptable response times for police protection. The Project Site is currently served by the City of Los Angeles Police Department’s (LAPD) West Bureau, which oversees LAPD operations in the Hollywood, Olympic, Pacific, West L.A., Wilshire, and West Traffic areas. The Wilshire Community Police Station, located at 4861 West Venice Boulevard, approximately 1.8 miles south (driving distance) from the Project Site.</p> <p>Additionally, the Proposed Project would implement the following Performance Standards as conditions of approval, which are consistent with the SCAG EIR mitigation measure as they avoid or reduce the significant</p>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>Coordinate with public security agencies to ensure that there are adequate governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for public protective security services and that any required additional construction of buildings is incorporated into the project description.</li> <li>Where current levels of services at the project site are found to be inadequate, provide fair share contributions towards infrastructure improvements and/or personnel.</li> <li>During project-level review of government facilities projects, require implementation of Mitigation Measures <b>MM-AES-1(b)</b>, <b>MM-AES-3(b)</b>, <b>MM-AES-4(b)</b>, <b>MM-AF-1(b)</b>, <b>MM-AF-2(b)</b>, <b>MM-BIO-1(b)</b>, <b>MM-BIO-2(b)</b>, <b>MM-BIO-3(b)</b>, <b>MM-CUL-1(b)</b>, <b>MM-CUL-2(b)</b>, <b>MM-CUL-3(b)</b>, <b>MM-CUL-4(b)</b>, <b>MM-GEO-1(b)</b>, <b>MM-GEO-1(b)</b>, <b>MM-HYD-1(b)</b>, <b>MM-USS-3(b)</b>, <b>MM-USS-4(b)</b>, and <b>MM-USS-6(b)</b> to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.</li> </ul>	<p>effects from the need for new or physically altered governmental facilities in order to maintain acceptable service ratios for police protection services that are within the jurisdiction and responsibility of law enforcement agencies and local jurisdictions:</p> <ul style="list-style-type: none"> <li>Performance Standard PS-1 Public Services (Police – Demolition/Construction Sites):               <ul style="list-style-type: none"> <li>Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.</li> </ul> </li> <li>Performance Standard PS-2 Public Services (Police):               <ul style="list-style-type: none"> <li>The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.</li> </ul> </li> </ul>
<p><u>Public Services</u> <i>Adverse Impacts Associated with New or</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-PS-3(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the</p>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance</p>

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Physically Altered Governmental Facilities for School Services</i></p>	<p>need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives that are within the jurisdiction and responsibility of school districts and local jurisdictions. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with Community Facilities Act of 1982, the California Education Code, and the goals and policies established within the applicable adopted county and city general plans to ensure that the appropriate school district fees are paid in accordance with state law, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking in to account project and site-specific considerations as applicable and feasible:</p> <ul style="list-style-type: none"> <li>• Where construction or expansion of school facilities is required to meet public school service ratios, require school district fees, as applicable.</li> <li>• During project-level review of government facilities projects, require implementation of Mitigation Measures <b>MM-AES-1(b), MM-AES-3(b), MM-AES-4(b), MM-AF-1(b), MM-AF-2(b), MM-BIO-1(b), MM-BIO-2(b), MM-BIO-3(b), MM-CUL-1(b), MM-CUL-2(b), MM-CUL-3(b), MM-CUL-4(b), MM-GEO-1(b), MM-GEO-1(b), MM-HYD-1(b), MM-USS-3(b), MM-USS-4(b),</b> and <b>MM-USS-6(b)</b> to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.</li> </ul>	<p>measures that avoid or reduce the significant effects from the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives that are within the jurisdiction and responsibility of school districts and local jurisdictions:</p> <ul style="list-style-type: none"> <li>• <b>Public Services (Schools):</b> The Applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.</li> </ul>
<p><i>Recreation Increased Use or Physical Deterioration of Recreational Facilities</i></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-REC-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the integrity of recreation facilities, particularly neighborhood parks in the vicinity of HQTAs and other applicable development projects, that are within the jurisdiction and responsibility of other public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures capable of</p>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measures that avoid or reduce the significant effects on the integrity of recreation facilities, particularly neighborhood parks in the vicinity of HQTAs and other applicable development projects, that are within the jurisdiction and responsibility of</p>



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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>avoiding or reducing significant impacts on the use of existing neighborhood and regional parks or other recreational facilities to ensure compliance with county and city general plans and the Quimby Act, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Prior to the issuance of permits, where projects require the construction or expansion of recreational facilities or the payment of equivalent Quimby fees, consider increasing the accessibility to natural areas and lands for outdoor recreation from the proposed project area, in coordination with local and regional open space planning and/or responsible management agencies.</li> <li>• Prior to the issuance of permits, where projects require the construction or expansion of recreational facilities or the payment of equivalent Quimby fees, encourage patterns of urban development and land use which reduce costs on infrastructure and make better use of existing facilities, using strategies such as:               <ul style="list-style-type: none"> <li>○ Increasing the accessibility to natural areas for outdoor recreation.</li> <li>○ Promoting infill development and redevelopment to revitalize existing communities.</li> <li>○ Utilizing “green” development techniques.</li> <li>○ Promoting water-efficient land use and development.</li> <li>○ Encouraging multiple uses.</li> <li>○ Including trail systems and trail segments in General Plan recreation standards.</li> </ul> </li> <li>• Prior to the issuance of permits, where construction and operation of projects would require the acquisition or development of protected open space or recreation lands, demonstrate that existing neighborhood parks can be expanded or new neighborhood parks developed such that there is no net decrease in acres of neighborhood park area available per capita in the HQTAs.</li> <li>• Where construction or expansion of recreational facilities is included in the project or required to meet public park service ratios, require implementation of Mitigation Measures <b>MM-AES-1(b), MM-AES-3(b), MM-AES-4(b), MM-AF-1(b), MM-AF-2(b), MM-BIO-1(b), MM-BIO-2(b), MM-BIO-3(b), MM-CUL-1(b), MM-CUL-2(b), MM-CUL-3(b), MM-CUL-4(b), MM-GEO-1(b), MM-GEO-1(b), MM-HYD-1(b), MM-USS-3(b), MM-USS-4(b), and MM-USS-6(b)</b> to avoid or reduce significant environmental impacts associated with the construction or expansion of</li> </ul>	<p>other public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Recreation (Increased Demand for Parks or Recreational Facilities): Pursuant to Sections 12.33 and/or 17.12 of the Los Angeles Municipal Code, the Project Applicant shall pay the applicable Quimby fees for construction of dwelling units.</li> </ul> <p>Additionally, the Proposed Project already substantially complies with this Mitigation Measure because it incorporates the following project design features regarding recreational facilities and parks:</p> <ul style="list-style-type: none"> <li>• The Proposed Project would include 10,256 square feet of open space. Recreational amenities would include swimming pools and a roof terrace area. These areas provide the opportunity for Project residents, neighbors, and patrons of the retail space to gather.</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.</p>	
<p><i>Transportation/ Traffic Conflict with Measures of Effectiveness For Performance of the Circulation System</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-TRA-1(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential for conflicts with the established measures of effectiveness for the performance of the circulation system that are within the jurisdiction and responsibility of Lead Agencies. This measure need only be considered where it is found by the Lead Agency to be appropriate and consistent with local transportation priorities. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the adopted Congestion Management Plan, and other adopted local plans and policies, as applicable and feasible. Compliance can be achieved through adopting transportation mitigation measures as set forth below, or through other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.</li> <li>• Create a ride-sharing program by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a web site or message board for coordinating rides.</li> <li>• Provide a vanpool for employees.</li> <li>• Fund capital improvement projects to accommodate future traffic demand in the area.</li> <li>• Provide a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use, including:             <ul style="list-style-type: none"> <li>○ Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement</li> <li>○ Construction of bike lanes per the prevailing Bicycle Master Plan (or other similar document)</li> <li>○ Signage and striping onsite to encourage</li> </ul> </li> </ul>	<p>The Proposed Project already substantially complies with this Mitigation Measure because it incorporates project design features that avoid or reduce the potential for conflicts with the established measures of effectiveness for the performance of the circulation system that are within the jurisdiction and responsibility of Lead Agencies:</p> <ul style="list-style-type: none"> <li>• As an infill mixed-use development in an urban area, the Proposed Project is expected to have a higher percentage of internal and pass-by trips. Furthermore, because of its proximity to public transit, employment, and entertainment destinations, a number of Project trips would be expected to be walk or transit trips rather than auto or vehicle trips. Similarly, because the commercial components of the Proposed Project will be primarily locally serving to the Project and the surrounding area, some of the trips might be expected to be walk-ins either from the Project or the surrounding area.</li> <li>• The Proposed Project would include 139 on-site bicycle parking spaces, which is pursuant to the standards and requirements of the City’s Bicycle Ordinance (185480, effective May 9, 2018). A bicycle maintenance area is provided.</li> <li>• The Proposed Project includes the following features to improve pedestrian facilities and to provide a safe and walkable pedestrian environment, to increase the number of walking trips, and provide for on-site facilities to reduce the need to make vehicle trips off-site.</li> </ul>

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	<p>bike safety</p> <ul style="list-style-type: none"> <li>○ Installation of pedestrian safety elements (such as cross walk striping, curb ramps, countdown signals, bulb outs, etc.) to encourage convenient crossing at arterials</li> <li>○ Installation of amenities such as lighting, street trees, trash and any applicable streetscape plan.</li> <li>○ Direct transit sales or subsidized transit passes</li> <li>○ Guaranteed ride home program</li> <li>○ Pre-tax commuter benefits (checks)</li> <li>○ On-site car-sharing program (such as City Car Share, Zip Car, etc.)</li> <li>○ On-site carpooling program</li> <li>○ Distribution of information concerning alternative transportation options</li> <li>○ Parking spaces sold/leased separately</li> <li>○ Parking management strategies; including attendant/valet parking and shared parking spaces.</li> </ul> <ul style="list-style-type: none"> <li>● Promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ride-sharing, and designating adequate passenger loading and unloading and waiting areas.</li> <li>● Encourage bicycling to transit facilities by providing additional bicycle parking, locker facilities, and bike lane access to transit facilities when feasible.</li> <li>● Encourage the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations, providing shuttle service to public transit, offering public transit incentives and providing public education and publicity about public transportation services.</li> <li>● Encourage bicycling and walking by incorporating bicycle lanes into street systems in regional transportation plans, new subdivisions, and large developments, creating bicycle lanes and walking paths directed to the location of schools and other logical points of destination and provide adequate bicycle parking, and encouraging commercial projects to include facilities on-site to encourage employees to bicycle or walk to work.</li> <li>● Build or fund a major transit stop within or near transit development upon consultation with applicable CTCs.</li> <li>● Work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-</li> </ul>	<ul style="list-style-type: none"> <li>○ Improve sidewalks adjacent to and within the Project.</li> <li>○ Add pedestrian amenities such as: landscaping and setbacks, shade, benches, pedestrian-scale lighting, etc, along La Brea Avenue.</li> <li>○ Provide pedestrian-scale retail commercial uses along street frontages.</li> <li>○ Provide an on-site transit information kiosk.</li> <li>○ Provide on-site concierge service to facilitate use of transit, taxis, shuttles, and transportation network companies.</li> </ul> <p>Additionally, the City imposes the following Mitigation Measure(s) that are consistent with the SCAG EIR mitigation measures as they avoid or reduce the potential for conflicts with the established measures of effectiveness for the performance of the circulation system that are within the jurisdiction and responsibility of Lead Agencies:</p> <ul style="list-style-type: none"> <li>● Project Condition TR-1: (Construction Management Plan) <ul style="list-style-type: none"> <li>○ A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.</li> <li>○ All delivery truck loading and unloading shall take place on site.</li> <li>○ The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to</li> </ul> </li> </ul>

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>emitting vehicles.</p> <ul style="list-style-type: none"> <li>• Provide information on alternative transportation options for consumers, residents, tenants and employees to reduce transportation-related emissions.</li> <li>• Educate consumers, residents, tenants and the public about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; vehicle performance and efficiency (e.g., keeping tires inflated); and low or zero-emission vehicles.</li> <li>• Purchase, or create incentives for purchasing, low or zero-emission vehicles.</li> <li>• Create local “light vehicle” networks, such as neighborhood electric vehicle systems.</li> <li>• Enforce and follow limits idling time for commercial vehicles, including delivery and construction vehicles.</li> <li>• Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles.</li> <li>• Reduce VMT-related emissions by encouraging the use of public transit through adoption of new development standards that would require improvements to the transit system and infrastructure, increase safety and accessibility, and provide other incentives.</li> <li>• Project Selection: <ul style="list-style-type: none"> <li>○ Give priority to transportation projects that would contribute to a reduction in vehicle miles traveled per capita, while maintaining economic vitality and sustainability.</li> <li>○ Separate sidewalks whenever possible, on both sides of all new street improvement projects, except where there are severe topographic or natural resource constraints.</li> </ul> </li> <li>• Public Involvement: <ul style="list-style-type: none"> <li>○ Carry out a comprehensive public involvement and input process that provides information about transportation issues, projects, and processes to community members and other stakeholders, especially to those traditionally underserved by transportation services.</li> </ul> </li> <li>• Transit and Multimodal Impact Fees: <ul style="list-style-type: none"> <li>○ Assess transit and multimodal impact fees for new developments to fund public transportation infrastructure, bicycle infrastructure, pedestrian infrastructure and other multimodal accommodations.</li> <li>○ Implement traffic and roadway management strategies to improve mobility and efficiency, and reduce associated emissions.</li> </ul> </li> <li>• System Monitoring:</li> </ul>	<p>maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.</p> <ul style="list-style-type: none"> <li>○ Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.</li> <li>○ Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.</li> <li>○ The Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>○ Monitor traffic and congestion to determine when and where new transportation facilities are needed in order to increase access and efficiency.</li> <li>● Arterial Traffic Management:               <ul style="list-style-type: none"> <li>○ Modify arterial roadways to allow more efficient bus operation, including bus lanes and signal priority/preemption where necessary.</li> </ul> </li> <li>● Signal Synchronization:               <ul style="list-style-type: none"> <li>○ Expand signal timing programs where emissions reduction benefits can be demonstrated, including maintenance of the synchronization system, and will coordinate with adjoining jurisdictions as needed to optimize transit operation while maintaining a free flow of traffic.</li> </ul> </li> <li>● HOV Lanes:               <ul style="list-style-type: none"> <li>○ Encourage the construction of high-occupancy vehicle (HOV) lanes or similar mechanisms whenever necessary to relieve congestion and reduce emissions.</li> </ul> </li> <li>● Delivery Schedules:               <ul style="list-style-type: none"> <li>○ Establish ordinances or land use permit conditions limiting the hours when deliveries can be made to off-peak hours in high traffic areas.</li> <li>○ Implement and supporting trip reduction programs.</li> <li>○ Support bicycle use as a mode of transportation by enhancing infrastructure to accommodate bicycles and riders, and providing incentives.</li> </ul> </li> <li>● Establish standards for new development and redevelopment projects to support bicycle use, including amending the Development Code to include standards for safe pedestrian and bicyclist accommodations, and require new development and redevelopment projects to include bicycle facilities.</li> <li>● Bicycle and Pedestrian Trails:               <ul style="list-style-type: none"> <li>○ Establish a network of multi-use trails to facilitate safe and direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.</li> </ul> </li> <li>● Bicycle Safety Program:               <ul style="list-style-type: none"> <li>○ Develop and implement a bicycle safety educational program to teach drivers and riders the laws, riding protocols, routes, safety tips, and emergency maneuvers.</li> </ul> </li> <li>● Bicycle and Pedestrian Project Funding: Pursue and provide enhanced funding for bicycle and pedestrian facilities and access projects.</li> </ul>	



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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>• Bicycle Parking:               <ul style="list-style-type: none"> <li>○ Adopt bicycle parking standards that ensure bicycle parking sufficient to accommodate 5 to 10 percent of projected use at all public and commercial facilities, and at a rate of at least one per residential unit in multiple-family developments (suggestion: check language with League of American Bicyclists).</li> </ul> </li> <li>• Adopt a comprehensive parking policy to discourage private vehicle use and encourage the use of alternative transportation by incorporating the following:               <ul style="list-style-type: none"> <li>○ Reduce the available parking spaces for private vehicles while increasing parking spaces for shared vehicles, bicycles, and other alternative modes of transportation;</li> <li>○ Eliminate or reduce minimum parking requirements for new buildings;</li> <li>○ “Unbundle” parking (require that parking is paid for separately and is not included in the base rent for residential and commercial space);</li> <li>○ Use parking pricing to discourage private vehicle use, especially at peak times;</li> <li>○ Create parking benefit districts, which invest meter revenues in pedestrian infrastructure and other public amenities;</li> <li>○ Establish performance pricing of street parking, so that it is expensive enough to promote frequent turnover and keep 15 percent of spaces empty at all times;</li> <li>○ Encourage shared parking programs in mixed-use and transit-oriented development areas.</li> </ul> </li> <li>• Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events, including:               <ul style="list-style-type: none"> <li>○ Promote the use of peripheral parking by increasing on-site parking rates and offering reduced rates for peripheral parking;</li> <li>○ Encourage special event center operators to advertise and offer discounted transit passes with event tickets;</li> <li>○ Encourage special event center operators to advertise and offer discount parking incentives to carpooling patrons, with four or more persons per vehicle for on-site parking</li> <li>○ Promote the use of bicycles by providing space for the operation of valet bicycle parking service.</li> </ul> </li> <li>• Parking “Cash-out” Program:               <ul style="list-style-type: none"> <li>○ Require new office developments with more than 50 employees to offer a Parking “Cash-out” Program to discourage private vehicle</li> </ul> </li> </ul>	

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>use.</p> <ul style="list-style-type: none"> <li>• Pedestrian and Bicycle Promotion:               <ul style="list-style-type: none"> <li>○ Work with local community groups and downtown business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation.</li> </ul> </li> <li>• Fleet Replacement:               <ul style="list-style-type: none"> <li>○ Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.</li> </ul> </li> </ul>	
<p><u>Transportation/</u> <u>Traffic</u> <i>Conflict with</i> <i>Applicable</i> <i>Congestion</i> <i>Management</i> <i>Program</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-TRA-2(b).</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding conflict with an applicable congestion management program that are within the jurisdictions of the lead agencies, including, but not limited to, VMT, VHD and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. This measure need only be considered where it is found by the Lead Agency to be appropriate and consistent with local transportation priorities. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the adopted Congestion Management Plan, and other adopted local plans and policies, as applicable and feasible. Compliance can be achieved through adopting transportation mitigation measures such as those set forth below, or through other relevant and feasible comparable measures identified by the Lead Agency. Not all measures and/or options within each measure may apply to all jurisdictions:</p> <ul style="list-style-type: none"> <li>• Encourage a comprehensive parking policy that prioritizes system management, increase rideshare, and telecommute opportunities, including investment in non-motorized transportation and discouragement against private vehicle use, and encouragement to maximize the use of alternative transportation:               <ul style="list-style-type: none"> <li>○ Advocate for a regional, market-based system to price or charge for auto trips during peak hours.</li> <li>○ Ensure that new developments incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.</li> <li>○ Coordinate controlled intersections so that traffic passes more efficiently through congested areas. Where traffic signals or</li> </ul> </li> </ul>	<p>The Proposed Project already substantially complies with this Mitigation Measure because it incorporates project design features that avoid or reduce the potential for conflicts with an applicable congestion management program that are within the jurisdictions of the lead agencies, including, but not limited to, VMT, VHD and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways:</p> <ul style="list-style-type: none"> <li>○ As a mixed-use development in an urban area, the Proposed Project is expected to have a higher percentage of internal and pass-by trips. Furthermore, because of its proximity to public transit, employment and entertainment destinations, a number of Project trips would be expected to be walk or transit trips rather than auto vehicle trips. Similarly, because the commercial components of the Proposed Project will be primarily locally serving to the Project and the surrounding area, some of the trips might be expected to be walk-ins either from the Project or the surrounding area.</li> <li>○ The Proposed Project would include 139 on-site bicycle parking spaces, which is pursuant to the standards and requirements of the City's Bicycle Ordinance (185480, effective May 9, 2018). A</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>streetlights are installed, require the use of Light Emitting Diode (LED) technology or similar technology.</p> <ul style="list-style-type: none"> <li>○ Encourage the use of car-sharing programs. Accommodations for such programs include providing parking spaces for the car-share vehicles at convenient locations accessible by public transportation.</li> <li>○ Reduce VHDs, especially daily heavy-duty truck vehicle hours of delay, through goods movement capacity enhancements, system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce heavy-duty truck delay.</li> <li>● Determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. Develop a construction management plan that include the following items and requirements, if determined feasible and applicable by the Lead Agency:               <ul style="list-style-type: none"> <li>○ A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.</li> <li>○ Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.</li> <li>○ Location of construction staging areas for materials, equipment, and vehicles at an approved location.</li> <li>○ A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. The Lead Agency shall be informed who the Manager is prior to the issuance of the first permit.</li> <li>○ Provision for accommodation of pedestrian flow.</li> <li>○ As necessary, provision for parking management and spaces for all construction workers to ensure that construction workers</li> </ul> </li> </ul>	<p>bicycle maintenance area is provided.</p> <ul style="list-style-type: none"> <li>● The Proposed Project includes the following features to improve pedestrian facilities and to provide a safe and walkable pedestrian environment, to increase the number of walking trips, and provide for on-site facilities to reduce the need to make vehicle trips off-site.               <ul style="list-style-type: none"> <li>○ Improve sidewalks adjacent to and within the Project.</li> <li>○ Add pedestrian amenities such as: landscaping and setbacks, shade, benches, pedestrian-scale lighting, etc, along La Brea Avenue.</li> <li>○ Provide pedestrian-scale retail commercial uses along street frontages.</li> <li>○ Provide an on-site transit information kiosk.</li> <li>○ Provide on-site concierge service to facilitate use of transit, taxis, shuttles, and transportation network companies.</li> </ul> </li> </ul> <p>Additionally, the Proposed Project is consistent with the SCAG EIR Mitigation Measure as it would avoid or reduce the potential for conflicts with an applicable congestion management program that are within the jurisdictions of the lead agencies, including, but not limited to, VMT, VHD and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. The Proposed project would incorporate the following Condition to reduce short term construction impacts:</p> <ul style="list-style-type: none"> <li>● Performance Standard TR-1 (Construction Management Plan):               <ul style="list-style-type: none"> <li>○ A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures,</li> </ul> </li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>do not park in on street spaces.</p> <ul style="list-style-type: none"> <li>○ Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the project sponsor's expense., within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, r Repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the Lead Agency (or other appropriate government agency) and/or photo documentation, at the sponsor's expense, before the issuance of a Certificate of Occupancy.</li> <li>○ Any heavy equipment brought to the construction site shall be transported by truck, where feasible.</li> <li>○ No materials or equipment shall be stored on the traveled roadway at any time.</li> <li>○ Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.</li> <li>○ All equipment shall be equipped with mufflers.</li> <li>○ Prior to the end of each work-day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.</li> <li>○ Promote “least polluting” ways to connect people and goods to their destinations.</li> <li>● Create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking, by incorporating the following, if determined feasible and applicable by the Lead Agency: <ul style="list-style-type: none"> <li>○ Ensure transportation centers are multi-modal to allow transportation modes to intersect.</li> <li>○ Provide adequate and affordable public transportation choices, including expanded bus routes and service, as well as other transit choices such as shuttles, light rail, and rail.</li> <li>○ To the extent feasible, extend service and hours of operation to underserved arterials</li> </ul> </li> </ul>	<p>traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.</p> <ul style="list-style-type: none"> <li>○ All delivery truck loading and unloading shall take place on site.</li> <li>○ The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.</li> <li>○ Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.</li> <li>○ Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.</li> <li>○ The Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.</li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>and population centers or destinations such as colleges.</p> <ul style="list-style-type: none"> <li>○ Focus transit resources on high-volume corridors and high-boarding destinations such as colleges, employment centers and regional destinations.</li> <li>○ Coordinate schedules and routes across service lines with neighboring transit authorities.</li> <li>○ Support programs to provide “station cars” for short trips to and from transit nodes (e.g., neighborhood electric vehicles).</li> <li>○ Study the feasibility of providing free transit to areas with residential densities of 15 dwelling units per acre or more, including options such as removing service from less dense, underutilized areas to do so.</li> <li>○ Employ transit-preferential measures, such as signal priority and bypass lanes. Where compatible with adjacent land use designations, right-of-way acquisition or parking removal may occur to accommodate transit-preferential measures or improve access to transit. The use of access management shall be considered where needed to reduce conflicts between transit vehicles and other vehicles.</li> <li>○ Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.</li> <li>○ Use park-and-ride facilities to access transit stations only at ends of regional transit ways or where adequate feeder bus service is not feasible.</li> <li>● Upgrade and maintain transit system infrastructure to enhance public use, if determined feasible and applicable by the Lead Agency, including: <ul style="list-style-type: none"> <li>○ Ensure transit stops and bus lanes are safe, convenient, clean and efficient.</li> <li>○ Ensure transit stops have clearly marked street-level designation, and are accessible.</li> <li>○ Ensure transit stops are safe, sheltered, benches are clean, and lighting is adequate.</li> <li>○ Place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals of three to four blocks, or no less than one-half mile.</li> </ul> </li> <li>● Enhance customer service and system ease-of-use, if determined feasible and applicable by the Lead Agency, including: <ul style="list-style-type: none"> <li>○ Develop a Regional Pass system to reduce the number of different passes and tickets required of system users.</li> <li>○ Implement “Smart Bus” technology, using</li> </ul> </li> </ul>	



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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>GPS and electronic displays at transit stops to provide customers with “real-time” arrival and departure time information (and to allow the system operator to respond more quickly and effectively to disruptions in service).</p> <ul style="list-style-type: none"> <li>○ Investigate the feasibility of an on-line trip-planning program.</li> <li>● Prioritize transportation funding to support a shift from private passenger vehicles to transit and other modes of transportation, if determined feasible and applicable by the Lead Agency, including:               <ul style="list-style-type: none"> <li>○ Give funding preference to improvements in public transit over other new infrastructure for private automobile traffic.</li> <li>○ Before funding transportation improvements that increase roadway capacity and VMT, evaluate the feasibility and effectiveness of funding projects that support alternative modes of transportation and reduce VMT, including transit, and bicycle and pedestrian access.</li> </ul> </li> <li>● Promote ride sharing programs, if determined feasible and applicable by the Lead Agency, including:               <ul style="list-style-type: none"> <li>○ Designate a certain percentage of parking spaces for ride-sharing vehicles.</li> <li>○ Designate adequate passenger loading, unloading, and waiting areas for ride-sharing vehicles.</li> <li>○ Provide a web site or message board for coordinating shared rides.</li> <li>○ Encourage private, for-profit community car-sharing, including parking spaces for car share vehicles at convenient locations accessible by public transit.</li> <li>○ Hire or designate a rideshare coordinator to develop and implement ridesharing programs.</li> </ul> </li> <li>● Support voluntary, employer-based trip reduction programs, if determined feasible and applicable by the Lead Agency, including:               <ul style="list-style-type: none"> <li>○ Provide assistance to regional and local ridesharing organizations.</li> <li>○ Advocate for legislation to maintain and expand incentives for employer ridesharing programs.</li> <li>○ Require the development of Transportation Management Associations for large employers and commercial/ industrial complexes.</li> <li>○ Provide public recognition of effective programs through awards, top ten lists, and other mechanisms.</li> </ul> </li> <li>● Implement a “guaranteed ride home” program</li> </ul>	

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>for those who commute by public transit, ride-sharing, or other modes of transportation, and encourage employers to subscribe to or support the program.</p> <ul style="list-style-type: none"> <li>• Encourage and utilize shuttles to serve neighborhoods, employment centers and major destinations.</li> <li>• Create a free or low-cost local area shuttle system that includes a fixed route to popular tourist destinations or shopping and business centers.</li> <li>• Work with existing shuttle service providers to coordinate their services.</li> <li>• Facilitate employment opportunities that minimize the need for private vehicle trips, including:               <ul style="list-style-type: none"> <li>○ Amend zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.</li> <li>○ Encourage telecommuting options with new and existing employers, through project review and incentives, as appropriate.</li> </ul> </li> <li>• Enforce state idling laws for commercial vehicles, including delivery and construction vehicles.</li> <li>• Organize events and workshops to promote GHG-reducing activities.</li> <li>• Implement a Parking Management Program to discourage private vehicle use, including:               <ul style="list-style-type: none"> <li>○ Encouraging carpools and vanpools with preferential parking and a reduced parking fee.</li> <li>○ Institute a parking cash-out program.</li> <li>○ Renegotiate employee contracts, where possible, to eliminate parking subsidies.</li> <li>○ Install on-street parking meters with fee structures designed to discourage private vehicle use.</li> <li>○ Establish a parking fee for all single-occupant vehicles.</li> </ul> </li> <li>• Work with school districts to improve pedestrian and bicycle to schools and restore school bus service</li> <li>• Encourage the use of bicycles to transit facilities by providing bicycle parking lockers facilities and bike land access to transit facilities.</li> <li>• Monitor traffic congestion to determine where and when new transportation facilities are needed to increase access and efficiency.</li> <li>• Develop and implement a bicycle and pedestrian safety educational program to teach drivers and riders the laws, riding protocols, safety tips, and emergency maneuvers.</li> <li>• Synchronize traffic signals to reduce congestion and air quality.</li> </ul>	

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<ul style="list-style-type: none"> <li>• Work with community groups and business associations to organize and publicize walking tours and bicycle events.</li> <li>• Support legislative efforts to increase funding for local street repair.</li> </ul>	
<p><u>Transportation/</u> <u>Traffic</u> <i>Inadequate</i> <i>Emergency</i> <i>Access</i></p> <p><u>Hazards and</u> <u>Hazardous</u> <u>Materials</u> <i>Impair or</i> <i>Interfere with</i> <i>Emergency</i> <i>Response or</i> <i>Evacuation</i> <i>Plan</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-TRA-5(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing impacts to emergency access that are in the jurisdiction and responsibility of fire departments, local enforcement agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider improving emergency access and ensuring compliance with the provisions of the county and city general plan, Emergency Evacuation Plan, and other regional and local plans establishing access during emergencies, as applicable and feasible. Compliance can be achieved through adopting transportation mitigation measures as set forth below, or through other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Prior to construction, project implementation agencies can and should ensure that all necessary local and state road and railroad encroachment permits are obtained. The project implementation agency can and should also comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, the road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans can and should include the following requirements: <ul style="list-style-type: none"> <li>○ Identification of all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow.</li> <li>○ Development of circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.</li> <li>○ Scheduling of truck trips outside of peak morning and evening commute hours.</li> <li>○ Limiting of lane closures during peak hours to the extent possible.</li> <li>○ Usage of haul routes minimizing truck traffic on local roadways to the extent possible.</li> <li>○ Inclusion of detours for bicycles and</li> </ul> </li> </ul>	<p>The Proposed Project would implement the following Performance Standard as a condition of approval, which is consistent with the SCAG EIR mitigation measures as they avoid or reduce impacts to emergency access that are in the jurisdiction and responsibility of fire departments, local enforcement agencies, and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Performance Standard TR-2 (Construction Management Plan): <ul style="list-style-type: none"> <li>○ A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.</li> <li>○ All delivery truck loading and unloading shall take place on site.</li> <li>○ The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.</li> </ul> </li> </ul>

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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>pedestrians in all areas potentially affected by project construction.</p> <ul style="list-style-type: none"> <li>○ Installation of traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.</li> <li>○ Development and implementation of access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. The access plans would be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions can and should be asked to identify detours for emergency vehicles, which will then be posted by the contractor. Notify in advance the facility owner or operator of the timing, location, and duration of construction activities and the locations of detours and lane closures.</li> <li>○ Storage of construction materials only in designated areas.</li> <li>● Coordination with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary. Ensure the rapid repair of transportation infrastructure in the event of an emergency through cooperation among public agencies and by identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities.</li> <li>● Enhance emergency preparedness awareness among public agencies and with the public at large.</li> <li>● Provision for collaboration in planning, communication, and information sharing before, during, or after a regional emergency through the following: <ul style="list-style-type: none"> <li>○ Incorporate strategies and actions pertaining to response and prevention of security incidents and events as part of the on-going regional planning activities.</li> <li>○ Provide a regional repository of GIS data for use by local agencies in emergency planning, and response, in a standardized format.</li> <li>○ Enter into mutual aid agreements with other local jurisdictions, in coordination with the California OES, in the event that an event disrupts the jurisdiction’s ability to function.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.</li> <li>○ Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.</li> <li>○ The Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.</li> </ul>
<p><u>Utilities and Service Systems Require New Water or</u></p>	<p><u>Project-Level Mitigation Measure</u>  <b>MM-USS-3(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on utilities</p>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance</p>

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<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
<p><i>Wastewater Treatment Facilities</i></p>	<p>and service systems, particularly for construction of storm water drainage facilities including new transportation and land use projects that are within the responsibility of local jurisdictions including the Riverside, San Bernardino, Los Angeles, Ventura, and Orange Counties Flood Control District, and County of Imperial. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures, as applicable and feasible. These mitigation measures are within the responsibility of the Lead Agencies and Regional Water Quality Control Boards of (Regions 4, 6, 8, and 9) pursuant to the provisions of the National Flood Insurance Act, stormwater permitting requirements for stormwater discharges for new constructions, the flood control act, and Urban Waste Management Plan.</p> <p>Such mitigation measures, or other comparable measures, capable of avoiding or reducing significant impacts on the use of existing storm water drainage facilities and can and should be adopted where Lead Agencies identify significant impacts on new storm water drainage facilities.</p>	<p>measures that avoid or reduce the significant effects on utilities and service systems:</p> <ul style="list-style-type: none"> <li>○ Utilities (Low Impact Development Plan): Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City of Los Angeles Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.</li> <li>○ Utilities (Water): As part of the normal construction/building permit process, the Applicant shall confirm with the City that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phase.</li> <li>○ Utilities (Water): The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).</li> </ul> <p>Utilities (Water): The Proposed Project would be required to</p>



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Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
		<p>provide a schedule of plumbing fixtures and fixture fittings that reduce potable water use within the development in order to exceed the prescriptive water conservation plumbing fixture requirements of Sections 4.303.1.1 through 4.303.1.4.4 of the California Plumbing Code in accordance with the California Building Energy Efficiency Standards by 20%. It must also provide irrigation design and controllers that are weather- or soil moisture-based and automatically adjust in response to weather conditions and plants' needs.</p>
<p><u>Utilities and Service Systems</u> <i>Require New or Expanded Entitlements for Water Supply</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-USS-4(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on water supplies from existing entitlements requiring new or expanded services in the vicinity of HQTAs that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with EO B-29-15, provisions of the Porter –Cologne Water Quality Control Act, California Domestic Water Supply Permit requirements, and applicable County, City or other Local provisions. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Reduce exterior consumptive uses of water in public areas, and should promote reductions in private homes and businesses, by shifting to drought-tolerant native landscape plantings (xeriscaping), using weather-based irrigation systems, educating other public agencies about water use, and installing related water pricing incentives.</li> <li>• Promote the availability of drought-resistant landscaping options and provide information on where these can be purchased. Use of reclaimed water especially in median landscaping and hillside landscaping can and should be implemented where feasible.</li> <li>• Implement water conservation best practices such as low-flow toilets, water-efficient clothes</li> </ul>	<p>The Proposed Project already substantially conforms with this Mitigation Measure as it is subject to the following regulatory compliance measures that avoid or reduce the significant effects on water supplies from existing entitlements requiring new or expanded services in the vicinity of HQTAs that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>○ As part of the normal construction/building permit process, the Applicant shall confirm with the City that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phase.</li> <li>○ The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>washers, water system audits, and leak detection and repair.</p> <ul style="list-style-type: none"> <li>• Ensure that projects requiring continual dewatering facilities implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes, to the greatest extent possible, adverse impacts on groundwater for the life of the project. Comply with appropriate building codes and standard practices including the Uniform Building Code.</li> <li>• Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimized new impervious surfaces to the greatest extent possible, including the use of in-lieu fees and off-site mitigation.</li> <li>• Avoid designs that require continual dewatering where feasible. Where feasible, do not site transportation facilities in groundwater recharge areas, to prevent conversion of those areas to impervious surface</li> </ul>	<p>the cooler months and during the rainy season).</p> <ul style="list-style-type: none"> <li>o The Proposed Project would be required to provide a schedule of plumbing fixtures and fixture fittings that reduce potable water use within the development in order to exceed the prescriptive water conservation plumbing fixture requirements of Sections 4.303.1.1 through 4.303.1.4.4 of the California Plumbing Code in accordance with the California Building Energy Efficiency Standards by 20%. It must also provide irrigation design and controllers that are weather- or soil moisture-based and automatically adjust in response to weather conditions and plants' needs.</li> </ul>
<p><u>Utilities and Service Systems</u> <i>Landfill with Sufficient Capacity</i></p>	<p><u>Project-Level Mitigation Measure</u> <b>MM-USS-6(b):</b> Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects to serve landfills with sufficient permitted capacity to accommodate solid waste disposal needs, in which 75 percent of the waste stream be recycled and waste reduction goal by 50 percent that are within the responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project that has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance pursuant to the provisions of the Solid Waste Diversion Goals and Integrated Waste Management Plan, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> <li>• Integrate green building measures consistent with CALGreen (California Building Code Title 24) into project design including, but not limited to the following: <ul style="list-style-type: none"> <li>o Reuse and minimization of construction and demolition (C&amp;D) debris and diversion of C&amp;D waste from landfills to recycling facilities.</li> <li>o Inclusion of a waste management plan that promotes maximum C&amp;D diversion.</li> <li>o Source reduction through (1) use of</li> </ul> </li> </ul>	<p>The Proposed Project already substantially conforms with this mitigation measure as it is subject to the following regulatory compliance measure that avoids or reduces the significant effects to serve landfills with sufficient permitted capacity to accommodate solid waste disposal needs, in which 75 percent of the waste stream be recycled and waste reduction goal by 50 percent that are within the responsibility of public agencies and/or Lead Agencies:</p> <ul style="list-style-type: none"> <li>• Utilities (Solid Waste Recycling) <ul style="list-style-type: none"> <li>o (Operational) All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.</li> </ul> </li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

Impact	Project – Level Mitigation Measures (Implemented by Lead Agency)	Project Consistency
	<p>materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings, etc.).</p> <ul style="list-style-type: none"> <li>○ Reuse of existing structure and shell in renovation projects.</li> <li>○ Design for deconstruction without compromising safety.</li> <li>○ Design for flexibility through the use of moveable walls, raised floors, modular furniture, moveable task lighting and other reusable building components.</li> <li>○ Development of indoor recycling program and space.</li> <li>○ Discourage the siting of new landfills unless all other waste reduction and prevention actions have been fully explored. If landfill siting or expansion is necessary, site landfills with an adequate landfill-owned, undeveloped land buffer to minimize the potential adverse impacts of the landfill in neighboring communities.</li> <li>○ Locally generated waste should be disposed of regionally, considering distance to disposal site. Encourage disposal near where the waste originates as much as possible. Promote green technologies for long-distance transport of waste (e.g., clean engines and clean locomotives or electric rail for waste-by-rail disposal systems) and consistency with SCAQMD and 2016 RTP/SCS policies can and should be required.</li> <li>○ Encourage waste reduction goals and practices and look for opportunities for voluntary actions to exceed the 50 percent waste diversion target.</li> <li>○ Encourage the development of local markets for waste prevention, reduction, and recycling practices by supporting recycled content and green procurement policies, as well as other waste prevention, reduction and recycling practices.</li> <li>○ Develop ordinances that promote waste prevention and recycling activities such as: requiring waste prevention and recycling efforts at all large events and venues; implementing recycled content procurement programs; and developing opportunities to divert food waste away from landfills and toward food banks and composting facilities.</li> <li>○ Develop alternative waste management</li> </ul>	<ul style="list-style-type: none"> <li>○ (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.</li> <li>○ (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the Applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.</li> <li>○ (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.</li> </ul>

**Project Consistency with SCAG 2016-2040 RTP / SCS Mitigation Measures**

<b>Impact</b>	<b>Project – Level Mitigation Measures (Implemented by Lead Agency)</b>	<b>Project Consistency</b>
	<p>strategies such as composting, recycling, and conversion technologies.</p> <ul style="list-style-type: none"> <li>○ Develop and site composting, recycling, and conversion technology facilities that have minimum environmental and health impacts.</li> <li>○ Require the reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).</li> <li>○ Integrate reuse and recycling into residential industrial, institutional and commercial projects.</li> <li>○ Provide recycling opportunities for residents, the public, and tenant businesses.</li> <li>○ Provide education and publicity about reducing waste and available recycling services.</li> <li>○ Continue to adopt programs to comply with state solid waste diversion rate mandates and, where possible, encourage further recycling to exceed these rates.</li> <li>○ Implement or expand city or county-wide recycling and composting programs for residents and businesses. This could include extending the types of recycling services offered (e.g., to include food and green waste recycling) and providing public education and publicity about recycling services.</li> </ul>	
<p><i>Source: Southern California Association of Governments, Final 2016 2016-2040 RTP/SCS Program Environmental Impact Report, Mitigation Monitoring and Reporting Program, April 2016.</i></p>		

## 5.0 Performance Standards

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### 5.1 Residential

- The Project shall not contain any more than 200 dwelling units.

### 5.2 Energy and Water Efficiency

- The project shall be designed to be 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and to achieve 25 percent less water usage than the average household use in the region.

### 5.3 Cultural Resources

- Performance Standard CR-1 (Cultural Resources):
  - Prior to the commencement of ground disturbing activities, a Cultural Resources Monitoring Plan (Monitoring Plan) shall be prepared. The Monitoring Plan shall include, but not be limited to, monitoring protocol for ground-disturbing activities; a construction worker training program; and discovery and processing protocol for inadvertent discoveries of cultural resources or Tribal Cultural Resources. The plan shall identify the areas of sensitivity determined for cultural resources and Tribal Cultural Resources that require monitoring and detail a protocol for determining circumstances in which additional, or reduced levels of monitoring (e.g., spot checking) may be appropriate. Specifically, the Monitoring Plan shall include a framework for assessing the geoarchaeological setting to determine whether undisturbed sediments (i.e., 'native' sediments) capable of preserving archaeological remains are present adjacent to or beneath those sediments disturbed by urban development, and the depth at which these sediments would no longer be capable of containing archaeological material and thereby cease to require an archaeological monitoring to be present. Because of the overall sensitivity for archaeological resources affiliated with Native American occupation, the Monitoring Plan shall consider the extent of existing disturbances and determine the presence of cultural resources within those or surrounding native sediments. The plan shall identify the process for contacting tribal groups in the event of inadvertent discovery of archaeological resources, Tribal Cultural Resources, or human remains.
- Performance Standard CR-2 (Archaeological Resources):
  - In the event that archaeological resources (sites, features, artifacts, or fossilized material) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified specialist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

### 5.4 Hazards and Hazardous Materials

- Performance Standard HAZ-1 (Dewatering and Groundwater Management Plan):
  - A Dewatering and Groundwater Management Plan (DGMP) shall be prepared and implemented to provide a framework under which work can proceed safely and contaminated groundwater can be properly handled, treated, and disposed of at a licensed disposal facility. Proper handling of the contaminated groundwater would be required regardless of the contamination source.



- In the unlikely event that contaminated groundwater is discovered, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) prior to the issuance of a use of land or building permit, or issuance of a change of occupancy.
- Performance Standard HAZ-2 (Asbestos-Containing Materials and Lead-Based Paint):
  - Disturbance of any ACM material would be handled in accordance with applicable local and state regulations (which include SCAQMD Rule 1403 and Cal/OSHA Asbestos Construction Standard Title 8 CCR 1529).
  - Disturbance of any LBP materials would be handled in accordance with CDPH regulations in residential or public buildings and the US Department of Housing and Urban Development (HUD) and 2010 Toxic Substances Control Act (TSCA) Renovation, Repair and Painting Rule (RRP) in pre-1978 target housing and child-occupied facilities. DOSH or Cal/OSHA requirements must also be followed where employees may be occupationally exposed to lead.
- Performance Standard HAZ-3 (Methane Report):
  - Due to the potential environmental risk associated with construction in Methane Buffer Zones, a Methane Assessment Report shall be conducted prior to the redevelopment of the Project Site.

## 5.5 Noise

### Increased Noise Levels (Demolition, Grading, and Construction Activities):

- Performance Standard N-1: Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Performance Standard N-2: To the maximum extent possible, demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- Performance Standard N-3: The project contractor shall use power construction equipment with noise shielding and muffling devices.
- Performance Standard N-4: The project contractor shall erect a temporary noise-attenuating sound barrier along the perimeter of the Project Site. The sound wall shall be a minimum of 8 feet in height to block the line-of-site of construction equipment and off site receptors at the ground level. The sound barrier shall include ¾ inch plywood or other sound absorbing material capable of achieving a 10-dBA reduction in sound level.
- Performance Standard N-5: During structural framing, the project contractor shall utilize temporary portable acoustic barriers, partitions, or acoustic blankets to effectively block the line-of-sight between noise producing equipment and the adjacent residential land uses for purposes of ensuring noise levels at the adjacent residential land uses does not exceed 5 dBA over the ambient noise levels.
- Performance Standard N-6: An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels. Any reasonable complaints shall be rectified within 24 hours of their receipt.

## 5.6 Public Services

- Performance Standard PS-1 Public Services (Police – Demolition/Construction Sites):
  - Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- Performance Standard PS-2 Public Services (Police):
  - The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1<sup>st</sup> Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

## 5.7 Transportation and Traffic

- Performance Standard TR-1 (Construction Management Plan):
  - A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
  - All delivery truck loading and unloading shall take place on site.
  - The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
  - Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
  - Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
  - The Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

# **Exhibit F**

## **Public Comments**



**BOARD OF DIRECTORS  
2019-2021**

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Terence Mylonas

Lauren Nichols

Taylor Nichols

Arnali Ray

Charles Romaine

Michael Schneider

David Sobel

Thao Tran

Don Whitehead

Roque Wicker

*Nonprofit Rep. - Vacant*

October 1<sup>st</sup>, 2019

Michelle Carter (via michelle.carter@lacity.org)  
City Planning Associate  
200 N Spring St, Rm 425  
Los Angeles, CA 90012

**Subject: ZA-2019-1744-CU-MCUP-SPR-TOC**

**629 S La Brea Ave**

Dear Ms. Carter,

We appreciate the opportunity to comment on this application as the certified neighborhood council serving the area in which the project is located.

The Mid City West Community Council (MCW) Board of Directors **approved** the following motion (28 yeas, 1 nay, 1 abstention) at the Tuesday, September 10<sup>th</sup>, 2019 board meeting:

*Mid City West Community Council **supports** the application under the following conditions and requests, which the applicant has agreed to:*

- I. An additional moderate-income unit (120% Area Median Income) be included;*
- II. Include car-sharing (ZipCar, etc) company spaces in the garage of the project;*
- III. That a pedestrian path of travel be maintained on La Brea Avenue at all times during construction, with closures only for specific events such as concrete pours that necessitate a complete closure, and in such instances that closures only last as long as the necessitating event;*

- IV. *That the applicant employ paving differentiation and/or high visibility markings in pedestrian/vehicular mixing zones;*
- V. *That as part of a transit demand management program the applicant employs an e-cargo bike sharing and/or resident bike share program;*
- VI. *That as part of a transit demand management program the applicant provide an introductory resident TAP card program;*
- VII. *The applicant is strongly encouraged to provide a strong connection between the southern plaza/southern bounds of the project and the southern façade of the project.*
- VIII. *Employ green roof and other filtration/screening applications on the roof level;*
- IX. *If feasible, applicant will seek to add more street trees than the nine required by spacing requirements;*
- X. *Parking for residents will be charged separately from rent and is not mandatory.*

Thank you for your attention to this matter. Please feel free to contact me via email at [mberker@midcitywest](mailto:mberker@midcitywest) as needed.

Sincerely,

Mehmet Berker  
 Planning & Land Use Committee Chair  
 Mid City West Community Council

Cc: Office of Council District No. 4, Hon. David E. Ryu (via Email)  
 Office of Council District No. 4, Emma Howard “  
 Office of Council District No. 4 Rob Fisher “  
 Dana Sayles, three6ixty “  
 Zachary Andrews, three6ixty “

# LOS ANGELES POLICE DEPARTMENT

*Michelle*

**MICHEL R. MOORE**  
Chief of Police



**Eric M. Garcetti**  
Mayor

P.O. Box 30158  
Los Angeles, CA 90030  
Telephone: (213) 473-0558  
TDD: (213) 485-2122  
TDD: (877) 275-5273  
Ref #: 6.4

August 14, 2019

**RECEIVED**  
CITY OF LOS ANGELES

**AUG 28 2019**

CITY PLANNING DEPT.  
ZONING ADMINISTRATION

Chief Zoning Administrator  
Office of Zoning Administration  
City of Los Angeles  
200 North Spring Street, 7<sup>th</sup> Floor  
Los Angeles, California 90012

To the Chief Zoning Administrator:

The Wilshire Area Vice Unit, Los Angeles Police Department, has reviewed the Conditional Use Beverage (CUB) permit application for "La Brea", located at 639 S. La Brea Ave Case No. ZA-2019-1744-CU-MCUP-SPR-TOC. The applicant is requesting a CUB to allow the sale and dispensing of beer and wine only for on and off site consumption at new construction site of 121 residential units, 125 hotel guest-rooms, approximately 13,026 square feet of rooftop and ground-floor restaurant space, 10, 106 square feet of public and private open space, with 199 on-site parking spaces in 2 subterranean levels of parking.

"La Brea" is located in Census Tract No. 2151.02 and in Los Angeles Police Department Reporting District (RD) 0735. According to the statistics provided by the Department of Alcoholic Beverage Control, two on-sale alcoholic beverage ABC licenses are allowed in this census tract and one off-sale. There are currently four on-sale and one off-sale alcoholic beverage ABC licenses in this census tract.

An analysis of Part I Crime, driving under the influence (DUI) arrests, and DUI traffic collisions for RD 0735 was conducted from January 1, 2017 through December 31, 2018. The statistics revealed that Part I crime has increased (86 crimes in 2017 vs. 119 crimes in 2018) and DUI arrests increased (1 arrest in 2017 vs. 4 arrest in 2018). In addition, statistics revealed DUI traffic collisions increased (0 collisions in 2017 vs. 4 collisions in 2018). A crime summary report was conducted which revealed that the Part I crimes did not originate from the business at 180 S. La Brea Ave.

"La Brea" is located within the La Brea corridor that is a heavily populated commercial area that consists of numerous retail businesses, restaurants, small boutiques/retail stores and office buildings. The market is also located within close proximity to several single and multi-family dwelling residences directly east of the restaurant separated by an alley.



During this review, Wilshire Vice personnel contacted Wilshire Area Senior Lead Officer Jones, City Council District 4 and Mid-City West Neighborhood Council.

Officer Jones advised that there are no community complaints regarding this application.

Council District 4 (David Ryu) advised there are no community complaints regarding this application.

Greater Wilshire Neighborhood Council received no community complaints regarding this application.

Due to the oversaturation of ABC licenses in census tract 2151.02, Wilshire Area Vice has serious concerns with the approval of this application. In the event the ABC license is approved; it is requested that the attached conditions be imposed on this location. These conditions would assist the Department in maintaining the quality of life of the surrounding residential and business communities.

If further assistance is needed, please contact Sergeant II Eric More, Officer-in-Charge, Wilshire Area Vice Unit, at (213) 473-0288.

Respectfully,

MICHEL R. MOORE  
Chief of Police



TIMOTHY T. NORDQUIST, Captain  
Commanding Officer  
Wilshire Area Community Police Station

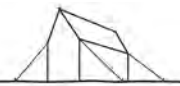
Attachment

### CONDITIONS

1. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
2. Hours of operation for alcohol shall not exceed 07:00 a.m. to 11:00 p.m., daily.
3. The establishment shall not be operated where an admission is charged at the door or other manner similar to a nightclub establishment.
4. The applicant shall not sublet the establishment for night club activity.
5. The Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The video shall be made available to police upon request.
6. The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in restaurants. Food service shall be available at all times during normal operating hours.
7. The principal business of the restaurant shall be the sale and service of food. The service of alcoholic beverages shall be incidental to the sale of food and permitted only with meal orders.
8. There shall be adequate lighting on the interior of the premises so as to render objects or persons clearly visible.
9. The conduct of the business shall be under the direct control of the owner of the site and shall not be subcontracted on to other parties.
10. The petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
11. Electronic age verifications device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premise at each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
12. Within six months of the effective date of this determination, all personnel acting in the capacity of a manager of the premises shall attend a Standardized Training for Alcohol Retailers (S.T.A.R) session sponsored by the Los Angeles Police Department. The applicant shall contact the Wilshire Vice Unit of the Los Angeles Police Department and make arrangements for such training.
13. Any music, sound or noise emitted that is under the control of the petitioner(s) shall not violate Section 112.01(a) and 112.01(b) of the Los Angeles Municipal Code.



14. There shall be no live entertainment of any type, including but not limited to live music, disc jockey or karaoke nights.
15. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. The only on-site advertisement indicating the availability of alcoholic beverages shall be the posting on a menu.
16. There shall be no bar or lounge area upon the licensed premises maintained solely for the purpose of sales, service or consumption of alcoholic beverages. The main purpose and use of the facility shall always be a full service restaurant.
17. Service and consumption of alcoholic beverages in the patio area or rooftop shall be monitored by an employee of the business.
18. Any alcoholic beverage sold or dispensed for on-site consumption shall be served at tables or sit-down counters by employees of the restaurant.
19. There shall be no sales of wine by the bottle or storage of any bottle for future consumption.
20. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department and City Planning.
21. There shall be no exterior advertising or sign of any kind or type including advertising directed to the exterior from within promoting or indicating the availability of alcoholic beverage at a discounted price "No Happy Hour."
22. There shall be no dancing on premises allowed.
23. There shall be no coin-operated games or video machines maintained upon the premises.
24. The Petitioner(s) shall not allow their property to be used as overflow parking for the public or nightclub valet services.
25. The business operator shall comply with Section 6404.5(b) of the Labor Code which prohibits smoking within any place of employment. There shall be no ashtrays or other receptacles used for the purpose of collecting ash or cigarette/cigar butts on the premises.
26. No portable or fixed bars are permitted in the exterior of the patio area or rooftop.
27. The applicant shall ensure that if a valet company is utilized by the business, they shall possess all the required valet business and operator permits.
28. The applicant shall provide sufficient off-site parking spaces for patrons.



David Senft\_Architect

5371 Wilshire Boulevard, Suite 205  
Los Angeles, California 90036

① 310.927.8651  
② 323.651.0096  
dsenft@senfty.com

15 September 2020

Ms. Michelle Carter  
Los Angeles City Planning  
Los Angeles City Hall  
200 N. Spring Street, Suite 525  
Los Angeles, CA 90012

Re: 623-671 South La Brea Ave. aka ZA-2019-1744-CU-MCUP-SPR-TOC

Ms. Carter-

I would like to propose conditions to be incorporated into the Conditional Use Permit for this project.

I am aware that this project complies with, or incrementally exceeds, the required parking ratios for the proposed mix of residential, commercial, and hotel uses under the current Transit Oriented Communities (TOC) Incentive Program. In this case in particular, where parking is reduced from the general code requirements, one must therefore assume that the property owner/developer and its consultants assert that the project and its parking are appropriate and adequate. If not, they would obviously further exceed the minimum standards.

Further, I assert it is the responsibility of a property owner/developer to assume the inherent risks of the development exercise. "With risk comes reward," as the saying goes. The risk and potential repercussions of any project should not be borne by the neighbors of the project, nor the city and its citizenry.

While La Brea is a commercial strip, the surrounding neighborhood consists of older, dense, multi-family residential use, which already has a significant parking problem due to the legacy of pre-car apartments in the area. Therefore, I propose the following conditions to be bound to the entitlements of the project, which I intend to assign some of the risk of this property developer's opinions and decisions about parking to the project, and not to the surrounding community:

1. Residential unit lessees should be guaranteed parking (in traditional LAMC 12.21 room ratios) if requested, at any point. It should be provided within 2 business days, at reasonable market rates. If a requested parking space is not available for lease, no further residential units should be leased (or sold, as applicable).
2. Any residential unit rented via affordable housing incentives should have requested parking available at half the reasonable market rate, or half of the lowest rate of the prevailing rate lessees.
3. Hotel room rentals should similarly be limited by availability: if no parking spaces are available to those requesting them, no further hotel rooms should be rented until such time as parking becomes available.
4. Commercial parking spaces should be designated and not used for any other use while any business is open to customers. This is to forestall what I see as a facetious proposal about the lack of hotel/store overlap which is patently false if one assumes any driving hotel guest stays more than one night.
5. No parking requirement should be met off-site. Whether by lease, attendant, or arrangement.
6. No parking constructed as part of the project should be made available for lease, rental, use, or otherwise made unavailable. In other words: all built parking must be available solely, and all times, for the use of the project's rentals units, hotel, and commercial activities.

Please do not hesitate to contact me with any questions or comments, and thank you for your time.

Best,

-David Senft



Michelle Carter <michelle.carter@lacity.org>

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## 639 S. La Brea Mixed Use Project

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Jeffrey Roth <jeff.roth.plb@gmail.com>  
To: michelle.carter@lacity.org

Mon, Oct 21, 2019 at 2:58 PM

I live on Detroit in the Wilshire Manor apartments. I have concerns about the plan to build an 8 story hotel and apartment behind my building, on La Brea.

First, a big hotel will probably be very noisy and we are only a short distance across the alley. What kind of soundproofing will they have? When they're building it, will there be construction trucks driving up and down the alley? Late night deliveries? What are we going to be breathing when we open our windows?

From the information given to me, there won't be enough parking for this hotel and the other businesses attached to it. My building has no parking. The other buildings on Detroit might have some but not nearly enough. People park on the street. There used to be a parking lot but it was replaced by subway construction. That left everyone strapped for a place to park. If I come home late and can't find anything on my street I often have to park on Sixth or Wilshire, and then move my car at 7 in the morning. If I don't want to get up that early, I have to drive around for 10-15 minutes looking for a space. Is the City going to allow them to valet their cars on the street? The tenants who need the street parking will be hurt by that.

They already have a valet on La Brea that valet parks cars on the local streets. It's going to get worse with a hotel.

I'm also worried about traffic in the alley. We walk and drive in the alley to go home because Detroit is one-way. A hotel and restaurants involve a lot of deliveries. I was told there will be a lot of rideshare vehicles because there aren't enough parking spaces for the apartment tenants and other visitors. I don't want to be blocked or held up by that kind of thing.

Jeff Roth



Michelle Carter <michelle.carter@lacity.org>

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## Fwd: proposed new construction

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Emma Howard <emma.howard@lacity.org>  
To: Michelle Carter <michelle.carter@lacity.org>

Thu, Sep 17, 2020 at 12:09 PM

Michelle, the constituent below "A Ant" had some site specific impacts comments I wanted to share with you and the ZA and ask that they be added to your notification list.



Emma G. Howard  
Director of Planning  
Office: (213) 473-7004  
<http://davidryu.lacity.org>

----- Forwarded message -----

From: **ANT@** <[antcomic@gmail.com](mailto:antcomic@gmail.com)>  
Date: Mon, Sep 14, 2020 at 4:08 PM  
Subject: proposed new construction  
To: <[emma.howard@lacity.org](mailto:emma.howard@lacity.org)>

Dear Ms Howard-

I hope this email finds you and your family safe during this most difficult time.

I am a resident at [618 S Detroit St. Apartment 106](#). I have lived in this building for over 5 years. I am writing today regarding the proposed new construction that will commandeer our small alley to allow for the construction of a luxury hotel, restaurants and other public accommodations.

> Gidi Cohen is asking to route 100% of his vehicular traffic through a narrow alley that I and HUNDREDS of residents depend on remaining clear in order to access our parking garage and is also a means of emergency egress. During a building fire earlier this year when the fire alarms sounded, those of us in the back of the building nearest the alley mustered in the alley as a means of safety.

> This right of access will be severely interfered with by having dozens of trucks turning into the alley from Sixth where they will have to queue to wait their turn at the loading dock, and 100% of all rideshare vehicles and all tenant and visitor passenger vehicles will be routed through the alley every day. This suggests to me and others in my building that they WILL need additional roadway infrastructure such as widening La Brea or another solution to accommodate vehicular access and egress to and from their site.

I am asking you to please take the concerns of myself and others in our neighborhood before allowing this to proceed.

Very truly yours,

A ANT  
Resident  
[618 S Detroit St](#)  
Unit 106  
Los Angeles, Ca. 90036  
213.864-8554





Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**6th Street Miracle Mile Neighborhood Association Dinah Perez, J.D. - Vice President**

Wed, Sep 16, 2020 at  
12:25 PM

<info@email.actionnetwork.org>

Reply-To: 6thMMNA@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

At a 9/16/20 meeting of the 6th Street Miracle Mile Neighborhood Association ("6th Street MMNA"), its board of directors voted unanimously (5 Yeas, 1 nays, 0 abstentions) to oppose this project based on 1) the project's circulation plan would severely negatively impact our residents and small businesses; 2) it would bring excessive cars to our neighborhood streets which are already parked and congested to capacity; 3) it uses TOC incentives to build a luxury hotel rather than the affordable housing our low to moderate income residents need.

6th Street MMNA represents the area bounded by La Brea Avenue on the east, Wilshire to the south, Hauser to the west and Sixth and Third Streets to the north (wrapping around Park la Brea). Our neighborhood abuts the project on two sides: to the north (Design Mix and 76 gas station) and to the west (owners and tenants across the alley on Detroit). Please do not hesitate to contact 6th Street MMNA Vice President, Dinah Perez, J.D., at [6thMMNA@gmail.com](mailto:6thMMNA@gmail.com). Thank you.

6th Street Miracle Mile Neighborhood Association Dinah Perez, J.D. - Vice President

[6thMMNA@gmail.com](mailto:6thMMNA@gmail.com)

631 S. Cochran Avenue #204

[Los Angeles, California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Alicen Abler** <info@email.actionnetwork.org>  
Reply-To: alicenabler@gmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 12:30 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Alicen Abler  
[alicenabler@gmail.com](mailto:alicenabler@gmail.com)  
10849 Bloomfield St  
[North Hollywood, Ca., California 91602](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Alison Graham** <alison@ajgpr.com>

Tue, Sep 15, 2020 at 4:19 PM

Reply-To: alison@ajgpr.com

To: michelle.carter@lacity.org

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Alison Grahams

Alison Graham

[alison@ajgpr.com](mailto:alison@ajgpr.com)

410 Alandele Ave

[Los Angeles , California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Armen Meymarian** <info@email.actionnetwork.org>

Mon, Sep 14, 2020 at 6:08 PM

Reply-To: armen71@mac.com

To: michelle.carter@lacity.org

Michelle Carter,

Hi, I am the 76 Gas Station operator at the Corner of 6th and La Brea. My family and I have been operating this 76 gas station for 40 years. The concern with this project is the Traffic increase and accidents it would incur. Already the intersection at 6th and La Brea is an intersection where there are many Car accidents, which my employees and I witness. In fact, there's a tow truck guy who just sits there and awaits for an accident. Also with this current project, the ALLEY behind us would be used by the project's proposed Hotel, the Valet, the Ride-Share clients, the Delivery for the Restaurants in the project, and this will cause more traffic, congestion and accidents. Currently the alley is mostly being used by the Tenants on Detroit, who need that alley to access their underground or adjacent parking spots. Also this alley was not intended as a Roadway for such kinetic activity. As a member of this community, and a citizen who resides also in Council District 4, I hope that our city representatives take these factors into account, and not easily succumb to projects that will cater to a luxury clientele that will leave many middle-class constituents and citizens out.

Armen Meymarian

[armen71@mac.com](mailto:armen71@mac.com)

5436 W. 6th Street

[Los Angeles, California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Carly Johnson** <info@email.actionnetwork.org>  
Reply-To: carlyjohnson12@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:35 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Carly Johnson  
[carlyjohnson12@gmail.com](mailto:carlyjohnson12@gmail.com)  
1320 N Sierra Bonita Ave #211  
[Los Angeles, California 90046](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Elias Heroux** <info@email.actionnetwork.org>  
Reply-To: e.heroux@icloud.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:52 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Elias Heroux  
[e.heroux@icloud.com](mailto:e.heroux@icloud.com)  
4755 Elmwood Ave  
[Los Angeles , California 90004](#)





Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Kristin Lindquist** <info@email.actionnetwork.org>

Sun, Sep 13, 2020 at 2:22 PM

Reply-To: kdindquist@hotmail.com

To: michelle.carter@lacity.org

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Kristin Lindquist

[kdindquist@hotmail.com](mailto:kdindquist@hotmail.com)

4804 Laurel Canyon Blvd. #286

[Valley Village, California 91607](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Mark Sherman** <info@email.actionnetwork.org>  
Reply-To: marksherman85@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:28 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Mark Sherman  
[marksherman85@gmail.com](mailto:marksherman85@gmail.com)  
1400 N Ogden Dr.  
[West Hollywood, California 90046](#)



Michelle Carter <michelle.carter@lacity.org>

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**Council File: 19-1533 / ZA-2019-1744**

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nancy blaustein <info@email.actionnetwork.org>  
Reply-To: nancy4436@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 5:19 PM

Michelle Carter,

Why are we letting Corporations and land developers determine land use. That is your job is it not? Los Angeles voters have demonstrated that we want affordable housing. We have a housing crisis and a crisis in affordable housing. This will be greater after the moratorium on evictions is lifted. Stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards, Nancy Blaustein

nancy blaustein  
[nancy4436@gmail.com](mailto:nancy4436@gmail.com)  
4436 Calhoun Avenue  
[Sherman Oaks, California 91423](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Pedro Aranda Gomez** <saintpeterdvl@mail.com>

Wed, Sep 16, 2020 at 2:10 PM

Reply-To: saintpeterdvl@mail.com

To: michelle.carter@lacity.org

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Pedro Aranda Gomez

[saintpeterdvl@mail.com](mailto:saintpeterdvl@mail.com)

5937 Colgate Ave

[Los Angeles, CA., California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Peter James** <info@email.actionnetwork.org>  
Reply-To: pjam286@yahoo.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:42 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Peter James  
[pjam286@yahoo.com](mailto:pjam286@yahoo.com)  
2130 vista del mar ave #10  
Los Angeles, California 90068



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Satya de la Manitou** <info@email.actionnetwork.org>  
Reply-To: satyadm@gmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 4:59 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,  
Satya de la Manitou

Satya de la Manitou  
[satyadm@gmail.com](mailto:satyadm@gmail.com)  
2025 N Highland Ave  
Hollywood, California 90068





Michelle Carter <michelle.carter@lacity.org>

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**Comment Council File: 19-1533 / ZA-2019-1744**

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**Scarlett Peterson** <info@email.actionnetwork.org>  
Reply-To: scarlettxpeterson@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:36 PM

Michelle Carter,

Please stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Scarlett Peterson  
[scarlettxpeterson@gmail.com](mailto:scarlettxpeterson@gmail.com)  
14270 Dickens Street #6  
[Sherman Oaks , California 91423](#)



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Tamara Torres** <info@email.actionnetwork.org>  
Reply-To: tamara\_182@yahoo.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:24 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Tamara Torres  
[tamara\\_182@yahoo.com](mailto:tamara_182@yahoo.com)  
2025 Argyle Ave Apt #36  
[Los Angeles, California 90068](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

1 message

**Joshua Cervantes** <jrcervantes@csu.fullerton.edu>

Wed, Jan 22, 2020 at 4:34 PM

Reply-To: jrcervantes@csu.fullerton.edu

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Joshua Cervantes

[jrcervantes@csu.fullerton.edu](mailto:jrcervantes@csu.fullerton.edu)

[jrcervantes@csu.fullerton.edu](mailto:jrcervantes@csu.fullerton.edu)

Los Angeles , California 90046



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comments Re: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Robbin McCullough** <info@email.actionnetwork.org>  
Reply-To: Robbinrae@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:03 PM

PLUM Committee Members,

Please oppose CGI Strategies' Wilshire/ La Brea project. Los Angeles' affordable housing crisis continues to worsen. That's why I am concerned about yet another luxury hotel in the area right next to our future metro stop when it could better be used as a genuine housing project with more desperately needed affordable housing units. The area needs more housing (particularly affordable housing), and the City should not forgo this opportunity to demand as much as housing possible at this unique site. I am also concerned that the environmental review process for the project is being rushed. I have been unable to locate the Project's environmental website on the City Planning's website for published environmental documents

(<https://planning.lacity.org/development-services/environmental-review/published-documents>).

Additionally, I am concerned that the City's Planning Land Use Committee is considering the environmental documents ahead of the Zoning Administrator's approvals on the actual project itself. So too, I am concerned that the mitigations proposed on energy, water, and climate change are too speculative. Please oppose the hotel portion of this project (the Conditional Use Permit and its environmental review) so we can maximize housing, and particularly the affordable housing we need.

Regards,

Robbin McCullough

[Robbinrae@gmail.com](mailto:Robbinrae@gmail.com)

654 S. Cloverdale Ave #303

[Robbinrae@gmail.com](mailto:Robbinrae@gmail.com), California 90036





City Clerk Council and Public Services <clerk.cps@lacity.org>

---

## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**John Townsend** <john\_town@att.net>  
Reply-To: john\_town@att.net  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:36 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

John Townsend  
[john\\_town@att.net](mailto:john_town@att.net)  
1975 N Beachwood Dr  
[Los Angeles , California 90068](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Sumie Mishima** <sumie@sbcglobal.net>  
Reply-To: sumie@sbcglobal.net  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:50 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Sumie Mishima  
[sumie@sbcglobal.net](mailto:sumie@sbcglobal.net)  
1556 N Fairfax Ave  
Los angeles, California 90046





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Amanda Fabian** <mandy@mandyfabian.com>  
Reply-To: mandy@mandyfabian.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:52 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Amanda Fabian  
[mandy@mandyfabian.com](mailto:mandy@mandyfabian.com)  
4504 Stern Ave  
Sherman Oaks, California 91423



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Wendel Meldrum** <wendel@wendelmeldrum.com>  
Reply-To: wendel@wendelmeldrum.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:02 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

In the past five years there has been over 75,000 high end apartments built and not even 500 for middle to low income people. When does fairness start? We need your help.

Wendel Meldrum  
[wendel@wendelmeldrum.com](mailto:wendel@wendelmeldrum.com)  
2019 Cyprean Dr  
Los Angeles, California 90046



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**diaz0428@sbcglobal.net** <diaz0428@sbcglobal.net>

Wed, Jan 22, 2020 at 5:51 PM

Reply-To: diaz0428@sbcglobal.net

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

[diaz0428@sbcglobal.net](mailto:diaz0428@sbcglobal.net)

2714 Ivan Ct.

[Los Angeles, California 90039](#)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Carrie Robinson** <Carrier@sbcglobal.net>  
Reply-To: Carrier@sbcglobal.net  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 6:15 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Carrie Robinson  
[carrier@sbcglobal.net](mailto:carrier@sbcglobal.net)  
4455 Ventura Canyon Ave. #309  
Sherman Oaks, California 91423



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**pab@pablaw.org** <pab@pablaw.org>

Wed, Jan 22, 2020 at 7:19 PM

Reply-To: pab@pablaw.org

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

[pab@pablaw.org](mailto:pab@pablaw.org)

13349 McCormick Street

Sherman Oaks , California 91401



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Debbie Slater** <dslater42@msn.com>

Wed, Jan 22, 2020 at 9:23 PM

Reply-To: dslater42@msn.com

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Debbie Slater

[dslater42@msn.com](mailto:dslater42@msn.com)

1706 n occidental blvd

[Los Angeles, California 90026](#)





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

7 messages

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**Randi Ferraro** <info@email.actionnetwork.org>

Wed, Jan 22, 2020 at 4:20 PM

Reply-To: randiferraro@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Randi Ferraro

[randiferraro@gmail.com](mailto:randiferraro@gmail.com)

2130 Cedarhurst Drive

Los Angeles , California 90027

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**David Rasmussen** <info@email.actionnetwork.org>

Wed, Jan 22, 2020 at 4:51 PM

Reply-To: luutersfriend@yahoo.com

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

David Rasmussen

[luutersfriend@yahoo.com](mailto:luutersfriend@yahoo.com)

8470 Harold Way

Los Angeles, California 90069

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**John Lanza** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [john.lanza@me.com](mailto:john.lanza@me.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:10 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

John Lanza  
[john.lanza@me.com](mailto:john.lanza@me.com)  
586 N. Windsor Blvd.  
[Los Angeles, California 90004](#)

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**Dinah Perez** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [dinahperezlaw@gmail.com](mailto:dinahperezlaw@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:20 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Dinah Perez  
[dinahperezlaw@gmail.com](mailto:dinahperezlaw@gmail.com)  
631 So. Cochran Avenue #204  
[L.A., California 90036](#)

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**Kate Royce** <info@email.actionnetwork.org>  
Reply-To: kateroyce@hotmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 6:54 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Kate Royce  
[kateroyce@hotmail.com](mailto:kateroyce@hotmail.com)  
15286 Sutton St., Apt. #101  
Sherman Oaks, California 91403

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**william savage** <info@email.actionnetwork.org>  
Reply-To: billthesavage@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 9:37 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

william savage  
[billthesavage@yahoo.com](mailto:billthesavage@yahoo.com)  
2070 N. Commonwealth Ave.  
Los Angeles, California 90027



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**Art Giser** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [agiser2@gmail.com](mailto:agiser2@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 8:08 AM

PLUM Committee Members,

We need affordable housing, not more luxury hotels. There are plenty of luxury hotels in the area. And you go to places like Arizona and you see flush urinals and other measures that are clean and save enormous amounts of water. I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Art Giser  
[agiser2@gmail.com](mailto:agiser2@gmail.com)  
8750 Hollywood Blvd  
[Los Angeles, California 90069](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Larry Gross** <contactces@earthlink.net>  
Reply-To: contactces@earthlink.net  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 10:06 AM

PLUM Committee Members,

On behalf of the Coalition for Economic Survival, I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Larry Gross  
[contactces@earthlink.net](mailto:contactces@earthlink.net)  
514 Shatto Place, Suite 270  
Los Angeles, California 90020



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

20 messages

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**Hugo Soto** <info@email.actionnetwork.org>  
Reply-To: hugo.soto.m@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 2:53 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Hugo Soto  
[hugo.soto.m@gmail.com](mailto:hugo.soto.m@gmail.com)  
4015 Los Feliz Blvd  
Los Angeles, California 90027

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**Stephen Davanis** <info@email.actionnetwork.org>  
Reply-To: s.davanis@dslxtreme.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:18 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC



program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Stephen Davanis

[s.davanis@dslexreme.com](mailto:s.davanis@dslexreme.com)

5705 W Olympic Blvd

Los Angeles, California 90036

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**Sam Nouri** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [samnouri@yahoo.com](mailto:samnouri@yahoo.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 4:19 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Sam Nouri

[samnouri@yahoo.com](mailto:samnouri@yahoo.com)

7231 Franklin Avenue

Los Angeles, California 90046



**Ayelet Ifrah** <info@email.actionnetwork.org>  
Reply-To: PAurora61@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:21 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Ayelet Ifrah  
[PAurora61@yahoo.com](mailto:PAurora61@yahoo.com)  
1742 N Edgemont St, Apt 109  
Los Angeles, California 90027

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**Nicholas Dowling** <info@email.actionnetwork.org>  
Reply-To: nickdowl@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:52 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any

environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Nicholas Dowling  
[nickdowl@gmail.com](mailto:nickdowl@gmail.com)  
St. Andrews place  
Los Angeles, California 90005

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**Alex Shapouri** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [icoa1@aol.com](mailto:icoa1@aol.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 4:55 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Alex Shapouri  
[icoa1@aol.com](mailto:icoa1@aol.com)  
3325 Wilshire Blvd, suite 726  
[Los angeles , California 90010](#)

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**Anna Lodder** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [anna.lodder@gmail.com](mailto:anna.lodder@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:14 PM

PLUM Committee Members,



I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Anna Lodder  
[anna.lodder@gmail.com](mailto:anna.lodder@gmail.com)  
233 S Wilton Pl  
Los Angeles, California 90004

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**Elizabeth Dinkel** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [lizziedink@me.com](mailto:lizziedink@me.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:14 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Elizabeth Dinkel  
[lizziedink@me.com](mailto:lizziedink@me.com)  
1741 Coldwater Canyon Dr  
Beverly hills, California 90210



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**Nicole Schatz** <info@email.actionnetwork.org>  
Reply-To: threadedrevival@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:21 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Nicole Schatz  
[threadedrevival@gmail.com](mailto:threadedrevival@gmail.com)  
4441 Cahuenga blvd  
Toluca Lake, California 91602

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**Kathy McCurdy** <info@email.actionnetwork.org>  
Reply-To: kpmccurdy@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:23 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor).



Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Kathy McCurdy  
[kpmccurdy@yahoo.com](mailto:kpmccurdy@yahoo.com)  
3914 Cumberland Ave  
Los Angeles , California 90027

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**Clayton McInnis** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [claymc314@gmail.com](mailto:claymc314@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:24 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Clayton McInnis  
[claymc314@gmail.com](mailto:claymc314@gmail.com)  
6622 Iris Drive  
Los Angeles, California 90068

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**Lindsay Adams** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [adams.lindsay1@gmail.com](mailto:adams.lindsay1@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:26 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Lindsay Adams

[adams.lindsay1@gmail.com](mailto:adams.lindsay1@gmail.com)

1332 N DETROIT ST, APT 2,

LOS ANGELES, California 90046

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**Meg Wieland** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [mehganwieland@gmail.com](mailto:mehganwieland@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:31 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.



Meg Wieland

[mehganwieland@gmail.com](mailto:mehganwieland@gmail.com)

15215 Dickens Street, Apt 205

Sherman Oaks, California 91403

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**Brenda Lowy** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [brendsbelle23@gmail.com](mailto:brendsbelle23@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:49 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Brenda Lowy

[brendsbelle23@gmail.com](mailto:brendsbelle23@gmail.com)

4250 Fulton Avenue

Sherman Oaks , 92424 ירושלים

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**Holly Aitchison** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [medias@gmail.com](mailto:medias@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:05 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying

our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Holly Aitchison

[medias@gmail.com](mailto:medias@gmail.com)

260 s mariposa #208

[Los Angeles, California 90004](#)

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**GRANT STUART** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [grantstuart1@me.com](mailto:grantstuart1@me.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:11 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels. Thank you.

GRANT STUART

[grantstuart1@me.com](mailto:grantstuart1@me.com)

1309 N. McCadden Place

[Los Angeles, California 90028](#)



---

**Christen Springer** <info@email.actionnetwork.org>  
Reply-To: violetteapot@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 9:32 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Christen Springer  
[violetteapot@gmail.com](mailto:violetteapot@gmail.com)  
3616 Marcia drive #3  
[Los Angeles , California 90026](#)

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**Raí Alexandra Ivanic** <info@email.actionnetwork.org>  
Reply-To: raialexandra@hotmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 10:35 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear



purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Rai Alexandra Ivanic  
[raialexandra@hotmail.com](mailto:raialexandra@hotmail.com)  
1446 Rising Glen Road  
LA , California 90069

---

**Julia Stein** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [steinjulia44@gmail.com](mailto:steinjulia44@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 8:50 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Julia Stein  
[steinjulia44@gmail.com](mailto:steinjulia44@gmail.com)  
819 No. Sierra Bonita Ave.  
Los Angeles, California 90046

---

**Van Carlson** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [vanmaxcarlson@gmail.com](mailto:vanmaxcarlson@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:14 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Van Carlson

[vanmaxcarlson@gmail.com](mailto:vanmaxcarlson@gmail.com)

2520 Boulder St

[Los Angeles , California 90033](#)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

9 messages

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**Gary Meis** <info@email.actionnetwork.org>  
Reply-To: garstream1@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:09 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Gary Meis  
[garstream1@gmail.com](mailto:garstream1@gmail.com)  
10607 Woodbridge  
Toluca Lake , California 91602

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**Meghan Puhr** <info@email.actionnetwork.org>  
Reply-To: meghan.puhr@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:16 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Meghan Puhr  
[meghan.puhr@gmail.com](mailto:meghan.puhr@gmail.com)  
946 Masselin Avenue, Apt 6  
Los Angeles, California 90036

---

**Barbara Morgan** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [baba91403@gmail.com](mailto:baba91403@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:22 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Barbara Morgan  
[baba91403@gmail.com](mailto:baba91403@gmail.com)  
15461 deerhorn rd  
Sherman oaks , California 91403

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**Leonardo Cuervo** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [lcuervo777@icloud.com](mailto:lcuervo777@icloud.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:56 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



Leonardo Cuervo

[lcuervo777@icloud.com](mailto:lcuervo777@icloud.com)

601 N. Rossmore Ave., Apartment 502

[Los Angeles, California 90004](#)

---

**Ross Williams** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [rosswilliams25@gmail.com](mailto:rosswilliams25@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:06 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Ross Williams

[rosswilliams25@gmail.com](mailto:rosswilliams25@gmail.com)

13951 Moorpark St.

[Sherman Oaks, California 91423](#)

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**Roberta Gottlieb** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [Robbieggg@gmail.com](mailto:Robbieggg@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:30 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



Roberta Gottlieb  
[Robbieggg@gmail.com](mailto:Robbieggg@gmail.com)  
1616 Courtney Ave  
Los Angeles , California 90046

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**Allison Bills** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [Allison.bills@gmail.com](mailto:Allison.bills@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 7:14 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Allison Bills  
[Allison.bills@gmail.com](mailto:Allison.bills@gmail.com)  
3461 WAVERLY DR APT 305  
LOS ANGELES, California 90027

---

**Jeff Roth** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [jeff.roth.plb@gmail.com](mailto:jeff.roth.plb@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 12:10 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Jeff Roth  
[jeff.roth.plb@gmail.com](mailto:jeff.roth.plb@gmail.com)  
6129 Drexel Avenue  
Los Angeles, California 90036

---

**Lois DeArmond** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [loisde.armond@gmail.com](mailto:loisde.armond@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:25 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Lois DeArmond  
[loisde.armond@gmail.com](mailto:loisde.armond@gmail.com)  
3706 Country Club Drive  
Los Angeles, California 90019





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

16 messages

**Kiwan Cato-Topp** <info@email.actionnetwork.org>

Wed, Jan 22, 2020 at 4:07 PM

Reply-To: k\_cato@me.com

To: clerk.cps@lacity.org

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the Transit-Oriented Communities (TOC) program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge the City to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Regards,

Kiwan Cato-Topp

[k\\_cato@me.com](mailto:k_cato@me.com)

654 S. Cloverdale Ave #302

[Los Angeles, California 90036](#)

---

**Jessica Abrams** <info@email.actionnetwork.org>

Wed, Jan 22, 2020 at 4:56 PM

Reply-To: jessiloua@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with

more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Jessica Abrams

[jessiloua@gmail.com](mailto:jessiloua@gmail.com)

616 1/4 North Plymouth Blvd., Suite 101

[Los Angeles, California 90004](#)

---

**Eugene Kim** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [esklegal@gmail.com](mailto:esklegal@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:00 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Eugene Kim

[esklegal@gmail.com](mailto:esklegal@gmail.com)

6705 Waring Ave Apt 4

[Los Angeles, California 90038](#)



**Taylor Fulton** <info@email.actionnetwork.org>  
Reply-To: taylorfulton11@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:18 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Taylor Fulton  
[taylorfulton11@gmail.com](mailto:taylorfulton11@gmail.com)  
4765 Elmer Avenue  
N Hollywood, California 91602

---

**Nicholas Walsh** <info@email.actionnetwork.org>  
Reply-To: nicholas113@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:20 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.



Regards,  
Nicholas Walsh

Nicholas Walsh  
[nicholas113@gmail.com](mailto:nicholas113@gmail.com)  
4535 Matilija Avenue  
Sherman Oaks, California 91423

---

**Kimberly Henshaw** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [kimberlyhenshaw@gmail.com](mailto:kimberlyhenshaw@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:24 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Kimberly Henshaw  
[kimberlyhenshaw@gmail.com](mailto:kimberlyhenshaw@gmail.com)  
347 south Wilton place  
Los Angeles , California 90020

---

**Dierdre Williams** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [dierdreawilliams@gmail.com](mailto:dierdreawilliams@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:14 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Dierdre Williams  
[dierdreawilliams@gmail.com](mailto:dierdreawilliams@gmail.com)  
3452 Troy drive  
[Los Angeles, California 90068](#)

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**amy galaudet** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [amyg93@aol.com](mailto:amyg93@aol.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 7:17 PM

PLUM Committee Members,

Using the pretense you don't know what is going on is not working for you or us. We need affordable housing, we don't need to tear down affordable housing, that is rent controlled to put up luxury, that is as far from luxury as I have seen, but the price is luxury. and the money launderers are doing well, and so is the city. and the planning dept is with the developers demonstrated time and time again. Did you ever hear the word RESTORE, we need affordable housing, and the developers will not give up that, as they don't make a billion on a project. Then Wiener SB50 demands everyone live in a compound. Voting time is coming No more demo's of historic building and apartments and duplex's affordable housing. Please stand with us and stop the CGI Strategies project proposed for [623-671 S. LaBrea](#),  
Amy Galaudet  
Thomas Challenger  
[6120 W 5th St 90048](#)

amy galaudet  
[amyg93@aol.com](mailto:amyg93@aol.com)  
6120 W 5th St  
[LOS ANGELES,, California 90048](#)



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**Carla Ching** <info@email.actionnetwork.org>  
Reply-To: carla.ching@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 7:25 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,  
Carla Ching

Carla Ching  
[carla.ching@gmail.com](mailto:carla.ching@gmail.com)  
1400 N. Fairfax Ave. Apt. 4  
[Los Angeles, California 90046](#)

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**Christie Finley** <info@email.actionnetwork.org>  
Reply-To: cefnly@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 8:30 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the

environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,  
Christie Finley

Please do your job and protect citizens and the environment. Neither is replaceable.

Christie Finley  
[cefnly@yahoo.com](mailto:cefnly@yahoo.com)  
5529 Ventura Canyon Avenue  
Sherman Oaks, California 91401

---

**Barbara Galken** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [barbaragallen1@gmail.com](mailto:barbaragallen1@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 10:16 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Barbara Galken  
[barbaragallen1@gmail.com](mailto:barbaragallen1@gmail.com)  
6123 Drexel Avenue  
Los Angeles, California 90036



**Mark Simon** <info@email.actionnetwork.org>  
Reply-To: marksimon911@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 10:38 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Mark Simon  
[marksimon911@gmail.com](mailto:marksimon911@gmail.com)  
1938 1/2 Commonwealth Ave  
Los Angeles, California 90027

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**trumpactionmailer@gmail.com** <info@email.actionnetwork.org>  
Reply-To: trumpactionmailer@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 9:43 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,



[trumpactionmailer@gmail.com](mailto:trumpactionmailer@gmail.com)

1809 N Bronson Ave, Apt 5

Los Angeles, California 90028

---

**madeleine huttenbach** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [madsstickss@gmail.com](mailto:madsstickss@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 9:57 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

madeleine huttenbach

[madsstickss@gmail.com](mailto:madsstickss@gmail.com)

1124 Manzanita St

Los Angeles, California 90029-2249

---

**Marnina Wirtschafter** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [marninawirt@gmail.com](mailto:marninawirt@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:30 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with

more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Marnina Wirtschafter  
[marninawirt@gmail.com](mailto:marninawirt@gmail.com)  
3650 Monon St  
Los Angeles , California 90027

---

**Ana Greenwood** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [nasnej@yahoo.com](mailto:nasnej@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:32 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Ana Greenwood  
[nasnej@yahoo.com](mailto:nasnej@yahoo.com)  
637 s Dunsmuir Avenue #11  
Los Angeles , California 90036





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

8 messages

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**Randi Ferraro** <info@email.actionnetwork.org>  
Reply-To: randiferraro@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:20 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Randi Ferraro  
[randiferraro@gmail.com](mailto:randiferraro@gmail.com)  
2130 Cedarhurst Drive  
Los Angeles , California 90027

---

**David Rasmussen** <info@email.actionnetwork.org>  
Reply-To: luutersfriend@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:51 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

David Rasmussen  
[luutersfriend@yahoo.com](mailto:luutersfriend@yahoo.com)  
8470 Harold Way  
Los Angeles, California 90069

---

**John Lanza** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [john.lanza@me.com](mailto:john.lanza@me.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:10 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

John Lanza  
[john.lanza@me.com](mailto:john.lanza@me.com)  
586 N. Windsor Blvd.  
Los Angeles, California 90004

---

**Dinah Perez** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [dinahperezlaw@gmail.com](mailto:dinahperezlaw@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:20 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Dinah Perez  
[dinahperezlaw@gmail.com](mailto:dinahperezlaw@gmail.com)  
631 So. Cochran Avenue #204  
L.A., California 90036

---

**Kate Royce** <info@email.actionnetwork.org>  
Reply-To: kateroyce@hotmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 6:54 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Kate Royce  
[kateroyce@hotmail.com](mailto:kateroyce@hotmail.com)  
15286 Sutton St., Apt. #101  
[Sherman Oaks, California 91403](#)

---

**william savage** <info@email.actionnetwork.org>  
Reply-To: billthesavage@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 9:37 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

william savage  
[billthesavage@yahoo.com](mailto:billthesavage@yahoo.com)  
2070 N. Commonwealth Ave.  
[Los Angeles, California 90027](#)



---

**Art Giser** <info@email.actionnetwork.org>  
Reply-To: agiser2@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 8:08 AM

PLUM Committee Members,

We need affordable housing, not more luxury hotels. There are plenty of luxury hotels in the area. And you go to places like Arizona and you see flush urinals and other measures that are clean and save enormous amounts of water. I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Art Giser  
[agiser2@gmail.com](mailto:agiser2@gmail.com)  
8750 Hollywood Blvd  
[Los Angeles, California 90069](#)

---

**James Eason** <info@email.actionnetwork.org>  
Reply-To: easonj3@yahoo.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 10:57 AM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

James Eason

James Eason  
[easonj3@yahoo.com](mailto:easonj3@yahoo.com)  
908 S. Orange Grove Ave  
[Los Angeles, California 90036](#)



October 22, 2019

**Fernando Tovar**

**Associate Zoning Administrator**

**RE: OPPOSITION TO TOC PROJECT APPLICATION FOR 623 - 671 S. LA BREA AVENUE, LOS ANGELES CA 90036**

Dear Mr. Tovar:

At our September 12, 2019 board meeting the directors of the Miracle Mile Residential Association voted NOT to approve the project as presented. We said that we would certainly be open to a project going through a different process, like following the labor standard route of Measure JJJ but could not support the TOC application. However even then there would still be issues. The lack of parking will push traffic into the neighborhood causing safety concerns and a violation of many policies to protect neighborhoods in the Wilshire Community Plan. The lack of parking is particularly egregious due to the documented need for several hundred spaces at LaBrea when the Wilshire Subway opens.

Then there is the alley behind the site and the proposed use of it, with circulation issues that will impact public safety. Without more public hearings involving the neighbors along Detroit, the surrounding neighborhood and the Council office that solution will never be found.

An item which was not fully discussed but could produce issues is the Master Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption with hours of operation from 7:00 a.m. to 2:00 a.m., daily.

- a. WE HAVE NEVER APPROVED OF A MASTER CONDITIONAL USE PERMIT (MCUP) for the dispensing of Alcoholic beverages. Sight unseen unlimited approvals have proven disastrous in other neighborhoods. It would seem that when the Mid City West Community Council approved this project they forgot all the hearings and knowledge that should have been learned from the Master Conditional use permit granted to the Farmers Market. That MCUP produced years of squabbles and severely divided the community.
- b. There has been to the best of my knowledge no discussion about dealing with the noise from the restaurants impacting the residents across the alley on Detroit. Again. Mid City West did not learn the lessons of the Farmers Daughter hotel and restaurant on Fairfax that had neighbors outraged for years. In the Miracle Mile we have learned that restaurants with neighbors living

across an alley can be fraught with problems. Those noise problems need to be dealt with sooner rather than later.

- c. The only hours of operation we have ever approved of is Sunday through Thursday till 11 p.m., Friday and Saturday till 1 a.m.

Given the unresolved issues this project presents, especially with circulation and public safety we do not believe that the following findings can be made:

1. that the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
2. that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
3. that the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

We would strongly urge you to take the testimony gathered under advisement and:

1. ask the Council office to hold additional hearings in the neighborhood with residents
2. Make a field trip to the project site in order to see for yourself the conditions on the ground as they relate to circulation and public safety.

We incorporate by reference all submissions regarding this project.

Sincerely:

James O'Sullivan, President MMRA  
213-840-0246

Cc [Michelle.carter@lacity.org](mailto:Michelle.carter@lacity.org)

Cc [David.Ryu@lacity.org](mailto:David.Ryu@lacity.org)

cc. [emma.howard@lacity.org](mailto:emma.howard@lacity.org)

cc [rob.fisher@lacity.org](mailto:rob.fisher@lacity.org)

cc [nicholas.greif@lacity.org](mailto:nicholas.greif@lacity.org)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Justin Lane** <justin.lane@email.com>  
Reply-To: justin.lane@email.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 12:19 PM

PLUM Committee Members,

I am deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Justin Lane  
[justin.lane@email.com](mailto:justin.lane@email.com)  
4114 Tracy St.  
[Los Angeles, California 90027](#)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

18 messages

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**Kiwan Cato-Topp** <info@email.actionnetwork.org>  
Reply-To: k\_cato@me.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:07 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the Transit-Oriented Communities (TOC) program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge the City to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Regards,

Kiwan Cato-Topp  
[k\\_cato@me.com](mailto:k_cato@me.com)  
654 S. Cloverdale Ave #302  
Los Angeles, California 90036

---

**Jessica Abrams** <info@email.actionnetwork.org>  
Reply-To: jessiloua@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:56 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with



more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Jessica Abrams

[jessiloua@gmail.com](mailto:jessiloua@gmail.com)

616 1/4 North Plymouth Blvd., Suite 101

[Los Angeles, California 90004](#)

---

**Eugene Kim** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [esklegal@gmail.com](mailto:esklegal@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:00 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Eugene Kim

[esklegal@gmail.com](mailto:esklegal@gmail.com)

6705 Waring Ave Apt 4

[Los Angeles, California 90038](#)

**Taylor Fulton** <info@email.actionnetwork.org>  
Reply-To: taylorfulton11@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:18 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Taylor Fulton  
[taylorfulton11@gmail.com](mailto:taylorfulton11@gmail.com)  
4765 Elmer Avenue  
N Hollywood, California 91602

---

**Nicholas Walsh** <info@email.actionnetwork.org>  
Reply-To: nicholas113@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:20 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.



Regards,  
Nicholas Walsh

Nicholas Walsh  
[nicholas113@gmail.com](mailto:nicholas113@gmail.com)  
4535 Matilija Avenue  
Sherman Oaks, California 91423

---

**Kimberly Henshaw** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [kimberlyhenshaw@gmail.com](mailto:kimberlyhenshaw@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:24 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Kimberly Henshaw  
[kimberlyhenshaw@gmail.com](mailto:kimberlyhenshaw@gmail.com)  
347 south Wilton place  
Los Angeles , California 90020

---

**Dierdre Williams** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [dierdreawilliams@gmail.com](mailto:dierdreawilliams@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:14 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Dierdre Williams  
[dierdreawilliams@gmail.com](mailto:dierdreawilliams@gmail.com)  
3452 Troy drive  
[Los Angeles, California 90068](#)

---

**amy galaudet** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [amyg93@aol.com](mailto:amyg93@aol.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 7:17 PM

PLUM Committee Members,

Using the pretense you don't know what is going on is not working for you or us. We need affordable housing, we don't need to tear down affordable housing, that is rent controlled to put up luxury, that is as far from luxury as I have seen, but the price is luxury. and the money launderers are doing well, and so is the city. and the planning dept is with the developers demonstrated time and time again. Did you ever hear the word RESTORE, we need affordable housing, and the developers will not give up that, as they don't make a billion on a project. Then Wiener SB50 demands everyone live in a compound. Voting time is coming No more demo's of historic building and apartments and duplex's affordable housing. Please stand with us and stop the CGI Strategies project proposed for [623-671 S. LaBrea](#),  
Amy Galaudet  
Thomas Challenger  
[6120 W 5th St 90048](#)

amy galaudet  
[amyg93@aol.com](mailto:amyg93@aol.com)  
6120 W 5th St  
[LOS ANGELES,, California 90048](#)



---

**Carla Ching** <info@email.actionnetwork.org>  
Reply-To: carla.ching@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 7:25 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,  
Carla Ching

Carla Ching  
[carla.ching@gmail.com](mailto:carla.ching@gmail.com)  
1400 N. Fairfax Ave. Apt. 4  
[Los Angeles, California 90046](#)

---

**Christie Finley** <info@email.actionnetwork.org>  
Reply-To: cefnly@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 8:30 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the



environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,  
Christie Finley

Please do your job and protect citizens and the environment. Neither is replaceable.

Christie Finley  
[cefnly@yahoo.com](mailto:cefnly@yahoo.com)  
5529 Ventura Canyon Avenue  
Sherman Oaks, California 91401

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**Barbara Galken** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [barbaragallen1@gmail.com](mailto:barbaragallen1@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 10:16 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Barbara Galken  
[barbaragallen1@gmail.com](mailto:barbaragallen1@gmail.com)  
6123 Drexel Avenue  
Los Angeles, California 90036

**Mark Simon** <info@email.actionnetwork.org>  
Reply-To: marksimon911@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 10:38 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Mark Simon  
[marksimon911@gmail.com](mailto:marksimon911@gmail.com)  
1938 1/2 Commonwealth Ave  
Los Angeles, California 90027

---

**trumpactionmailer@gmail.com** <info@email.actionnetwork.org>  
Reply-To: trumpactionmailer@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 9:43 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,



[trumpactionmailer@gmail.com](mailto:trumpactionmailer@gmail.com)

1809 N Bronson Ave, Apt 5

Los Angeles, California 90028

---

**madeleine huttenbach** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [madsstickss@gmail.com](mailto:madsstickss@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 9:57 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

madeleine huttenbach

[madsstickss@gmail.com](mailto:madsstickss@gmail.com)

1124 Manzanita St

Los Angeles, California 90029-2249

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**Marnina Wirtschafter** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [marninawirt@gmail.com](mailto:marninawirt@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:30 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with

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Regards,

Marnina Wirschafter  
[marninawirt@gmail.com](mailto:marninawirt@gmail.com)  
3650 Monon St  
Los Angeles , California 90027

---

**Ana Greenwood** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [nasnej@yahoo.com](mailto:nasnej@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:32 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Ana Greenwood  
[nasnej@yahoo.com](mailto:nasnej@yahoo.com)  
637 s Dunsmuir Avenue #11  
Los Angeles , California 90036



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**Tony Sullivan** <info@email.actionnetwork.org>  
Reply-To: misterjuliomack@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 11:33 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Tony Sullivan  
[misterjuliomack@gmail.com](mailto:misterjuliomack@gmail.com)  
8th Street  
Los Angeles , California 90005

---

**Sarah Brady** <info@email.actionnetwork.org>  
Reply-To: silverlake928@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 12:58 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.



Regards,

Sarah Brady

[silverlake928@gmail.com](mailto:silverlake928@gmail.com)

928 Parkman Ave

[Los Angeles, California 90026-2906](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

22 messages

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**Hugo Soto** <info@email.actionnetwork.org>  
Reply-To: hugo.soto.m@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 2:53 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Hugo Soto  
[hugo.soto.m@gmail.com](mailto:hugo.soto.m@gmail.com)  
4015 Los Feliz Blvd  
Los Angeles, California 90027

---

**Stephen Davanis** <info@email.actionnetwork.org>  
Reply-To: s.davanis@dslxtreme.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 4:18 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC

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Stephen Davanis  
[s.davanis@dslextrreme.com](mailto:s.davanis@dslextrreme.com)  
5705 W Olympic Blvd  
Los Angeles, California 90036

---

**Sam Nouri** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [samnouri@yahoo.com](mailto:samnouri@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 4:19 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project’s environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City’s TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Sam Nouri  
[samnouri@yahoo.com](mailto:samnouri@yahoo.com)  
7231 Franklin Avenue  
Los Angeles, California 90046



**Ayelet Ifrah** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [PAurora61@yahoo.com](mailto:PAurora61@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 4:21 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Ayelet Ifrah  
[PAurora61@yahoo.com](mailto:PAurora61@yahoo.com)  
1742 N Edgemont St, Apt 109  
Los Angeles, California 90027

---

**Nicholas Dowling** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [nickdowl@gmail.com](mailto:nickdowl@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 4:52 PM

PLUM Committee Members,

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environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Nicholas Dowling  
[nickdowl@gmail.com](mailto:nickdowl@gmail.com)  
St. Andrews place  
Los Angeles, California 90005

---

**Alex Shapouri** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [icoa1@aol.com](mailto:icoa1@aol.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 4:55 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Alex Shapouri  
[icoa1@aol.com](mailto:icoa1@aol.com)  
3325 Wilshire Blvd, suite 726  
[Los angeles , California 90010](#)

---

**Anna Lodder** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [anna.lodder@gmail.com](mailto:anna.lodder@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:14 PM

PLUM Committee Members,



I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Anna Lodder  
[anna.lodder@gmail.com](mailto:anna.lodder@gmail.com)  
233 S Wilton Pl  
[Los Angeles, California 90004](#)

---

**Elizabeth Dinkel** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [lizziedink@me.com](mailto:lizziedink@me.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:14 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Elizabeth Dinkel  
[lizziedink@me.com](mailto:lizziedink@me.com)  
1741 Coldwater Canyon Dr  
[Beverly hills, California 90210](#)



---

**Nicole Schatz** <info@email.actionnetwork.org>  
Reply-To: threadedrevival@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:21 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Nicole Schatz  
[threadedrevival@gmail.com](mailto:threadedrevival@gmail.com)  
4441 Cahuenga blvd  
Toluca Lake, California 91602

---

**Kathy McCurdy** <info@email.actionnetwork.org>  
Reply-To: kpmccurdy@yahoo.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:23 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor).

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Kathy McCurdy  
[kpmccurdy@yahoo.com](mailto:kpmccurdy@yahoo.com)  
3914 Cumberland Ave  
Los Angeles , California 90027

---

**Clayton McInnis** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [claymc314@gmail.com](mailto:claymc314@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:24 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Clayton McInnis  
[claymc314@gmail.com](mailto:claymc314@gmail.com)  
6622 Iris Drive  
Los Angeles, California 90068

---

**Lindsay Adams** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [adams.lindsay1@gmail.com](mailto:adams.lindsay1@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:26 PM



PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Lindsay Adams

[adams.lindsay1@gmail.com](mailto:adams.lindsay1@gmail.com)

1332 N DETROIT ST, APT 2,

LOS ANGELES, California 90046

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**Meg Wieland** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [mehganwieland@gmail.com](mailto:mehganwieland@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:31 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Meg Wieland

[mehganwieland@gmail.com](mailto:mehganwieland@gmail.com)

15215 Dickens Street, Apt 205

Sherman Oaks, California 91403

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**Brenda Lowy** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [brendsbelle23@gmail.com](mailto:brendsbelle23@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:49 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Brenda Lowy

[brendsbelle23@gmail.com](mailto:brendsbelle23@gmail.com)

4250 Fulton Avenue

Sherman Oaks , 92424 ירושלים

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**Holly Aitchison** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [medias@gmail.com](mailto:medias@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:05 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying



our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Holly Aitchison

[medias@gmail.com](mailto:medias@gmail.com)

260 s mariposa #208

[Los Angeles, California 90004](#)

---

**GRANT STUART** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [grantstuart1@me.com](mailto:grantstuart1@me.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:11 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels. Thank you.

GRANT STUART

[grantstuart1@me.com](mailto:grantstuart1@me.com)

1309 N. McCadden Place

[Los Angeles, California 90028](#)

---

**Christen Springer** <info@email.actionnetwork.org>  
Reply-To: violetteapot@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 9:32 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Christen Springer  
[violetteapot@gmail.com](mailto:violetteapot@gmail.com)  
3616 Marcia drive #3  
[Los Angeles , California 90026](#)

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**Raí Alexandra Ivanic** <info@email.actionnetwork.org>  
Reply-To: raialexandra@hotmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 10:35 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear



purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Rai Alexandra Ivanic  
[raialexandra@hotmail.com](mailto:raialexandra@hotmail.com)  
1446 Rising Glen Road  
LA , California 90069

---

**Julia Stein** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [steinjulia44@gmail.com](mailto:steinjulia44@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 8:50 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Julia Stein  
[steinjulia44@gmail.com](mailto:steinjulia44@gmail.com)  
819 No. Sierra Bonita Ave.  
Los Angeles, California 90046

---

**Van Carlson** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [vanmaxcarlson@gmail.com](mailto:vanmaxcarlson@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:14 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Van Carlson

[vanmaxcarlson@gmail.com](mailto:vanmaxcarlson@gmail.com)

2520 Boulder St

[Los Angeles , California 90033](#)

---

**Tina Silvey** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [silveytina@gmail.com](mailto:silveytina@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 11:41 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Tina Silvey

[silveytina@gmail.com](mailto:silveytina@gmail.com)



111 N Berendo St

Los Angeles, California 90004

---

**Graham Fortier** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [graham.fortier@gmail.com](mailto:graham.fortier@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 1:06 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Graham Fortier  
[graham.fortier@gmail.com](mailto:graham.fortier@gmail.com)  
3961 Via Marisol  
Los Angeles, California 90042





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

13 messages

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**Gary Meis** <info@email.actionnetwork.org>  
Reply-To: garstream1@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:09 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Gary Meis  
[garstream1@gmail.com](mailto:garstream1@gmail.com)  
10607 Woodbridge  
Toluca Lake , California 91602

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**Meghan Puhr** <info@email.actionnetwork.org>  
Reply-To: meghan.puhr@gmail.com  
To: clerk.cps@lacity.org

Wed, Jan 22, 2020 at 5:16 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Meghan Puhr  
[meghan.puhr@gmail.com](mailto:meghan.puhr@gmail.com)  
946 Masselin Avenue, Apt 6  
Los Angeles, California 90036

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**Barbara Morgan** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [baba91403@gmail.com](mailto:baba91403@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:22 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Barbara Morgan  
[baba91403@gmail.com](mailto:baba91403@gmail.com)  
15461 deerhorn rd  
Sherman oaks , California 91403

---

**Leonardo Cuervo** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [lcuervo777@icloud.com](mailto:lcuervo777@icloud.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 5:56 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



Leonardo Cuervo

[lcuervo777@icloud.com](mailto:lcuervo777@icloud.com)

601 N. Rossmore Ave., Apartment 502

[Los Angeles, California 90004](#)

---

**Ross Williams** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [rosswilliams25@gmail.com](mailto:rosswilliams25@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:06 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Ross Williams

[rosswilliams25@gmail.com](mailto:rosswilliams25@gmail.com)

13951 Moorpark St.

[Sherman Oaks, California 91423](#)

---

**Roberta Gottlieb** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [Robbieggg@gmail.com](mailto:Robbieggg@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 6:30 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Roberta Gottlieb  
[Robbieggg@gmail.com](mailto:Robbieggg@gmail.com)  
1616 Courtney Ave  
Los Angeles , California 90046

---

**Allison Bills** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [Allison.bills@gmail.com](mailto:Allison.bills@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Wed, Jan 22, 2020 at 7:14 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Allison Bills  
[Allison.bills@gmail.com](mailto:Allison.bills@gmail.com)  
3461 WAVERLY DR APT 305  
LOS ANGELES, California 90027

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**Jeff Roth** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [jeff.roth.plb@gmail.com](mailto:jeff.roth.plb@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 12:10 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



Jeff Roth  
[jeff.roth.plb@gmail.com](mailto:jeff.roth.plb@gmail.com)  
6129 Drexel Avenue  
Los Angeles, California 90036

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**Lois DeArmond** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [loisde.armond@gmail.com](mailto:loisde.armond@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:25 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Lois DeArmond  
[loisde.armond@gmail.com](mailto:loisde.armond@gmail.com)  
3706 Country Club Drive  
Los Angeles, California 90019

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**deatra4sure@gmail.com** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [deatra4sure@gmail.com](mailto:deatra4sure@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 12:03 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



[deatra4sure@gmail.com](mailto:deatra4sure@gmail.com)  
5012 Nagle Ave  
Sherman Oaks, California 91423

---

**Amanda Blide** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [amandablide@gmail.com](mailto:amandablide@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 12:08 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Amanda Blide  
[amandablide@gmail.com](mailto:amandablide@gmail.com)  
1636 Lyman PI #4  
Los Angeles, California 90027

---

**Josh Nuni** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [joshnuni@gmail.com](mailto:joshnuni@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 12:08 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Josh Nuni

[joshnuni@gmail.com](mailto:joshnuni@gmail.com)

4411 1/2 Avocado St.

Los Angeles, California 90027

---

**Alberto Hernandez** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [al.hdz7@yahoo.com](mailto:al.hdz7@yahoo.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 1:15 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Alberto Hernandez

[al.hdz7@yahoo.com](mailto:al.hdz7@yahoo.com)

740 S Saint Andrews Pl # 8

Los Angeles, California 90005



Michelle Carter <michelle.carter@lacity.org>

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## 613-671 South La Brea Avenue

---

rent640@aol.com <rent640@aol.com>  
To: Michelle.carter@lacity.org

Mon, Oct 21, 2019 at 9:34 PM

To, City of Los Angeles, Department of City Planning

This is in response to the notice of hearing for the proposed project at [613-671 South La Brea Avenue](#) in Los Angeles. My name is David Brust owner of [640 South Detroit street](#) (through a personal trust).

I am greatly concerned that the proposed project will impact the lives and welfare of the residents at [640 S. Detroit St.](#), many of whom are very long term tenants of my apartment building. The narrow alley that separates my building from the proposed project is the only means they have of accessing their garages-an absolute necessity in the congested neighborhood. I would hope that strict conditions be put on the project, both during construction and later in the operational phase, to protect my tenants. It is also to be noted that my garbage company must have unfettered access to my building to collect the garbage through the alleyway.

It also concerns me that the "restaurants" described in the notice not be permitted to serve alcohol or be allowed to operate at late hours lest the noise that they most certainly will generate disturb the quality of life of my residents.

Hopefully the Department will effectively address these matters.

Regretfully I am unable to personally attend the hearing.

Respectfully,

David Brust



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Mitch Gries** <info@email.actionnetwork.org>  
Reply-To: mitchgries@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 1:39 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Mitch Gries  
[mitchgries@gmail.com](mailto:mitchgries@gmail.com)  
7224 Hillside Ave, #24  
Los Angeles, California 90046



Michelle Carter <michelle.carter@lacity.org>

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## 639 South La Brea Project

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**Jonathon Most** <gandy2go@gmail.com>  
To: michelle.carter@lacity.org

Mon, Oct 21, 2019 at 4:14 PM

Dear Ms. Carter,

I am writing to express my concern about the hotel and apartment complex to be built at 639 South La Brea Avenue. I am a resident at [640 South Detroit Street](#), and my building shares an alley with the the 639 South La Brea property. I, along with my neighbors, am concerned about access to and from my apartment as the alley is the only means of entering and leaving my building. It is important to all the residents of the 600 block of Detroit Street (as well as to residents of adjacent streets) that the alley be accessible to vehicular traffic at all times. Another concern is the amount of on-site parking available at the 639 South La Brea site. Are 199 parking sites enough to accommodate number of residents, patrons of shops, and restaurants, and hotel guests the site will attract? These are critical concerns for me and for other residents of the neighborhood, I appreciate your consideration to the matter.

Thank you for your time and consideration,  
Jonathon Most  
[640 South Detroit Street #104](#)  
[Los Angeles, CA 90036](#)  
(323) 692-7493





Michelle Carter <michelle.carter@lacity.org>

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## 639 S. La Brea High Density Hotel Mixed Use

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**Barbara Gallen** <bgallen@midcitywest.org>

Mon, Oct 21, 2019 at 10:47 AM

To: Emma Howard <emma.howard@lacity.org>, Rob Fisher <rob.fisher@lacity.org>, David Ryu <david.ryu@lacity.org>

Cc: Michelle Carter <michelle.carter@lacity.org>

Dear Mr. Ryu and Deputies,

We had 18 people from the community show up at the Oct. 16 neighborhood meeting at Miracle Mile Toy Hall, representing myriad concerns about this project. Because of the amount of outreach I have been engaged with since the meeting I have not had a chance to send you a summary of what transpired at the meeting.

However, suffice to say that the ThreeSixty reps pulled out every trick in the Developer 101 playbook to disempower and dilute the strength of a group coming together. There is also concern about quid pro quo with MCWCC which voted in September to endorse the project with zero mitigation of known impacts on the residents and adjacent business owners— despite the fact that the neighborhood had previously submitted to the PLUC co-chair Mehmet Berker a written list of concerns and requests for mitigations and were told by Mehmet at that time that the PLUC would negotiate on their behalf.

The issues are severe. We all know that 199 spaces is grossly insufficient for the amount of hotel event attendees, restaurant and retail customers, residents and their guests, and the ton of employees who will work there. ThreeSixty claims all valet will be done on site. Really? Where will the cars fit?

We need conditions to ensure they are not parked on residential streets—and a stiff fine of \$10,000 for each violation (funds to be directed to City homeless services).

We need conditions to ensure this project does not increase traffic in the alley tenfold, interfering with neighboring business operations and the right of tenants to access their homes and garages on Detroit.

We are still hopeful of reaching a positive outcome for this historic district and the the daily commuters on Sixth who will be impacted. Two adjacent property owners will be at the hearing to voice opposition and call for conditions to protect their businesses and tenants. —>*Neither owner was aware of the developer's plans until I reached out to them*, and their businesses and tenants will be impacted in perpetuity if the problems are not addressed. There is a breakdown in the system that allows unscrupulous individuals to push their agenda ahead without regard for the lives it will adversely affect. The reps succeeded in discouraging a lot of the residents but I hope to see some at the hearing— or present via written comment.

A topic of conversation was why our councilmember did not send someone to represent him at this meeting.

Please be aware that this project will rock the world of everyone who lives nearby and / or drives down Sixth St. in the area of the alley. Please stand up for this neighborhood in demanding the project be adjusted / mitigated to respect the community that was here before they arrived on the scene.

We would all like a nice project to be built on La Brea. We need to pull together to ensure that the project is a welcome neighbor rather than an unjust burden on the neighborhood.

I speak for my constituents and my own views as the Zone 6 rep. I do not speak for Mid City West Community Council.

**Barbara Gallen**

Zone 6 Rep

Mid City West Community Council

[bgallen@midcitywest.org](mailto:bgallen@midcitywest.org)

(310) 490 0715



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Tom Pike** <info@email.actionnetwork.org>  
Reply-To: tom.r.pike@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 3:14 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Tom Pike  
[tom.r.pike@gmail.com](mailto:tom.r.pike@gmail.com)  
3400 Ben Lomond Place, 322  
Los Angeles, California 90027



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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Clayton Masters &lt;info@email.actionnetwork.org&gt;

Thu, Jan 23, 2020 at 2:25 PM

Reply-To: claymasters@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Clayton Masters

[claymasters@gmail.com](mailto:claymasters@gmail.com)

606 Hendrix Avenue

[Claremont, California 91711](#)

October 22, 2019

**VIA EMAIL**

To: Michelle Carter  
michelle.carter@lacity.org

Re: **Letter of Opposition to 638 S. La Brea Avenue, Hotel Mixed Use Project**

Dear Michelle,

My name is Jason Asch and I am the owner of Diamond Foam and Fabric, which has occupied several buildings adjacent to the hotel mixed-used project at 638 S. La Brea Avenue for the past 35 years. Commencing in 1984, and until very recently, I owned the warehouse buildings at 611-617 S. La Brea Avenue, immediately adjacent to the proposed development. I am currently a tenant at 623 and 627 S. La Brea, where part of my business is still in operation. As such, I have years of experience with the traffic circulation and parking conditions in the immediate area of the proposed project. I also have considerable experience with the proponents of the project, Cohen Goldstein Investment Strategies ("CGI").

To say that I have grave concerns about the project as currently proposed is an understatement. Let's start with the parking issues. It is clear that 199 total parking spaces are grossly insufficient to accommodate users of the finished hotel mixed-use project. Already, street parking for area residents and local businesses is extremely limited. There is a marijuana store on the northwest corner of 6<sup>th</sup> Street and La Brea Avenue with no parking, as well as a Brewery on the southeast corner of 6<sup>th</sup> Street and La Brea with no parking. Further, street parking on La Brea is prohibited between 4:00 and 6:00 p.m. to accommodate heavy rush hour traffic, and once parking is permitted at 6:00 p.m., the spaces are swooped up by valets parking cars for nearby restaurants. In addition, when the La Brea Metro Station is operational, commuters will need somewhere to park in order to take the Metro.

If CGI's proposal is accepted as currently proposed, with its grossly insufficient parking spaces, the project will commandeer every square inch of street parking left (if any) and make living and working in the area unsustainable. The project should be modified to increase the availability of parking on the property, perhaps including a motor court between the hotel lobby and residential lobby, and an off-site parking lot

sufficient to accommodate all guests, as opposed to monopolizing what little parking is still available to the public in the area.

Another glaring problem with the proposed project is its unrealistic reliance on what is essentially a one-lane alley between La Brea Avenue and Detroit Street to handle the significant flow of traffic arriving and departing from the project's lobby areas and subterranean parking area. The narrow alley in question is already overburdened by cars entering and exiting the residential parking garages serving apartments on Detroit Street and cars exiting the businesses along La Brea Avenue from the rear. As a person who has used that alley several times a day for 35 years, I can attest to the fact that even without additional traffic from the proposed project, use of that alley as an exit is problematic in both directions.

It is difficult for two cars traveling in opposite directions down the alley to pass each other. Usually, one car needs to pull over and wait. Moreover, when traveling north up the alley, it is difficult to enter the flow of traffic on 6<sup>th</sup> Street (even to turn right) because vehicles waiting for the light on 6<sup>th</sup> and La Brea are typically backed up on 6<sup>th</sup> Street past the alley. After waiting for traffic at the light to start moving, turning right is eventually possible, but turning left is nearly impossible due to the oncoming traffic. (It is also prohibited during rush hour). The result will likely be that traffic exiting from the proposed project will back up, causing delays and blocking resident's access to their garages, and eventually flow onto 6<sup>th</sup> Street going east, and then south onto La Brea Avenue.

Traveling south down the alley from the proposed project to Detroit (a one-way street with parking on both sides of the street), motorists can only turn right from the alley, sending them north on Detroit and then onto 6<sup>th</sup> street, thereby increasing the line-up of traffic on 6<sup>th</sup> Street and the flow of traffic onto La Brea Avenue going south. Based upon my years of experience using this alley, I believe that the traffic circulation plan surrounding the project, as currently proposed, will lead to impenetrable gridlock in the area of 6<sup>th</sup> and La Brea.

During rush hour, cars traveling on 6<sup>th</sup> from either direction are prohibited from turning left on La Brea. Over the years, I have seen numerous traffic accidents resulting from people ignoring this rule and turning left onto La Brea across oncoming traffic. I believe that the proposed project, with its reckless plan for funneling outgoing traffic onto 6<sup>th</sup> Street will result in a massive increase in traffic congestion at that intersection and the resulting driver frustration will give rise to more illegal left turns and traffic collisions.



Michelle Carter  
October 22, 2019  
Page 3

Another concern that should be investigated before this project is approved is that it is being built in an existing methane zone. I know this because I have previously explored building in the area and have been advised that that west side of La Brea Avenue is a methane area, which may prohibit subterranean parking. The proposed project assumes that subterranean parking is permissible in the area, which many not be the case. The issue should be thoroughly investigated before approval of the plan so that there are no surprise changes to the project once it is underway.

In sum, the current design proposal threatens the viability of existing businesses and residences as well as public safety and sanity. The project as proposed is short-sighted and reckless. It puts a big developer's greed above the interests of the existing community. It needs to be seriously reconsidered, researched and redesigned with the interests of the broader public in mind.

Best,

Jason Asch

**Attention;** Michelle Carter & City Planning & Council Members  
C# VTT-82618-CN; 639 S. La Brea Ave. High Density Hotel /Mix use /TOC

10/21/19

My name is Alyssa Ashton Shah and I am writing this letter because I'm an alarmed and concerned property business owner directly adjacent to the proposed development hotel & residential project at 639 south La Brea Ave.

I have owned and operated multiple furniture showrooms "Design MIX Furniture Inc. "on south La Brea for the past 20+ years. I now own and occupy the 3 adjacent properties directly north of the above proposed project.

I have serious concerns that need to be addressed in regards to the proposed development construction of two "in -out "subterranean parking lot entrance and exits to the multiuse 8 story building. The location of BOTH of these front and rear high busy traffic flow access driveways are located directly next to my business ( ***within just a few feet*** ) BOTH in the alley and on also on La Brea Ave. This is an unacceptable location and poses major problems for the following reasons;

The current design proposal would dangerously effect public safety as well as the welfare and function of my business! It appears, no one considered this as an issue when the architectural plans were drawn . This is an unfortunate typical process of big business. The two busy access driveways planned would be a ONLY a *few feet* from where my pedestrian customers park to pick up and deliver their purchases and where public shopping pedestrians enter and exit from our business. My business pick up and delivery function would be severely effected due to the location of the proposed exit and entrance so close to my

door ( 5' feet ) The physical characteristic of the front of the business has large open roll up style garage doors along the La Brea side walk. Customers walk in and out carrying furniture and will be in direct danger with on coming traffic moving in and out of the parking garage (***a few feet away*** ) There is no stop sign or signal mid block to slow and caution traffic. Not only is this a careless design but it appears that public safety concerns were not considered or addressed. As proposed the effect to surrounding area would have an extremely dangerous and negative impact for the numerous reasons listed above. I am ready and willing to defend my business and safety of others.

Again, to clarify my concerns; the location and proximity of the proposed development parking garage entrance & exit from underground lots located mid block directly next to my business retail shopping door ( a few feet away ) on BOTH the alley AND on La Brea Ave. pose a great danger to my employees, my customers, the public and the welfare and success of my business. When customers walk in and out of Design MIX Furniture into moving traffic, this is a great concern. Delivery trucks will be too close to the entrance of the underground lot. Not only will the noise and debris from the construction process be devastating for my business, it will also be detrimental in my ability for the business to function and sustain this proposed design unless there are enforced modifications completed ( Please see attached drawings and photos below reference )

I propose the design be modified or “flipped” so that the busy “in- out “ traffic of underground parking be re positioned and moved to the opposite south end of the development next to the metro station alley where it traffic would be more appropriately expected and a much safer option. The added traffic of the hotel, business and new residents should be directed to the proposed alley way to exit onto La Brea towards Wilshire ( not north through the alley disrupting, blocking and congesting the existing apartment building garage directly behind.

Special consideration to neighbors and other existing business's should be addressed not ignored though corruption \* The above proposed adjustment could be the answer to the valid neighborhood and residential complaints regarding this added traffic and congestion though the alleyway which would most definitely effect our daily living and success of our business. This solution would resolve our concerns of crucial safety issues caused by the underground entrance and would help with the noise, dust & dirt, and traffic disturbance to both my business as well as neighbors behind to the West.

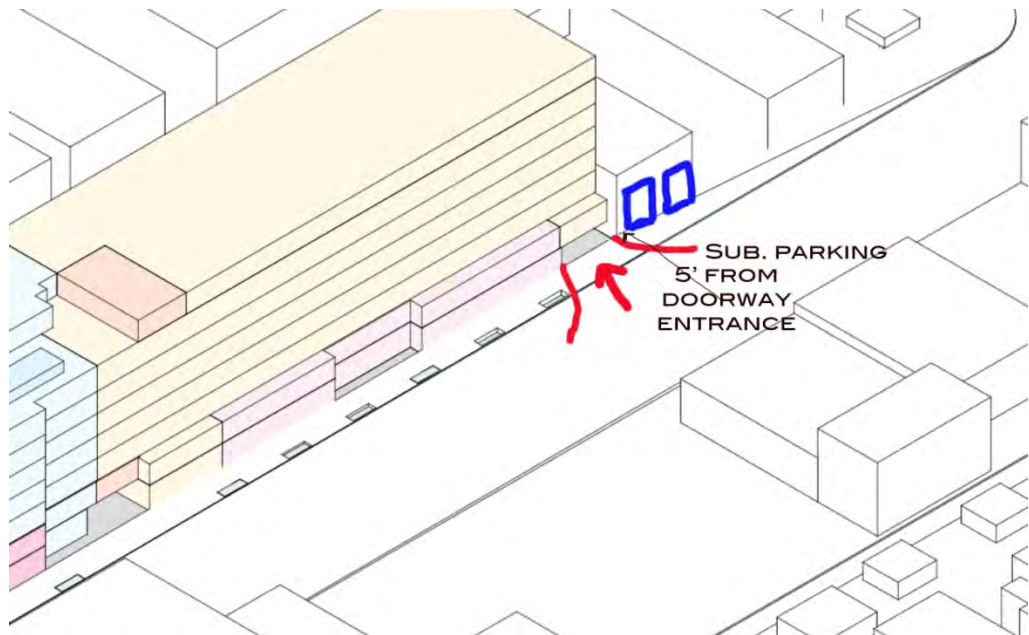
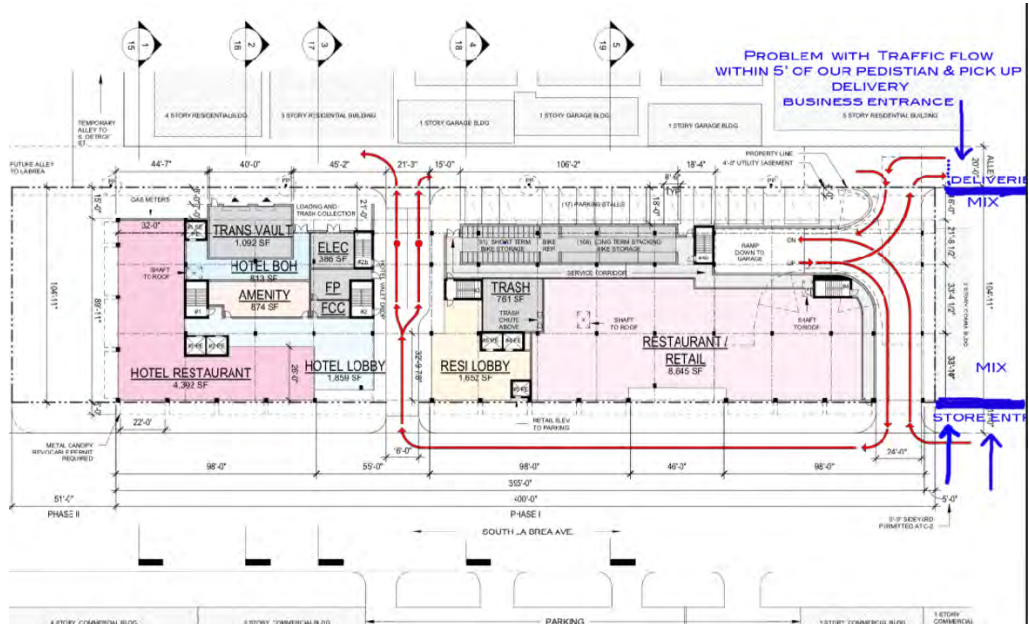
I have come to know that Mid City West may have prematurely endorsed this project, however we hope this is not just a corrupt push though without any attention, care or modification in regards to the serious impactful and truthful concerns of the neighborhood and surrounding business property owners. We will not be ignored and would prefer to avoid litigation .

Please note that I do realize the benefits this type of property development brings to the surrounding area *however* as currently proposed this is NOT acceptable and NOT "good for the community" as Dana Sayles is presenting. The developer must show regard and adjust their multi million project to functionally work along side the existing adjacent and surrounding business's and residences to lighten the negative effects. Consideration and adjustments MUST be taken into account . Running over the top of the community, existing residents and local businesses can not simply be accepted because of the power budget of big developers.

Sincerely,  
Alyssa Ashton Shah









# FIX THE CITY

[jim@FixTheCity.org](mailto:jim@FixTheCity.org), [jamesos907@gmail.com](mailto:jamesos907@gmail.com) [Messages 213-840-0246](tel:213-840-0246)

October 22, 2019

**RE: OPPOSITION TO TOC PROJECT APPLICATION FOR 623 - 671 S. LA BREA AVENUE, LOS ANGELES CA 90036 ZA-2019-1744-CU-MCUP-SPR-TOC, VTT-82618-CN**

Dear Mr. Tovar:

Fix the City opposes the 80% increase in density for this project along with the following two (2) additional incentives for a qualifying Tier 4 project: i. To permit any or all setbacks consistent with the RAS3 Zone; and ii. To permit the reduction of the required open space by 25%. We requests that this letter be included in the record for this project, and that you address the concerns below.

The TOC Guidelines cannot be used to approve the requests for the following reasons:

1. The Guidelines were never lawfully adopted by the City Council as required by California Government Code Section 65915(d)(1)(C)(3).
2. The Guidelines exceed the authority of JJJ. Only non-substantive changes can be made without voter approval (JJJ Section 5.A).
3. The "Additional Incentives" lacked CEQA review and voter approval.
4. The "Additional Incentives" increase allowable density and intensity without providing a finding based on substantial evidence that infrastructure and public services are adequate.
5. The TOC Map is an unlawful amendment of the General Plan Land Use Element unauthorized by JJJ and requires voter approval.
6. TOC Tiers 1,2,3 and 4 are unlawful zone changes not authorized by JJJ and require voter approval.
7. JJJ only permits the base incentives unless an applicant seeks a General Plan Amendment, Zone Change or Height District Amendment and requires following the Labor requirements of JJJ Section 5e.

We incorporate by reference:

- Fix The City lawsuit on the Expo line (Case # 18STCP02720)
- Fix The City lawsuit on 10400 Santa Monica Boulevard (Case # 19STCP03740)

# FIX THE CITY

- Fix The City documentation for 2301 Westwood Blvd. (DIR-2018-6719-TOC-WDI, ENV-2018-6720-CE)

For all these reasons, we request that you deny approval of this application.

Sincerely,



James O'Sullivan, Vice President, Fix the City

Cc [Michelle.carter@lacity.org](mailto:Michelle.carter@lacity.org)

Cc [David.Ryu@lacity.org](mailto:David.Ryu@lacity.org)

cc. [emma.howard@lacity.org](mailto:emma.howard@lacity.org)

cc [rob.fisher@lacity.org](mailto:rob.fisher@lacity.org)

cc [nicholas.greif@lacity.org](mailto:nicholas.greif@lacity.org)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

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**Ambar Capoor** <info@email.actionnetwork.org>  
Reply-To: ambarecomail@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 3:26 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Ambar Capoor  
[ambarecomail@gmail.com](mailto:ambarecomail@gmail.com)  
10823 Whipple Street, Apt 3  
NORTH HOLLYWO, California 91602



# Channel Law Group, LLP

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JULIAN K. QUATTLEBAUM, III  
JAMIE T. HALL \*  
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

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\*ALSO Admitted in Texas

January 24, 2020

## VIA ELECTRONIC MAIL

Leyla Campos, Legislative Assistant  
Michelle Carter, Planner  
c/o PLUM Committee Members  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012  
[michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)  
[clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

**RE: Revised SCPE Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; Council File No. 19-1533**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following revised comments<sup>1</sup> regarding the Sustainable Communities Project Exemption ("SCPE") for the eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, Local 11 is concerned with the Project's compliance with the California Environmental Quality Act ("CEQA");<sup>2</sup> specifically the SCPE's lack of analysis demonstrating that the Project is genuinely consistent with the Southern California Association of Government's ("SCAG") 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy ("2016 RTP/SCS"), or other requirements for projects seeking CEQA streamlining review. For example, the SCPE fails to provide any modeling of greenhouse gas emissions ("GHG")—a departure from the less-

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

demanding review of Sustainable Communities Environmental Assessments (“SCEA(s)”) performed by the City.<sup>3</sup> Nor does the SCPE confirm whether the Project will achieve the necessary per capita GHG emission reductions mandated under SB 375, which is fundamental to the 2016 RTP/SCS.

The comments contained in this comment letter supplement and incorporate by this reference Local 11’s previous written comments dated October 30, 2019 regarding the Applicant’s improper use of the City’s Transit Oriented Communities (“TOC”) incentives for this hotel Project (attached hereto as Exhibit A). As fully explained therein<sup>4</sup>, no hotel project has ever been approved using the TOC incentives, and the only other hotel project seeking to use TOC incentives (other than the Project here), has since been terminated.<sup>5</sup>

So too, Local 11 objects to the City’s consideration or possible approval of the Project’s CEQA environmental document under a SCPE now without also considering or acting on the Project’s requested entitlements, which are still pending a decision before the Zoning Administrator who held a public hearing on October 23, 2019 and still has not issued a Letter of Determination.<sup>6</sup> It is well-established that you cannot approve a CEQA document for a project before you approve the project itself.<sup>7</sup> Additionally, CEQA’s basic purpose of informing agency decision-makers can be served only if the environmental document is reviewed and considered by the persons responsible for determining whether to approve or disapprove the project.<sup>8</sup>

Local 11 respectfully urges the Planning Land Use Management (“PLUM”) Committee to stay all action on the SCPE until the issues discussed herein, as well as the land use and TOC issues raised in our previous written comment (*see* Exhibit A), are addressed in a CEQA-compliant SCPE. So too, Local 11 asks that the City consult with SCAG and request necessary written documentation relevant to the Project’s hotel component’s purported compliance with the 2016 RTP/SCS.

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<sup>3</sup> SCPEs and SCEAs must show the project is consistent with applicable policies and incorporate applicable performance standards/criteria under the applicable sustainable communities strategy. *See e.g.*, Pub. Res. Code §§ 21155(a), 21155.1(b)(5), 21155.4. So too, SCPEs are intended to be more demanding and rigorous than SCEAs.<sup>3</sup> Hence, a project failing to satisfy SCEA requirements would equally fail SCPE requirements.

<sup>4</sup> CEQA documents including a SCPE are supposed to identify and analyze land use inconsistencies. *See* CEQA Guidelines § 15125(d); *see also Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-379; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land use policies). As set forth in our October 2019 letter, this Project is riddled with undisclosed land use inconsistencies that also improperly are not identified or analyzed in this SCPE document.

<sup>5</sup> City (12/10/19) Termination Letter RE: ZA-2018-3409/EAF-2018-3410, <http://bit.ly/2QOBDa1>.

<sup>6</sup> City (10/23/19) Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively “Entitlements”]), <http://bit.ly/2uE7LEK>.

<sup>7</sup> *See Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption [“NOE”] filed before the underlying project actually is approved).

<sup>8</sup> *See Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 354; *see also POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731 (“... to serve CEQA’s basic purpose of informing governmental decision makers about environmental issues, to the text of the note 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.”); CEQA Guidelines § 15022(a)(9) (requires the City to adopt implementing procedures for “[r]eviewing and considering environmental documents by the person or decision making body who will approve or disapprove a project.”).

## **FAILURE TO ESTIMATE PROJECT’S GHG EMISSIONS OR PROVIDE CALCEMOD MODELING**

Here, the SCPE fails to quantify the Project’s GHG emissions or provide any modeling data from CalEEMod, which is contrary to all SCEAs performed by the City still posted online.<sup>9, 10</sup> Failure to do so not only conflicts with past City practices, but also likely may conflict with CEQA Guidelines § 1564.4(a) to make a good-faith effort to calculate or estimate the amount of GHG emissions resulting from a project.

To the extent the SCPE attempts to avoid consideration of project-specific GHG emission analysis by referring to Pub. Res. Code § 21159.28 – that section only provide that the analysis need not discuss “project specific or cumulative impacts from *cars and light-duty truck trips* generated by the project on global warming or the regional transportation network.” Emphasis added. As made clear, only GHG emissions from cars and light-duty trucks need not be considered. This does not eliminate the need to analyze GHG emissions from other sources (e.g., construction, area, energy, water, waste, stationary equipment) for this Project.

## **FAILURE TO COMPARE PROJECT AGAINST SCAG’S GHG PERFORMANCE-BASED GOALS UNDER SB 375**

Here, the Project’s SCPE fails to discuss whether or not the Project is genuinely consistent with SCAG’s 2016 RTP/SCS regarding the reduction in GHG emissions from auto and light-duty vehicles. SB 375 was signed into law in September 2008 to enhance the state’s ability to reach AB 32 goals by directing the California Air Resources Board (“CARB”) to develop regional GHG emission reduction targets to be achieved from passenger vehicles (i.e., autos and light-duty trucks) for 2020 and 2035. In September 2010, CARB adopted regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035, assigning SCAG the targets of an eight percent reduction by 2020 and a 13 percent reduction by 2035.

This goal is reflected in SCAG’s current 2016 RTP/SCS,<sup>11</sup> which the 2016 RTP/SCS Program EIR (“PEIR”) determined that the per capita emission in pounds per day (“lbs/day”) for each SCAG region resident was 23.8 lbs/day in 2005, and that the 2016 RTP/SCS plan would achieve a per capita emission of 21.4 lbs/day in 2020 (i.e., a reduction of eight percent from 2005 levels) and 19.5 lbs in 2035 (i.e., a reduction of 18 percent from 2005 levels) (*see excerpt following page*).<sup>12</sup>

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<sup>9</sup> See e.g., 3600 Wilshire Project (Dec. 2019) SCEA, p. B-96 – B-98, <http://bit.ly/2t59V01> and Appendix C (<http://bit.ly/36SGaOC>); 340 S. Hill St. Equity Residential Mixed-Use Project (Sep. 2019) SCEA, p. V-100 – V-106, <http://bit.ly/2tdOQ3m> and Appendix E (<http://bit.ly/35USXyN>); Thatcher Yard Project (Sep. 2019) SCEA, p. V-57 – V-58, <http://bit.ly/2tdnCdb> and Appendix D (<http://bit.ly/2TmvZ0C>).

<sup>10</sup> Notwithstanding being listed on City website, multiple project SCEA hyperlinks do not open including the Soul Project, Olympic and Hill Projects, Weingart Projects, and Montecito II Senior Housing Project. *See* City (2020) SCEA, <http://bit.ly/387t9Rr>.

<sup>11</sup> SCAG (Apr. 2016) 2016 RTP/SCS, p. 8, 15, 153, 166, <http://bit.ly/2sG4VyH>.

<sup>12</sup> SCAG (11/24/15) 2016 RTP/SCS Draft PEIR, p. 3.8-37 – 3.8-38, <http://bit.ly/2FogAVl>.

**TABLE 3.8.4-3  
SB 375 ANALYSIS**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)	2040 (Plan)
Resident population (per 1,000)	17,161	19,060	21,475	22,116
CO <sub>2</sub> emissions (per 1,000 tons)	204.0*	203.6**	206.0**	203.0**
Per capita emissions (pounds/day)	23.8	21.4	19.5	18.7
% difference from Plan (2020) to Baseline (2005)				-8%*
% difference from Plan (2035) to Baseline (2005)				-18%***
% difference from Plan (2040) to Baseline (2005)				-22%***

**NOTE:**

\* Based on EMFAC2007

\*\* Based on EMFAC2014

\*\*\*Included off-model adjustments for 2035 and 2040

**SOURCE:**

SCAG modeling, 2015

Southern California Association of Governments. 5 November 2015. *Item No. 1 Staff Report: 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) – Proposed Major Components*. Available at: <http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

However, in March 2018, CARB adopted updated targets requiring a 19 percent decrease in GHG emissions for the SCAG region by 2035. This goal is reflected in SCAG’s Draft 2020 RTP/SCS per capita targets,<sup>13</sup> which the 2020 RTP/SCS Draft PEIR updates to per capita emissions of 21.3 lbs/day in 2020 and 18.8 lbs/day in 2035 (*see* excerpt below).<sup>14</sup>

**Table 3.8-10  
SB 375 Analysis**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)
Resident population (per 1,000)	17,161	19,194	21,110
CO <sub>2</sub> emissions (per 1,000 tons)	204.0 <sup>a/</sup>	204.5 <sup>b/</sup>	198.6 <sup>b/</sup>
Per capita emissions (pounds/day)	23.8	21.3	18.8
% difference from Plan (2020) to Baseline (2005)			-8%
% difference from Plan (2035) to Baseline (2005)			-19% <sup>c/</sup>

**Note:**

<sup>a/</sup> Based on EMFAC2007

<sup>b/</sup> Based on EMFAC2014 and SCAG modeling, 2019.

<sup>c/</sup> Includes off-model adjustments for 2035 and 2045

Source: SCAG modeling, 2019.

<http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

Here, the SCPE fails to discuss whether the Project will meet any of the targets identified in the 2016 or 2020 RTP/SCS targets, which is a fundamental requirement under SB 375 and the RTP/SCS.<sup>15</sup> Instead, the SCPE provides an abbreviated consistency analysis of generic goals, policies, and principles listed in the 2016 RTP/SCS; such as: nine generic goals (three of which are admittedly inapplicable), eight generic guiding principles (admittedly none of which are applicable), nine generic land use principles (six of which are admittedly inapplicable), and four generic benefits (one which is admittedly inapplicable) (*see* SCPE pp. 40-46).

<sup>13</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, p. 9, 48, 138, <http://bit.ly/2ZTBEwq>.

<sup>14</sup> SCAG (Nov. 2019) 2020 RTP/SCS Draft PEIR, p. 3.8-73 – 3.8-74, <http://bit.ly/30OPctF>.

<sup>15</sup> SCAG (Apr. 2016) 2016 RTP/SCS, pp. 8, 153 (“The Plan would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040—compared with 2005 levels. This meets or exceeds the state’s mandated reductions, which are eight percent by 2020 and 13 percent by 2035.”), <http://bit.ly/2sG4VyH>.

In addition to the claim of exceeding Title 24 and water efficiency standards (which we question in the below section), the thrust of the SCPE's analysis is that the mixed-use project is infill and near transit and, thus, consistent with the RTP/SCS. Yet, the SCPE fails to compare the Project against any of the actual strategies that flush out and achieve the aforementioned generic goals/policies/principles under the RTP/SCS.<sup>16</sup>

For example, the Project is admittedly overparked by 43 spaces (*see* SCPE, p. 22), which is contrary to parking strategies embraced by SCAG's 2016 RTP/SCS,<sup>17</sup> as well as strategies advanced by the City<sup>18</sup> and California Air Pollution Control Officers Association ("CAPCOA").<sup>19</sup>

Moreover, the SCPE fails to consider whether the Project will meet the 2016 or 2020 RTP/SCS GHG emission reduction targets required under SB 375 discussed above. Nor does the SCPE show that the Project will achieve a 7.4 percent reduction in vehicles miles traveled ("VMT") per capita (regionally) as anticipated under the 2016 RTP/SCS, or consistent with the downward trajectory of VMT per capita (specific to Los Angeles County) anticipated to go from 21.5 VMT in 2012 to 18.4 VMT by 2040.<sup>20</sup> Nor does the SCPE compare the Project against any of the performance-based measures/outcomes also listed in the 2016 RTP/SCS (e.g., Location Efficiency, Mobility And Accessibility, Safety And Health, Environmental Quality, Environmental Justice, etc.).<sup>21</sup>

In sum, the 2016 RTP/SCS's generic goals principles, policies, and benefits are only effectuated via specific strategies achieving tangible performance-based goals/outcomes. Unfortunately, the SCPE's abbreviated consistency evaluation ignores these specific tangible strategies and performance-based standards.

#### **FAILURE TO JUSTIFY WATER EFFICIENCY CALCULATIONS**

To use a SCPE, a project must be 25 percent more water-efficient than the average household use in the region. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCPE claims the Project is 73 percent more water-efficient than the regional average (*see* SCPE, p. 37; *see also* Water Use Reduction Report ["H2O Report"],<sup>22</sup> p. 9). First, however, the SCPE utilizes 2016 Plumbing Code assumptions rather than the 2019 Plumbing Code but fails to discuss why or if this may cause overestimation of water reductions.

Second, the H2O Report assumes only one daily use of dishwasher and clothes washer (*see* H2O Report, p. 4) without justification that it will not be higher. This assumption must correlate to other assumptions of the report, such as the data from the Metropolitan Water District ("MWD") or SCAG.

Third, the H2O Report generically describes the Project's proposed restaurant use as retail without any reference to its intended use as a restaurant, which has a distinctly different water

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<sup>16</sup> *Ibid.*, pp. 75-84 (such as combating gentrification and incorporating neighborhood electric vehicle).

<sup>17</sup> *Ibid.*, pp. 25, 33, 58, 78, 86.

<sup>18</sup> City (10/24/19) Recommendation Report, <http://bit.ly/2tRHYZA>.

<sup>19</sup> CAPCOA (Aug. 2010) Quantifying Greenhouse Gas Mitigation Measures, pp. 61-62, 207-209, <http://bit.ly/2QN4R8i>.

<sup>20</sup> *Supra* fn. 12, pp. 153-155.

<sup>21</sup> *Supra* fn. 12, pp. 156-174.

<sup>22</sup> OED (Apr. 2019) Total Water use Reduction Report, <http://bit.ly/2RcEvwr>.



consumption characteristics than just generic retail (e.g., constant dishwashing). Yet, the report is silent if these unique restaurant-related water consumption operations were accounted for.

Fourth, the H2O Report uses a 130 gallons per day (“GPD”) per capita in 2017 based on MWD source (*id.*)<sup>23</sup> but does not explain why it did not use data from SCAG given this is a SCAG-related SCPE.

Fifth, the H2O Report utilizes occupancy rates that seem artificially high, which skews the Report’s baseline levels. The Report establishes a 210,340 GPD baseline by multiplying the 130 GPD to the purported Full-Time Equivalent (“FTE”) occupancy of 1,618 occupants (*see* SCPE, pp. 9-10). Yet, this occupancy level seems too high. For example, the H2O Report claims the 121 dwelling units and 125 hotel rooms will be occupied by 1,505 occupants, equivalent to 6.11 occupants per unit/room. This exceeds 2019 data from the Department of Finance (“DOF”) that shows the average person per household for Los Angeles is 2.83 persons per household, as well as exceeding the rates at nearby cities of Beverly Hills and West Hollywood (2.32 and 1.55 persons per household, respectively).<sup>24</sup> Similarly, the H2O Report’s 6.11 occupants per unit/room also exceeds the 1.5 persons per hotel room<sup>25</sup> and 80 percent hotel occupancy rate<sup>26</sup> used by the City and cited by other sources. Hence, the 121-dwelling units would reasonably accommodate 343 residents (based on 2.83 average people per household), and 150 FTE hotel patrons (based on 80 percent occupancy rate and 1.5 persons per room), for a total of 493 persons—roughly a third of the proposed 1,505 occupancy used in the H2O Report for the Project’s residential/hotel component. As a result, this error alone would reduce baseline levels by 131,560 GPD<sup>27</sup> to 78,780 GPD,<sup>28</sup> which means that the Project’s 56,686 GPD of purported water use (*see* H2O Report, p. 9) would be roughly only 28 percent more water-efficient (assuming no other errors in its analysis).

Sixth, the H2O Report claims the retail portion will have 822 visitors and 50 employees for a 13,037-SF restaurant/retail without any reference to a traffic study, LEED calculator, or other sources to justify these assumptions. Nor is it explain where the weighted factors come from or correctly applied. If improperly used, these occupancy levels and weighted factors can overestimate the Project’s FTE occupancy, which ultimately artificially inflates the baseline level (as demonstrated above).

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<sup>23</sup> MWD (Feb. 2019) Achievements in Conservation, Recycling and Groundwater Recharge, p. 17, <http://bit.ly/3a5IBQJ>.

<sup>24</sup> DOF (May 2019) E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2019, <http://bit.ly/37xumBc>.

<sup>25</sup> *See e.g.*, Lizard Hotel Project (Jan. 2017) Draft EIR, PDF p. 24 (Tbl. IV.E-7, table note “b”), <http://bit.ly/2MWiErS>; Colorado Waterwise (undated) Water Savings Analysis for St. Regis Resort, pp. 2 (assuming “assume that the average occupancy is 1.5 guests per room and there is an occupancy rate of 80% . . .”), <http://bit.ly/2ZTEZeW>; American Hotel & Lodging Association (2019) Green Guidelines: Water-Efficient Guest Bathrooms Webpage (showing water savings from example of “a typical 300-room hotel with an average 72% occupancy rate and average 1.5 guests per room.”), <http://bit.ly/2QuQ03j>.

<sup>26</sup> *See e.g.*, Atlas Hospitality Group (7/27/18) Does Southern California Need 472 More Hotels? (Vacancy rates in first five months of 2018 ranged from 78.5 to 81.8 percent for hotels in counties of Los Angeles and Orange, and Inland Empire), <http://bit.ly/2FpTyNY>; City of Los Angeles (2017) Hotel Market Study, p. 3, 7, <http://bit.ly/2QqneRj>; City of Los Angeles (2017) 2017 Annual Report, p. 6, <http://bit.ly/2Nfr9yD>; Visit Anaheim (Aug. 2017) Anaheim and Orange County Hotels, PDF p. 2 (Average occupancy rate for Orange County 80.60 percent), <http://bit.ly/35wF8Gd>.

<sup>27</sup> Calculated: [(1,505 purported occupants) – (493 reasonably expected residents and hotel patrons)] x (130 GPD).

<sup>28</sup> Calculated: (210,340 GPD purported baseline) – (131,560 GPD overestimated).

Seventh, the H20 Report overestimates baseline consumption by including 130 GPD for every retail and hotel occupant. Hotels patrons and retail occupants typical do not wash their clothes or dishes in hotels and restaurants like the Project here. Hence, the report overestimates the baseline levels that make the Project only *appear* to be more water-efficient.

In sum, the H20 Report overestimates the baseline consumption without justification and is not conducting an apples-to-apples analysis. These issues must be resolved to ensure the Project's claimed water efficiency is not overstated.

#### **FAILURE TO JUSTIFY TITLE 24 CALCULATIONS**

To use a SCPE, a project must be 15 percent more energy-efficient than required under Title 24. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCPE claims that the Project is 15.4 percent more efficient than otherwise required under Title 24 (*see* SCPE, p. 35; *see also* SCPE Title 24 Energy Performance Report [“T24 Report”],<sup>29</sup> p. 3). First, however, the SCPE uses *old* Title 24 (from 2016) as a baseline (*see* T24 Report, p. 4) and not the *new* Title 24 (from 2019). To the extent the new Title 24 (2019) is more energy-efficient than prior versions, the use of old Title 24 (2016) artificially inflates the baseline and, thus, overestimates the Project's energy efficiency.

Second, the “energy efficiency measures” cited appear to be fairly generic measures (*id.* at 9), and we question whether they are already included in Title 24 (2019). If these measures are already included in Title 24 (2019), the Project should not get credit for doing what is already required. Nor, should mandatory requirements be included as part of the necessary 15 percent reduction from Title 24.

Third, the T24 Report uses gross square footage that differs from the use square footage used in the SCPE (*compare id.* at p. 5 *with* SCPE, p. 9), and uses occupancy levels that seem artificially high (*see* T24 Report, p. 5). For example, the analysis assumes roughly 7.2 occupants for every residential unit, 5.03 occupants for every hotel room, and 14.9 SF for every retail patron, which is substantially higher compared to other rates, which can ultimately skew the baseline assumptions (as demonstrated in the above section).

In sum, these issues should be explained and justified to ensure the claimed 15-plus percent reduction from Title 24 required for the SCPE is not overestimated.

#### **PROJECT MAY NOT QUALIFY FOR EXEMPTION OR STREAMLINE CEQA REVIEW**

To use a SCPE, a project must be limited to no more than 200 residential units. *See* Pub. Res. Code § 21155.1(b)(2). Here, the Project contains 121 residential units and 125 hotel rooms for a total of 246 units. Given the residential nature of hotels, which have similar GHG inducing operations as dwelling units (e.g., mobile emissions, water use, building energy needs, etc.), the Project's hotel units could be considered residential units for SCPE purposes. For example, the SCPE's H20 Report calculates the purported 629 hotel occupants as residential (*see* H20 Report, pp. 2-3), which is further indicia that the hotel units should be considered residential for SCPE analysis purposes. This must be verified with SCAG to determine if SCAG's SCPE/SB 375 analysis accounted for hotels as a residential use or an entirely separate use category subject to different assumptions and performance standards. If SCAG considered hotels as separate and distinct from residential uses, then the City should request the specific data and performance

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<sup>29</sup> OED (Apr. 2019) Title 24 Energy Performance Report, <http://bit.ly/2Rg09Qn>.

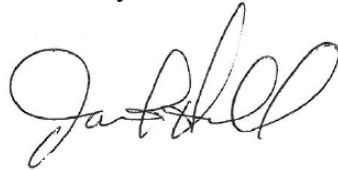
metrics applicable to hotels used by SCAG in its 2016 RTP/SCS. Otherwise, the 246-dwelling unit/hotel rooms for the entire Project may very well exceed this 200-unit threshold.

Finally, to use a SCPE, a project must be adequately served by existing utilities. *See* Pub. Res. Code § 21155.1(a)(1). Here, public comments have questioned whether there is adequate utility service given cumulative projects in the area.<sup>30</sup> This, too, should be clarified with substantial evidence.

## CONCLUSION

As discussed above, the Project's SCPE is inadequate and does not meet the level of analysis provided in other less-demanding SCEA projects reviewed by the City. Local 11 respectfully urges the City to hold action on the SCPE until a CEQA-compliant SCPE is revised and circulated for public review. So too, Local 11 asks the City to request from SCAG the necessary written data and documentation to demonstrate that this hotel Project is consistent with assumptions and performance-based measures outlined in the 2016 RTP/SCS, as SCAG may do upon request.<sup>31</sup>

Sincerely,



Jamie T. Hall

Attachment:

Exhibit A: Local 11 Comments on La Brea Bliss Project Dated October 30, 2019

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<sup>30</sup> Fix the City (1/3/20) Comment Letter, <http://bit.ly/2Tr3puW>.

<sup>31</sup> SCAG (Apr. 2016) 2016 RTP/SCS, SCS Background Documentation, p. 59 (“SCAG staff may provide a *lead agency at the time of its request* readily available data and documentation to help support its finding upon request.” Emphasis added), <http://bit.ly/2RaLYfy>.

# **Exhibit A**

# Channel Law Group, LLP

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October 30, 2019

## VIA ELECTRONIC MAIL

Michelle Carter  
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Los Angeles, CA 90012  
michelle.carter@lacity.org

**Re: Comments on La Brea Bliss Project (623-671 South La Brea Avenue)  
DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736  
Zoning Administrator Hearing 10/23/19 at 9:30 a.m**

Dear Ms. Carter:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the proposed eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant"). In short, Local 11 is concerned with the Project's compliance with the Los Angeles Municipal Code ("LAMC" or "Code") and the California Environmental Quality Act ("CEQA"),<sup>2</sup> and requests the City disapproves the Project's requested subdivision, land use entitlements, and environmental review under a Sustainable Communities Project CEQA Exemption ("SCPE") (collectively "Project Approvals").

Of great concern is this Project's unprecedented misuse of the City's Transit Oriented Communities ("TOC") incentives to provide hotel uses. Specifically, the Applicant improperly shuffles floor area ratios and densities between the residential and hotel uses at the Site, misusing the City's TOC density incentives to produce inadequate housing plans – while using the extra density to give itself a free hotel. This is a gross abuse of the TOC incentives and means that the Project apports more than one-third of its total allowed floor area to non-residential uses—at

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").



the expense of desperately needed housing. An extra 14 to 48 affordable units must be provided (depending on level of affordability). We have exhaustively researched this issue, as set forth below, and have found no approved or pending TOC incentive project in the City with an even remotely similar imbalance between the residential and non-residential uses. *The City's TOC incentives are to be used to incentive housing, not boutique hotels!* Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). *This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.*

Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of the Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>3</sup> Local 11 therefore respectfully urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units). If not, the City should reject this Project altogether.

Moreover, the Applicant here has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. Given this track record, and the entire TOC-derived planning for this Project, Local 11 urges the City to impose enforceable Conditions of Approval that restricts the Project's residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy.

Finally, in violation of CEQA and the Brown Act the agenda for the October 23, 2019 Zoning Administrator hearing does not reference CEQA, and the City has published no CEQA compliance document for the Project. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed CEQA compliance document, adopting that CEQA document for the Project, and agendizing this all under CEQA. Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## I. STANDING OF LOCAL 11

Local 11 represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona. Members of Local 11, including hundreds who live or work in the City of Los Angeles at or near the Project Site, join together to fight for improved living standards and working conditions. Local 11's members have a direct interest in seeing that the City's land-use laws are being followed, that the City satisfies its affordable housing obligations, and complies with the State's environmental laws. So too unions have standing to litigate land use and environmental claims. *See Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

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<sup>3</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

## II. PROJECT BACKGROUND

Based on the Project application materials (“Project Application”)<sup>4</sup> and entitlement building plans (“Project Plans”),<sup>5</sup> the Project Site includes 12 continuous, C2-1 zoned lots totaling 47,323-SF of lot area (used by Applicant to calculate FAR density) or 51,866 SF including half-width of adjacent alley (used by Applicant to calculate residential and hotel density). *See* Project Application, PDF pp. 10, 12; Project Plans, PDF p. 3, 6. The Project entails the construction of an eight-story, 201,123-SF mixed-use structure including 121 residential units (14 set aside for Extremely Low Income Households), a 125-room hotel (57,948 SF), and 13,037 SF of commercial/retail/restaurant uses, resulting in a development totaling 4.25:1 floor-area-ratio (“FAR”) and advertised by the Applicant as “luxury” residential.<sup>6</sup> *See* Project Application, PDF pp. 12-14. The requested Project Approvals include:

- Vesting Tentative Tract Map for the merger of 12 lots and the creation of five (5) condominium lots (“VTT”),
- Tier 4 TOC incentives to allow an increase in density, FAR, and additional incentives (“TOC Incentives”),
- Master Conditional Use Permit to allow the sale and dispensing of alcoholic beverages on Site (“MCUP”),
- Conditional Use to permit a hotel within 500 feet of a residential zone (“CUP”), and
- Site Plan Review for a development project resulting in an increase of 50 or more residential units and/or guestrooms (“SPR”) (collectively “Entitlements”).

Below is a Project rendering (Fig. 1) and Project components and respective square footage (Fig. 2) from the Applicant’s March 2019 application. *See* Project Application, PDF p. 12; *see also* Project Plans, PDF pp. 2, 4.

**FIGURE 1: PROJECT RENDERING**

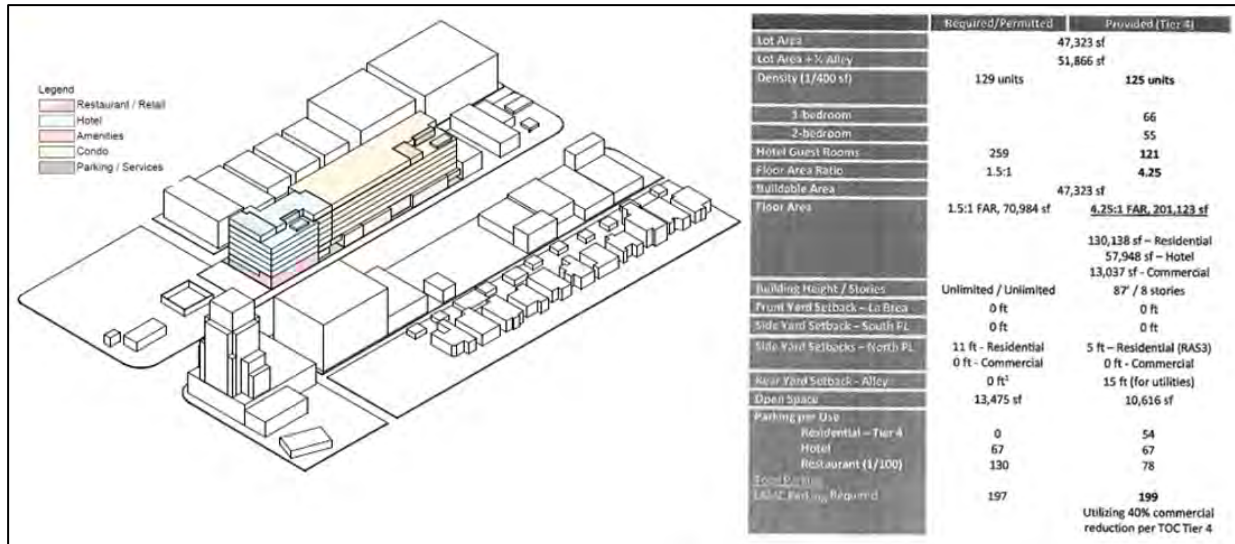


<sup>4</sup> Project Application (250 pages dated March 2019, including Expedited Processing application, proposed findings, EAF application, TOC Referral form, VTT application, etc.), <http://bit.ly/32Eomo8>.

<sup>5</sup> Project Plans (32 pages dated March 19, 2019), <http://bit.ly/35V3hbd>.

<sup>6</sup> CGI Strategies (2019) La Brea Project Webpage, <https://cgistrategies.com/project/la-brea-project/>.

**FIGURE 2: PROJECT COMPONENTS AND PROPOSED SQUARE FOOTAGE**

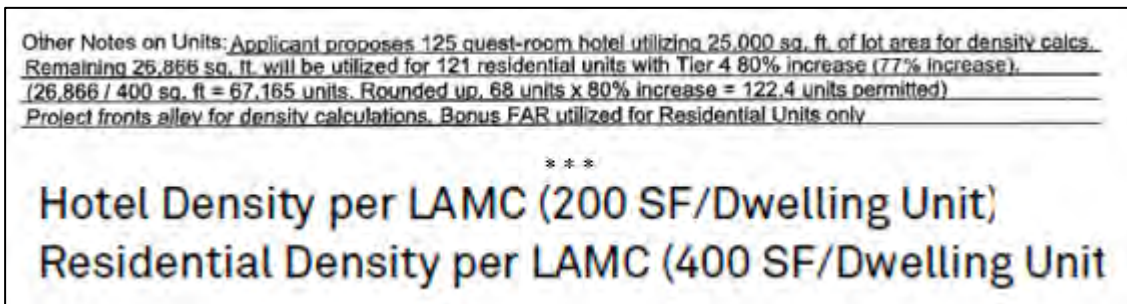


**III. APPLICANT’S DENSITY CALCULATIONS ARE UNTETHERED TO SITE CONDITIONS AND VIOLATE THE CODE**

To reverse engineer the Applicant’s ultimate goal of getting a free hotel, the Project calculates its hotel guest room and base housing density by utilizing arbitrary lot size values. Here, the Applicant calculates its base residential and hotel density by allocating different Site area (i.e., lot area plus half-width alley totaling 51,866 SF) to the Project’s proposed residential and hotel uses. As depicted in the below figures, the Project Application allocates 26,866-SF of Site area for a base residential density of 68 (400 per dwelling unit, rounded up); and 25,000-SF of Site area for a base hotel density of 125 (200 SF per hotel room) (see Fig. 3 below). See Project Application, PDF p. 92; Project Plans, PDF p. 3.

However, when calculating its by-right non-residential FAR, the Applicant utilizes the entire Project Site (not including the half-width alley totaling 47,323 SF), for total of 70,985 SF or 1.5:1 FAR (see Fig. 4 on following page). See Project Application, PDF p. 12; Project Plans, PDF p. 3. As explained below, this shuffling of lot area and density/FAR calculations is neither tethered to the actual proposed building plans nor complies with the Code.

**FIGURE 3: APPLICANT'S DENSITY CALCULATION**



**FIGURE 4: APPLICANT'S NON-RESIDENTIAL FAR CALCULATION**

Buildable Area		47,323 sf
Floor Area	1.5:1 FAR, 70,984 sf	<u>4.25:1 FAR, 201,123 sf</u>
		130,138 sf – Residential
		57,948 sf – Hotel
		13,037 sf - Commercial
	***	
Proposed Non-Residential FAR		1.5 : 1
Proposed Net Hotel Floor Area		57,948 SF
Proposed Net Commercial Floor Area		13,037 SF

**A. BY-RIGHT FAR CALCULATIONS FOR NON-RESIDENTIAL USE VIOLATE THE CODE**

Under the Code, “[n]o required lot which is provided for a dwelling unit, guest room, specific use or total floor area within a building shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building.” LAMC § 12.21.C.1(j), emphasis added. As mentioned above, the Applicant allocated 26,866-SF and 25,000-SF of Site area for the Project’s base residential density and hotel density (respectively), or roughly 52 and 48 percent (respectively) of the Site’s lot area and half-alley square footage. Consistent with LAMC § 12.21.C.1(j), the Project’s hotel FAR component is tied to its allocated lot area, approximately 22,810-SF of lot area (i.e., equivalent to 48 percent of the Site’s total 47,323-SF lot area). As such, the Project’s non-residential floor area should be limited to 34,215-SF.<sup>7</sup>

Here, however, the Applicant disregards this unambiguous Code provision and utilizes the entire 47,323-SF Site area (including the area provided for residential dwelling units) to calculate its hotel floor area rights of 70,985 SF. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

**B. LOT AREA ALLOCATIONS ARE UNTETHERED TO THE PROJECT’S SITE PLANS**

As depicted in the below figures, the Project Plans show the entire mixed-use structure is 400 feet long (see Figs. 5 through 7 on following page), spanning ten of the contiguous lots (i.e., lots 38 through 47) (see Fig. 6), with the hotel component covering roughly one-third of the floor plan (i.e., lots 45-47, roughly 130’-9” along La Brea and 104’-11” deep) (see Fig. 7). See Project Plans, PDF pp. 3-6, 11. As such, the lot area allocated to the Project’s hotel component should be approximately 13,718-SF of lot area<sup>8</sup> (not 25,000 SF), providing by-right floor area rights of 20,578 SF<sup>9</sup> (not 70,985 SF), and hotel density of 69 guest rooms<sup>10</sup> (not 125 rooms). Here, however, the Applicant is shuffling the lot area to maximize its hotel density untethered to its own Project Plans. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

<sup>7</sup> Calculated: (22,810 lot area) x (1.5:1 FAR) = (34,215.33 SF).

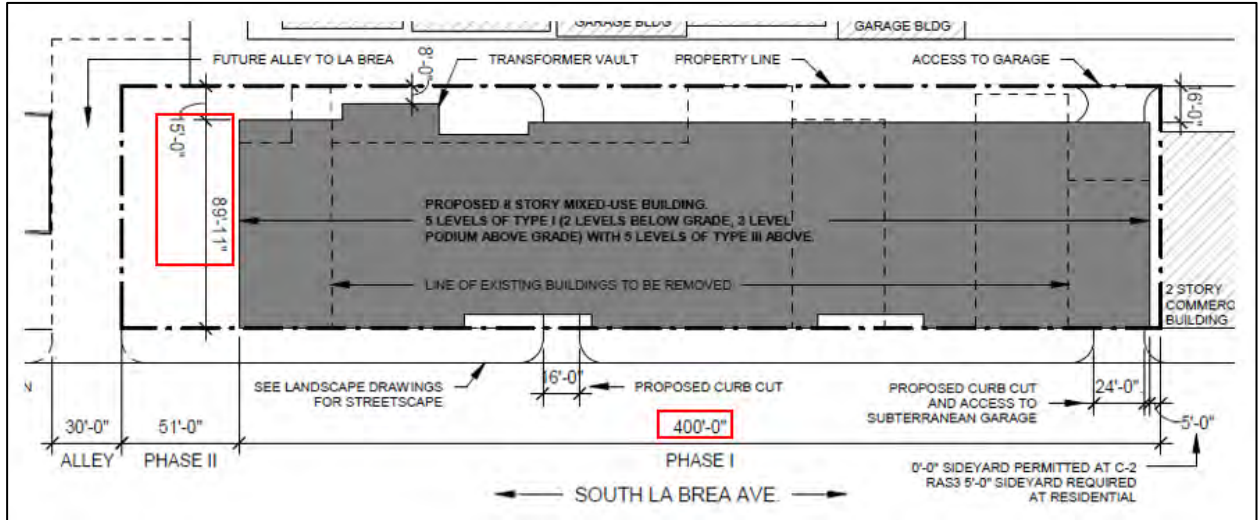
<sup>8</sup> Calculated: (130’-9”) x (104’-11”) = (13,717.8 SF of lot area).

<sup>9</sup> Calculated: (13,717.8 SF of lot area) x (1.5:1 FAR) = (20,576.7 SF).

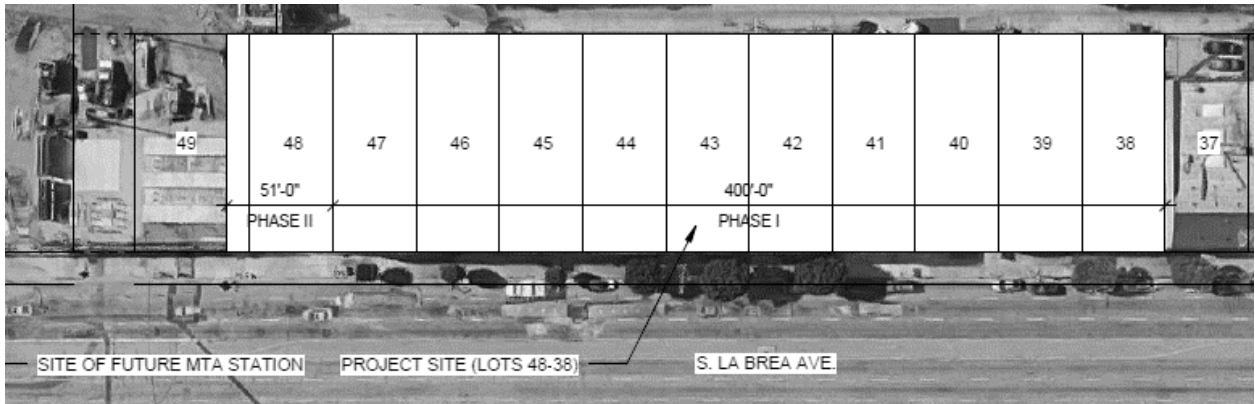
<sup>10</sup> Calculated: (13,717.8 SF of lot area) / (200 SF per guest room) = (68.5 guest rooms).



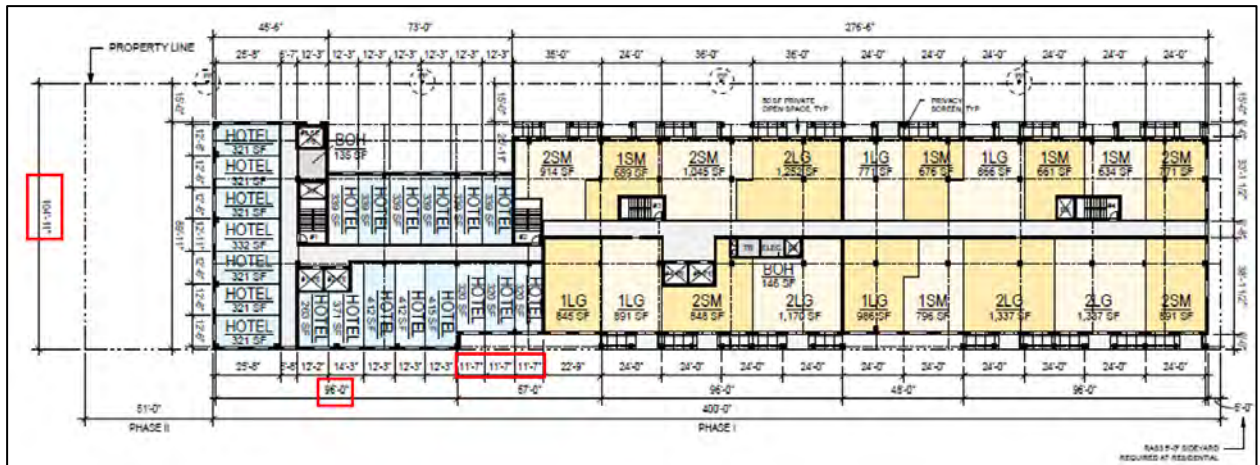
**FIGURE 5: PROPOSED MIXED USE STRUCTURE**



**FIGURE 6: PROJECT LOT COVERAGE**



**FIGURE 7: PROJECT FLOOR PLANS**





## C. SUMMARY

The Applicant's three-card-monte shuffling of the lot area is neither allowed under the Code, nor tethered to reality. It is an elaborate hustle to confuse the City in granting the Site additional density on the false narrative that the Project is just another TOC housing project, which as explained below, could not be further from the truth. As a result, the Applicant gets a bigger, free hotel by misusing the City's TOC incentives (as discussed in great detail below).

## IV. THIS IS AN UNPRECEDENTED TOC PROJECT

In November 2016, City voters approved Measure JJJ by a nearly 30-point margin, which led to the adoption of the TOC incentive program in 2017 (codified at LAMC § 12.22.A.31 *et seq.*). Under the TOC Guidelines, residential projects within a one-half mile of a major transit stop could seek additional incentives, such as increased residential density and FAR from its base zoning if it met various affordable housing requirements.<sup>11</sup> According to the City's most recent housing report, the TOC Guidelines have resulted in the proposal of 3,863 affordable units since 2017.<sup>12</sup> The fundamental purpose of the TOC Guidelines and program is to provide density/FAR incentives to produce housing.

Here, however, the Applicant abuses the TOC Guidelines by utilizing the TOC incentives to produce inadequate housing while using the extra density to give itself a free hotel. This is an obvious and gross misuse of the TOC incentives. With by-right 1.5:1 FAR (70,985 SF), the Applicant allocates all of its by-right square footage to non-residential uses (i.e., 125-room hotel, commercial, retail, restaurant uses), tacks on 130,138-SF (2.75:1 FAR) of residential uses (i.e., 121-room apartment room) for a total of 4.25:1 FAR mixed-use project, in exchange for a meager 14 affordable units. This was not the purpose of the TOC program and Applicant's clever jiggering of the TOC incentives runs counter to every TOC project approved or pending City approval (as discussed below). This is an unprecedented misuse of the TOC incentives and means that the Project has substantially less housing (market-rate and affordable) than it is supposed to – an extra 14 to 48 affordable units must be provided (depending on level of affordability). *The TOC incentives are to be used for housing, not boutique hotels!*

### A. TYPICAL TOC PROJECTS ARE EXCLUSIVELY RESIDENTIAL

Upon reviewing more than 300 TOC projects, it is clearly evident that TOC incentives are used for projects primarily serving residential purposes. For example, as listed in Table 1 on the following page, 240 TOC projects have been approved by the City (111 projects)<sup>13</sup> or pending City approval (129 projects) that exclusively serve residential uses (e.g., market-rate housing, affordable housing, permanent-supportive housing). Here, a by-right project would allow for a 70,985-SF, 1.5:1 FAR (based on 47,323-SF lot area), and up to 129 residential units (based on 51,866-SF lot area plus half-alley). *If this was a typical Tier 4 TOC project, the Project would be allowed 201,123-SF, 4.25:1 FAR (based on 47,323-SF lot area) used exclusively for residential*

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<sup>11</sup> See City (2/26/18) Technical Clarifications to the TOC Guidelines, <http://bit.ly/2BxvaYL>; see also TOC Guidelines FAQ (5/5/18), <http://bit.ly/2N8llps>.

<sup>12</sup> See City (Jun. 2019) Housing Progress Report, PDF p. 3 (noting 2,945 and 918 affordable units via discretionary cases and by-right permits, respectively, since October 2017), <http://bit.ly/2o4hRvl>.

<sup>13</sup> Per DCP's description on the City's Case Summary & Documents website when searching individual projects. See <https://planning.lacity.org/pdiscaseinfo/search/encoded/>.

*uses, and permitting up to 233 residential units* with either 26 Extremely Low Income, 35 Very Low Income, or 59 Low Income units (based on 51,866-SF lot area plus half-alley). Here, however, this mixed-use Project is not providing an entirely residential project, provides only 125 apartment units, and because Applicant wants a hotel use, improperly forgoes as much as 108 residential units (much of which would be affordable).

**TABLE 1: TYPICAL TOC PROJECTS INCLUDING EXCLUSIVELY RESIDENTIAL USES**

<b>111 TOC Projects Approved by the City</b>				
DIR-2017-4421	DIR-2018-2736	DIR-2018-4296	DIR-2018-5919	DIR-2019-0761
DIR-2017-4551	DIR-2018-2808	DIR-2018-4319	DIR-2018-6162	DIR-2019-0764
DIR-2017-4561	DIR-2018-2831	DIR-2018-4336	DIR-2018-6186	DIR-2019-0840
DIR-2017-4807	DIR-2018-2887	DIR-2018-4508	DIR-2018-6218	DIR-2019-0855
DIR-2018-0894	DIR-2018-2918	DIR-2018-4525	DIR-2018-6244	DIR-2019-0883
DIR-2018-0901	DIR-2018-2943	DIR-2018-4649	DIR-2018-6497	DIR-2019-0898
DIR-2018-1122	DIR-2018-3005	DIR-2018-4655	DIR-2018-6560	DIR-2019-1008
DIR-2018-1257	DIR-2018-3038	DIR-2018-4682	DIR-2018-6630	DIR-2019-1021
DIR-2018-1277	DIR-2018-3069	DIR-2018-4752	DIR-2018-6671	DIR-2019-1053
DIR-2018-1393	DIR-2018-3110	DIR-2018-4793	DIR-2018-6719	DIR-2019-1157
DIR-2018-1581	DIR-2018-3274	DIR-2018-4928	DIR-2018-6866	DIR-2019-1445
DIR-2018-1603	DIR-2018-3378	DIR-2018-4954	DIR-2018-6904	DIR-2019-1517
DIR-2018-1626	DIR-2018-3411	DIR-2018-4983	DIR-2018-6956	DIR-2019-1675
DIR-2018-1656	DIR-2018-3460	DIR-2018-4999	DIR-2018-6996	DIR-2019-1753
DIR-2018-1677	DIR-2018-3471	DIR-2018-5175	DIR-2018-7067	DIR-2019-1855
DIR-2018-1868	DIR-2018-3524	DIR-2018-5204	DIR-2018-7575	DIR-2019-1971
DIR-2018-2029	DIR-2018-3645	DIR-2018-5208	DIR-2018-7647	DIR-2019-2356
DIR-2018-2234	DIR-2018-3691	DIR-2018-5473	DIR-2019-0038	DIR-2019-2947
DIR-2018-2503	DIR-2018-3839	DIR-2018-5480	DIR-2019-0091	DIR-2019-2966
DIR-2018-2589	DIR-2018-3888	DIR-2018-5510	DIR-2019-0366	
DIR-2018-2628	DIR-2018-3931	DIR-2018-5515	DIR-2019-0399	
DIR-2018-2653	DIR-2018-3952	DIR-2018-5647	DIR-2019-0575	
DIR-2018-2732	DIR-2018-4135	DIR-2018-5664	DIR-2019-0757	
<b>129 TOC Projects Pending City Approval</b>				
APCC-2019-2047	DIR-2018-7606	DIR-2019-2603	DIR-2019-3768	DIR-2019-5220
DIR-2018-2957	DIR-2019-1006	DIR-2019-2657	DIR-2019-3912	DIR-2019-5235
DIR-2018-3391	DIR-2019-1103	DIR-2019-2700	DIR-2019-4023	DIR-2019-5248
DIR-2018-3536	DIR-2019-1113	DIR-2019-2731	DIR-2019-4049	DIR-2019-5267
DIR-2018-3609	DIR-2019-1200	DIR-2019-0274	DIR-2019-4075	DIR-2019-0530
DIR-2018-4052	DIR-2019-1224	DIR-2019-0277	DIR-2019-0409	DIR-2019-5351
DIR-2018-4817	DIR-2019-1244	DIR-2019-2789	DIR-2019-4090	DIR-2019-5356
DIR-2018-5101	DIR-2019-1323	DIR-2019-2893	DIR-2019-4091	DIR-2019-5420
DIR-2018-5355	DIR-2019-1672	DIR-2019-2908	DIR-2019-4185	DIR-2019-5422
DIR-2018-5859	DIR-2019-1679	DIR-2019-2938	DIR-2019-4221	DIR-2019-5516
DIR-2018-5870	DIR-2019-1693	DIR-2019-0304	DIR-2019-4395	DIR-2019-0553
DIR-2018-5925	DIR-2019-1794	DIR-2019-3138	DIR-2019-4425	DIR-2019-5659
DIR-2018-6175	DIR-2019-1919	DIR-2019-3143	DIR-2019-4577	DIR-2019-5702
DIR-2018-6344	DIR-2019-1955	DIR-2019-3158	DIR-2019-4705	DIR-2019-5704
DIR-2018-6392	DIR-2019-2017	DIR-2019-3204	DIR-2019-4723	DIR-2019-5733
DIR-2018-6634	DIR-2019-2128	DIR-2019-3222	DIR-2019-4725	DIR-2019-5741

DIR-2018-6861	DIR-2019-2145	DIR-2019-0324	DIR-2019-4728	DIR-2019-5859
DIR-2018-6987	DIR-2019-2171	DIR-2019-3294	DIR-2019-4821	DIR-2019-5957
DIR-2018-7019	DIR-2019-2262	DIR-2019-3377	DIR-2019-4911	DIR-2019-0739
DIR-2018-7148	DIR-2019-2266	DIR-2019-3500	DIR-2019-4920	DIR-2019-0750
DIR-2018-7191	DIR-2019-2271	DIR-2019-3502	DIR-2019-5001	DIR-2019-0790
DIR-2018-7340	DIR-2019-2291	DIR-2019-3530	DIR-2019-5051	DIR-2019-0805
DIR-2018-7363	DIR-2019-2323	DIR-2019-3555	DIR-2019-5086	DIR-2019-0848
DIR-2018-7376	DIR-2019-2427	DIR-2019-3588	DIR-2019-5137	DIR-2019-0929
DIR-2018-7431	DIR-2019-2480	DIR-2019-3727	DIR-2019-5170	DIR-2019-0970
DIR-2018-7554	DIR-2019-2570	DIR-2019-3760	DIR-2019-5213	

**B. UNLIKE HERE, THE FEW MIXED-USE TOC PROJECTS TYPICALLY HAVE EXTREMELY LIMITED NON-RESIDENTIAL USES**

So too, the Project is an outlier for even the 57 mixed-use TOC projects approved by the City (28 projects)<sup>14</sup> or pending City approval (29 projects).<sup>15</sup> For example, based on City documents (e.g., Letters of Determination [“LOD”], Case Summary & Document website [“CS&D”], etc.), we were able to discern in 30 of the 57 mixed-use TOC projects the total floor area of the proposed projects including the portion allocated for non-residential uses (e.g., retail, commercial, restaurant, office, etc.). As shown in Table 2 below and the following pages, these rare mixed-use TOC projects on average allocate a mere 6.38 percent of the entire proposed project square footage to non-residential uses. *If this was a typical rare mixed-use TOC project, the Project would include only 6.38 percent of its proposed floor area to non-residential uses* (i.e., 12,832-SF of hotel/retail uses), with the remaining 188,291 SF allocated to residential uses *permitting up to approximately 181 apartment units*<sup>16</sup> (i.e., 58,153 SF and 56 apartment units more than proposed). Here, however, this Project is allocating 35.29 of the entire proposed square footage to non-residential uses (hotel and commercial/retail)—more than five times the average rare mixed-use TOC project.

**TABLE 2: MIXED-USE TOC PROJECTS NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Lot Size (SF)	Total Project (SF)	Non-Residential		Source
			(SF)	Percent of Total SF	
DIR-2019-2593[a]	28,687*	107,012	1,089	1.02%	City (2019) CS&D, <a href="http://bit.ly/2MWPIEH">http://bit.ly/2MWPIEH</a> .

<sup>14</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-1136; DIR-2018-1500; DIR-2018-3014; DIR-2018-3021; DIR-2018-4743; DIR-2018-4864; DIR-2018-4879; DIR-2018-5303; DIR-2018-5415; DIR-2018-5417; DIR-2018-5601; DIR-2018-5887; DIR-2018-5945; DIR-2018-6274; DIR-2018-6322; DIR-2018-6425; DIR-2018-6691; DIR-2018-7342; DIR-2018-7374; DIR-2018-7382; DIR-2018-7690; DIR-2019-104; DIR-2019-1101; DIR-2019-1394; DIR-2019-1957; DIR-2019-2453; DIR-2019-2593; DIR-2019-3287.

<sup>15</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-3172; DIR-2018-5014; DIR-2018-5079; DIR-2018-6684; DIR-2019-1133; DIR-2019-1254; DIR-2019-1321; DIR-2019-1558; DIR-2019-1663; DIR-2019-2051; DIR-2019-2131; DIR-2019-2431; DIR-2019-2482; DIR-2019-2727; DIR-2019-2765; DIR-2019-3146; DIR-2019-337; DIR-2019-3680; DIR-2019-3936; DIR-2019-3991; DIR-2019-4573; DIR-2019-5140; DIR-2019-5394; DIR-2019-5590; DIR-2019-5645; DIR-2019-6048; DIR-2019-647; DIR-2019-909; ZA-2018-3985.

<sup>16</sup> Based on the Applicant’s average 1,042-SF apartment unit calculated based on the following: (130,138-SF residential uses) / (125 apartment units) = (1,041.1 SF/unit). *See* Project Application, PDF p. 12.

DIR-2019-3287[a]	46,009	117,106	1,700	1.45%	City (8/1/19) LOD, PDF pp. 2, 8, 11, <a href="http://bit.ly/32xArLT">http://bit.ly/32xArLT</a> .
DIR-2018-6691[a]	7,500	28,071	426	1.52%	City (5/2/19) LOD, PDF pp. 2, 7-8, <a href="http://bit.ly/32uSWk8">http://bit.ly/32uSWk8</a> .
DIR-2018-3021[a]	16,704	62,640	1,145	1.83%	City (12/17/18) LOD, PDF pp. 7-8, <a href="http://bit.ly/32wQBoR">http://bit.ly/32wQBoR</a> .
DIR-2018-1136[a]	51,303	180,334	3,600	2.00%	City (11/1/18) LOD, PDF p. 7, <a href="http://bit.ly/2oWREj6">http://bit.ly/2oWREj6</a> .
DIR-2018-7374[a]	7,210	11,559	240	2.08%	City (5/21/19) LOD, PDF pp. 6-7, <a href="http://bit.ly/33NyJ9c">http://bit.ly/33NyJ9c</a> .
DIR-2018-1500[a]	41,440	110,558	2,346	2.12%	City (7/23/18) LOD, PDF pp. 2, 7, <a href="http://bit.ly/2Mxzw8I">http://bit.ly/2Mxzw8I</a> .
DIR-2018-3014[a]	7,350	27,501	645	2.35%	City (12/12/18) LOD, PDF p. 5, <a href="http://bit.ly/33LGXP7">http://bit.ly/33LGXP7</a> ; see also Floor Plan, PDF p. 1, <a href="http://bit.ly/2pG2wSp">http://bit.ly/2pG2wSp</a> .
DIR-2018-6274[a]	10,733	28,333	671	2.37%	City (4/29/19) LOD, PDF pp. 3, 7, 11, <a href="http://bit.ly/2BpxYqZ">http://bit.ly/2BpxYqZ</a> .
DIR-2018-4743[a]	20,913	95,260	2,499	2.62%	City (5/9/19) LOD, PDF p. 6, <a href="http://bit.ly/32xkRzR">http://bit.ly/32xkRzR</a> .
DIR-2018-6322[a]	36,371	136,189	3,600	2.64%	City (1/23/19) LOD, PDF p. 6, <a href="http://bit.ly/2o1tsfl">http://bit.ly/2o1tsfl</a> .
DIR-2018-5014[b]	21,274*	93,467	2,500	2.67%	City (9/18/19) Hearing Notice, PDF p. 1, <a href="http://bit.ly/2BunfLK">http://bit.ly/2BunfLK</a> .
DIR-2018-5945[a]	53,504	200,640	7,843	3.91%	City (2/27/19) LOD, PDF p. 6, <a href="http://bit.ly/31yHeDw">http://bit.ly/31yHeDw</a> .
DIR-2018-5417[a]	11,708	23,455	1,000	4.26%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2qqJksh">http://bit.ly/2qqJksh</a> .
DIR-2018-5601[a]	16,940	55,055	2,395	4.35%	City (12/10/18) LOD, PDF p. 6, <a href="http://bit.ly/2Bva79m">http://bit.ly/2Bva79m</a> .
DIR-2019-1394[a]	22,824	51,623	2,491	4.83%	City (7/5/19) LOD, PDF pp. 7, 11, <a href="http://bit.ly/2PeBvR9">http://bit.ly/2PeBvR9</a> .
DIR-2018-6425[a]	45,792*	171,634	8,561	4.99%	City (2/1/19) Notice of Exemption, PDF p. 1, <a href="http://bit.ly/35PD6Td">http://bit.ly/35PD6Td</a> .
DIR-2018-7342[a]	14,863	50,985	2,640	5.18%	City (4/10/19) LOD, PDF p. 7, <a href="http://bit.ly/2pG3Lkx">http://bit.ly/2pG3Lkx</a> .
DIR-2019-2727[b]	21,547*	65,140	3,640	5.59%	City (2019) CS&D, <a href="http://bit.ly/2VWZ2Ho">http://bit.ly/2VWZ2Ho</a> ; see also Office of Historic Resources (10/2/19) Updated Agenda, PDF p. 2, <a href="http://bit.ly/35R6hFl">http://bit.ly/35R6hFl</a> .
DIR-2018-4864[a]	60,810	209,157	12,175	5.82%	City (4/19/19) LOD, PDF pp. 2, 7-8, 19, <a href="http://bit.ly/2VXcb3e">http://bit.ly/2VXcb3e</a> .
DIR-2018-5415[a]	24,357	51,630	3,175	6.15%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2Myb6vE">http://bit.ly/2Myb6vE</a> ; see also City (2019) CS&D, <a href="http://bit.ly/35SqESI">http://bit.ly/35SqESI</a> .

ZA-2018-3985[b]	51,236	222,944	15,307	6.87%	City (5/15/19) SCEA, PDF p. 1, 6-7, <a href="http://bit.ly/32zLcNQ">http://bit.ly/32zLcNQ</a> .
DIR-2018-7690[a]	36,423	137,951	10,114	7.33%	City (7/25/19) LOD, PDF p. 7, <a href="http://bit.ly/2pFu6Q4">http://bit.ly/2pFu6Q4</a> .
DIR-2019-0104[a]	16,379*	60,940	5,689	9.34%	City (2019) CS&D, <a href="http://bit.ly/2BtAhJr">http://bit.ly/2BtAhJr</a> .
DIR-2019-2453[a]	22,379	62,678	6,500	10.37%	City (6/27/19) LOD, PDF p. 8, <a href="http://bit.ly/2W45Djl">http://bit.ly/2W45Djl</a> .
DIR-2019-1957[a]	27,496	75,571	9,048	11.97%	City (8/14/19) LOD, PDF p. 8, <a href="http://bit.ly/31vqYDm">http://bit.ly/31vqYDm</a> .
DIR-2019-1663[b]	11,634*	44,566	5,861	13.15%	City (2019) CS&D, <a href="http://bit.ly/2P4aK1v">http://bit.ly/2P4aK1v</a> .
DIR-2018-7382[a]	12,867	44,116	6,479	14.69%	City (8/1/19) LOD, PDF pp. 7, 13-14, <a href="http://bit.ly/31svBhr">http://bit.ly/31svBhr</a> .
DIR-2018-4879[a]	12,000	22,566	5,325	23.60%	City (3/5/19) LOD, PDF p. 6, <a href="http://bit.ly/33SJo2J">http://bit.ly/33SJo2J</a> .
DIR-2018-5303[a]	12,544	44,081	10,774	24.44%	City (5/16/16) LOD, PDF pp. 7, 13, <a href="http://bit.ly/32y0lPA">http://bit.ly/32y0lPA</a> .
<b>Average</b>				<b>6.38%</b>	
<b>Project</b>	47,323	201,123	70,985	<b>35.29%</b>	
<b>Notes:</b>					
*: Lot area determined via ZIMAS for all lots listing case number.					
[a]: Approved by the City.					
[b]: Pending City Approval.					

**C. OUTLIER MIXED-USE TOC PROJECTS NEVER MAX OUT THEIR BY-RIGHT FAR ON NON-RESIDENTIAL USES, WHICH THE PROJECT PROPOSES HERE**

As the above table demonstrates, the vast majority of the above-listed projects allocate less than ten percent of the entire proposed project square footage to non-residential uses. Even in outlier cases (six in total) where a rare mixed-use TOC project allocates 10 percent or more to non-residential uses, those projects allocate only a small portion of their by-right FAR to non-residential uses. As shown in Table 3 on the following page, those six mixed-use TOC projects included relatively small lot sizes (average 16,487 SF) with relatively small by-right floor area rights (average 27,369 SF), and where applicants proposed only a small fraction to be used for non-residential uses—amounting to less than 30 percent of their respective by-right floor area rights (on average). *If this was a typical outlier case of a rare mixed-use TOC project, the Project would include only 30 percent of its by-right floor area rights to non-residential uses* (i.e., 21,296 -SF of hotel/retail uses), with the remaining 179,827 SF allocated to residential uses *permitting up to approximately 173 apartment units*<sup>17</sup> (i.e., 49,689 SF and 48 apartment units more than proposed). Here, however, this Project includes a substantially larger lot area (2.8 times larger than average) and allocates 100 percent of its by-right floor area rights for non-residential uses— more than three times the average for outliers in rare mixed-use TOC projects.

<sup>17</sup> *Ibid.*



**TABLE 3: OUTLIER, MIXED-USE TOC PROJECTS USE OF BY-RIGHT FAR**

DCP Case Number	Lot		By Right		Proposed Non-Res	
	Size (SF)	Zoning	FAR[c]	SF	SF	Percentage of By-Right
DIR-2019-2453[a][d]	22,379	Mix	1.93:1	43,132	6,500	15%
DIR-2019-1957[a][e]	27,496	[Q]C2-1VL	1.5:1	41,244	9,048	22%
DIR-2019-1663[b][f]	11,634*	C2-1	1.5:1	17,451	5,861	34%
DIR-2018-7382[a][g]	12,867	C2-1VL	1.5:1	19,300	6,479	34%
DIR-2018-4879[a][h]	12,000	C4-1XL	1.5:1	18,000	5,325	30%
DIR-2018-5303[a][i]	12,544	[Q]C2-1-O	2.0:1	25,088	10,774	43%
<b>Average</b>	16,487					<b>29%</b>
<b>Project</b>	47,323	C2-1	1.5:1	70,985	70,985	<b>100%</b>

**Notes:**

- \*: Lot area determined via ZIMAS for all lots listing case number.
- [a]: Approved by the City.
- [b]: Pending City Approval.
- [c]: See 2013-2021 Housing Element, Appendix E, Generalized Summary of Zoning Regulations, p. E-6 (Height Districts), <http://bit.ly/2W0y1TG>.
- [d]: According to ZIMAS, project comprised of three lots including: two lots totaling 16,004.5 SF, zoned C2-1, permitted 1.5:1 FAR by right; and one, 6,375-SF lot zoned RD2-1 permitted 3:1 FAR by right. See also City (6/27/19) LOD, PDF pp. 8, 13-14, <http://bit.ly/2W45Djl>.
- [e]: See City (8/14/19) LOD, PDF pp. 8, 10, 16, 20, <http://bit.ly/31vqYDm>.
- [f]: See City (2019) CS&D, <http://bit.ly/2P4aK1v>.
- [g]: See City (8/1/19) LOD, PDF pp. 7-8, 13-14, <http://bit.ly/31svBhr>.
- [h]: See City (3/5/19) LOD, PDF pp. 2, 6, <http://bit.ly/33SJo2J>.
- [i]: See City (5/16/16) LOD, PDF pp. 7, 13, <http://bit.ly/32y0IPA>.

**D. MIXED-USE TOC PROJECTS PRODUCE WAY MORE RESIDENTIAL UNITS PER NON-RESIDENTIAL SQUARE FOOTAGE THAN THIS PROJECT**

As previously mentioned, City documents disclosed proposed floor area for only 30 of the 57 rare mixed-use TOC projects approved and/or pending City approval. However, City documents disclose proposed total residential units for 17 other rare mixed-use TOC projects (mostly pending City approval). As shown in Table 4 on the following page, on average, these rare mixed-use TOC projects allocate approximately 74.2 SF of non-residential uses for every residential unit proposed. *If this was a typical rare mixed-use TOC project, the Project would produce one residential unit for every 74.2 SF of non-residential uses* (i.e., 9,275 SF of hotel/retail uses), with the remaining 191,848 SF allocated to the 125 apartment units, *resulting in substantially larger units (i.e., appx. 1,535 SF on average) capable of providing more beds to house larger families*. Here, however, this Project is proposing much smaller apartment units (i.e., 1,042 SF on average)<sup>18</sup> because it produces one apartment unit for every 587 SF of non-residential uses—more than seven times the average for these rare mixed-use TOC projects.

<sup>18</sup> *Ibid.*

**TABLE 4: MIXED-USE TOC PROJECTS HOUSING UNITS V. NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Total Res. Units (Units Affordable)	Non-Res (SF)	Non-Res SF per Res Unit (SF/unit)	Source
DIR-2019-1558[b]	119 (11)	2,000	16.8	City (2019) CS&D, <a href="http://bit.ly/2o8P4Gw">http://bit.ly/2o8P4Gw</a> .
DIR-2019-3680[b]	99 (TBD)	2,000	20.2	City (2019) CS&D, <a href="http://bit.ly/2MYymCa">http://bit.ly/2MYymCa</a> .
DIR-2019-2482[b]	64 (6)	1,395	21.8	City (2019) CS&D, <a href="http://bit.ly/2o4TWWl">http://bit.ly/2o4TWWl</a> .
DIR-2019-1101[a]	57 (TBD)	1,600	28.1	City (2019) CS&D, <a href="http://bit.ly/35UBffW">http://bit.ly/35UBffW</a> .
DIR-2019-337[b]	177 (TBD)	5,500	31.1	City (2019) CS&D, <a href="http://bit.ly/31yG771">http://bit.ly/31yG771</a> .
DIR-2019-6048[b]	486 (66)	16,395	33.7	City (2019) CS&D, <a href="http://bit.ly/2P6c2Ju">http://bit.ly/2P6c2Ju</a> .
DIR-2019-2051[b]	119 (TBD)	4,800	40.3	City (2019) CS&D, <a href="http://bit.ly/2W1S97y">http://bit.ly/2W1S97y</a> .
DIR-2019-3936[b]	371 (56)	15,726	42.4	City (2019) CS&D, <a href="http://bit.ly/2NcDUcr">http://bit.ly/2NcDUcr</a> .
DIR-2018-3172[b]	80 (8)	4,117	51.5	City (2019) CS&D, <a href="http://bit.ly/33RVbOq">http://bit.ly/33RVbOq</a> .
DIR-2019-0909[b]	58 (TBD)	3,245	55.9	City (2019) CS&D, <a href="http://bit.ly/32A2qKS">http://bit.ly/32A2qKS</a> .
DIR-2018-6684[b]	130 (13)	10,053	77.3	City (2019) CS&D, <a href="http://bit.ly/2qxuh09">http://bit.ly/2qxuh09</a> .
DIR-2018-5079[b]	73 (16)	6,481	88.8	City (2019) CS&D, <a href="http://bit.ly/35V2tmo">http://bit.ly/35V2tmo</a> .
DIR-2019-5394[b]	60 (6)	5,900	98.3	City (2019) CS&D, <a href="http://bit.ly/35XHoYT">http://bit.ly/35XHoYT</a> .
DIR-2019-2765[b]	67 (7)	8,450	126.1	City (2019) CS&D, <a href="http://bit.ly/2MCKH4N">http://bit.ly/2MCKH4N</a> .
DIR-2019-1321[b]	55 (6)	7,379	134.2	City (2019) CS&D, <a href="http://bit.ly/2VYyYvs">http://bit.ly/2VYyYvs</a> .
DIR-2019-0647[b]	33 (3)	4,895	148.3	City (2019) CS&D, <a href="http://bit.ly/2JaJqLh">http://bit.ly/2JaJqLh</a> .
DIR-2019-4573[b]	67 (7)	16,500	246.3	City (2019) CS&D, <a href="http://bit.ly/31vi20N">http://bit.ly/31vi20N</a> .
<b>Average</b>			<b>74.2</b>	
<b>Project</b>	121 (14)	70,985	<b>586.7</b>	
<b>Notes:</b>				
[a]: Approved by the City.				
[b]: Pending City Approval.				

**E. HOTEL TOC PROJECTS ARE UNCHARTERED TERRITORY THAT MUST UNDERGO THE STRICTEST SCRUTINY**

Upon the review of more than 300 TOC projects, we were able to identify only two TOC projects pending City approval that include hotel uses, this Project and a ten-story, 108,625-SF mixed-use TOC project including 110-guest room, 45-residential units, and 6,212-SF ground floor commercial/restaurant uses located at 6075 W. Pico Boulevard (DCP Case No. ZA-2018-3409) (“Pico Hotel”). Based on their respective DCP applications, both of these projects are linked to the same expediter (i.e., Three6ity), play the same three-card-monte shuffling of lot area to calculate hotel/residential density, and max-out (or nearly max-out) the project site’s by-right floor area on non-residential uses like the hotel (see Tbl. 5 on following page). Please stop this practice now in its tracks.

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**TABLE 5: HOTEL TOC PROJECTS**

La Brea Bliss Project[a]	Pico Hotel Project[b]																																																																																																																											
<p><b>Agent/Representative name:</b> Dana Savig, AICP  <b>Company/Firm:</b> Treadwell  <b>Address:</b> 11872 N. Winthelton Boulevard  <b>City:</b> Glendale, CA  <b>Telephone:</b> (310) 204-3500</p>	<p><b>Agent/Representative name:</b> Dana Savig, AICP  <b>Company/Firm:</b> Treadwell  <b>Address:</b> 4989 Overhill Ave  <b>City:</b> Glendale, CA  <b>Telephone:</b> (310) 204-3500</p>																																																																																																																											
<p><b>Unif/Spec Number:</b>  <b>State CA:</b> 29, 80280  <b>E-mail:</b> Dana@EKK&amp;S@aol.com</p>	<p><b>Unif/Spec Number:</b>  <b>State CA:</b> 29, 30250  <b>E-mail:</b> dana@treadwell.net / dvala@treadwell.net</p>																																																																																																																											
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<p><b>Notes:</b></p> <p>[a] Project Application Materials, PDF pp. 4, 12, 92, 109</p> <p>[b] Pico Hotel Application materials, PDF pp. 2, 4, 18, 45</p> <p>[c] Based on its 47,323-SF, 1.5:1 FAR Site, the Project's existing by-right floor area is 70,984.5 SF, which the Project uses 100 percent for non-residential uses (e.g., hotel, commercial, restaurant, retail). Based on its 29,511-SF, 1.5:1 FAR site, the Pico Hotel project's existing by-right floor area is 44,266.5 SF, which the project uses more than 95 percent for non-residential uses (e.g., hotel, commercial, restaurant).</p>																																																																																																																												

Both of these cases set a dangerous precedent that departs from all the TOC projects and the intent of the TOC incentives. Unlike the above-mentioned 240 of 300 TOC projects (80 percent) that produce exclusively residential units, here these projects are rare mixed-use projects (discussed *supra* section IV.A). As shown in Table 6 below, these projects also depart from the above-mentioned 57 few mixed-use projects (19 percent of the 300 TOC projects reviewed). Unlike the 30 mixed-use projects that allocate an average 6.38 percent of its total proposed development on non-residential uses (discussed *supra* section IV.B), these projects allocate 35 to 39 percent of its total proposed development on non-residential uses. Unlike the six outlier mixed-use projects (allocating more than 10 percent to non-residential uses) that utilize an average 29 percent of its by-right floor area rights to non-residential uses (discussed *supra* section IV.C), these projects allocate 95 to 100 percent of its by-right floor area rights to non-residential uses. Unlike the 17 mixed-use projects that on average produce one residential unit for every 74.2-SF of non-residential uses (on average) (discussed *supra* section IV.D), here these projects produce one residential unit for every 587 to 938-SF of non-residential uses.

**TABLE 6: HOTEL TOC PROJECT DEPARTURE FROM EVEN RARE, MIXED-USE TOC PROJECTS**

	La Brea Bliss Project	Pico Hotel	Average
<b>Rare Mixed-Use TOC Projects (Allocating &lt; 10 % to Non-Res. Uses)</b>			
<i>Total Proposed Project (SF)</i>	201,123	110,625	
<i>Non-Res. Portion of Project (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of Total Proposed SF</i>	<b>35.29%</b>	<b>38.16%</b>	<b>6.38%</b>
<b>Outlier, Rare Mixed-Use TOC Projects (Allocating ≥ 10 % to Non-Res. Uses)</b>			
<i>Lot Size</i>	47,323	29,511	
<i>By Right (SF)</i>	70,985	44,267	
<i>Non-Res (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of By Right SF</i>	<b>100%</b>	<b>95.36%</b>	<b>29.00%</b>
<b>Rare Mixed-Use TOC Projects</b>			
<i>Total Res. Units (Units Affordable)</i>	121 (14)	45 (5)	
<i>Non-Res. (SF)</i>	70,985	42,211	
<i>Non-Res SF per Res. Unit (SF/unit)</i>	<b>586.7</b>	<b>938.0</b>	<b>74.2</b>

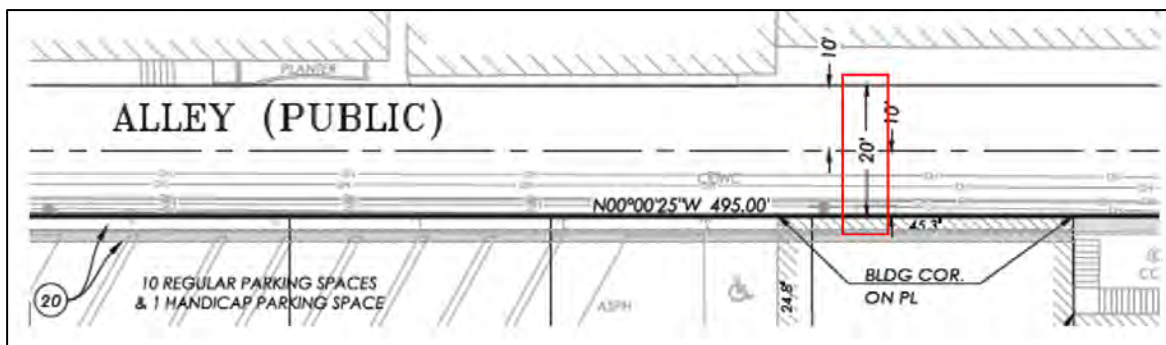
Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). As previously discussed (*supra* section III), the Applicant seeks to build 70,985-SF hotel/commercial/restaurant space essentially concentrated on one-third of the Project Site (i.e., approximately 13,718 SF), resulting in 5.17:1 FAR that exceeds the Site’s by-right 1.5:1 FAR. Even if you use the Applicant’s own 25,000 lot area plus half-alley, the Project’s non-residential uses would be 2.83:1 FAR, which also exceeds the Site’s 1.5:1 by-right FAR. The only way the Applicant can build this hotel component is to spread the non-residential uses across the entire 12 lots, or seek a Zone Change and General Plan Amendment (subject to Measure JJJ). Instead, the Applicant seeks a TOC FAR bonus under the guise of being a housing project—it is not. As discussed above, non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant’s reverse engineering of the FAR numbers, which comes at the expense of producing housing.



## F. STAFF REPORT INCONSISTENCIES MUST BE RESOLVED

The Project’s inconsistencies with the applicable TOC Guidelines we set forth above are premised on the information disclosed in the Project’s Application. However, the Staff Report references several significant changes and/or discrepancies. For example, the Staff Report (p. 3) references a “15-foot public alley,” while the Project Plans (PDF p. 7) show a 20-foot alley (see Fig. 8 below). Additionally, the Staff Report (pp. 1-3, 17, 19) references a request for 13,641-SF of retail/commercial uses, while the Project Application (p. 108) shows a request for 13,037-SF of commercial/retail uses (see Fig. 9 below). Also, the Project Plans repeatedly references a “phase 2” of the Project (PDF pp. 3, 5-6, 8-14; see e.g., Fig. 10 below), but the Project Application and Staff Report makes no reference to any other phases. Finally, the Staff Report (p. 6) references a “Remainder Parcel” to be included in the entire subdivision, while the Project Plans make’s no references to any “remainder” parcel.

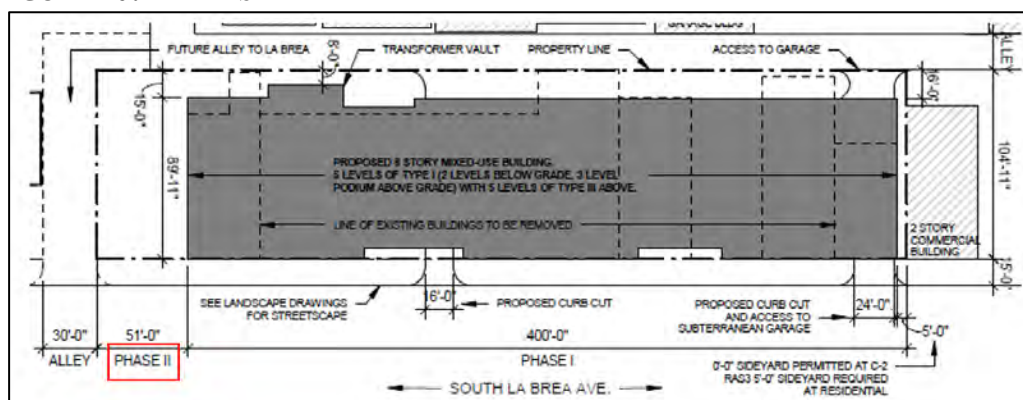
**FIGURE 8: PUBLIC ALLEY**



**FIGURE 9: PROPOSED COMMERCIAL SQUARE FOOTAGE**

<b>2. PROJECT DESCRIPTION</b>
Present Use <u>Commercial</u>
Proposed Use <u>Mixed-Use</u>
Project Name (if applicable) <u>La Brea</u>
Describe in detail the characteristics, scope and/or operation of the proposed project <u>TOC Tier 4 mixed-use project with 121 residential units, 125 guest-rooms, 13,037 sq. ft. of commercial space, 199 parking spaces in two sub-levels. Total project square footage of 201,123 sq. ft. with 4.25:1 FAR.</u>

**FIGURE 10: PHASE II**



All of these inconsistencies directly affect the Project's residential and non-residential unit/FAR density calculations, which must be resolved in light of the issues raised above. For instance, the Project's density calculations could be worse if the alley square footage is less than anticipated by the Applicant, if the increase commercial square footage comes at the expense of residential square footage, if Phase II includes additional floor area, or if the remainder parcel is not appropriately accounted for in the density/FAR calculations. These inconsistencies must be confronted and resolved.

#### **G. SUMMARY ON THE PROJECT'S PROPOSED TOC MISUSE**

No matter how the Applicant and its representatives wish to spin the narrative or jiggle the numbers, the Project is not your typically TOC project. It seeks increased density not genuinely tied to creating housing, much less affordable housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>19</sup>

For these reasons, Local 11 urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units).<sup>20</sup>

#### **V. PROJECT IS INCONSISTENT WITH APPLICABLE LAND USE POLICIES**

Here, the proposed eight-story, 4.25:1 FAR Project exceeds the Sites 1.5:1 FAR limitation under the General Plan land use designation. So too, the eight-story Project is incompatible with the adjacent properties ranging from two- to five-story tall, as raised by the public (see Staff Report, p. 2). So too, the Project exceeds the General Plan Framework Elements' Mixed Boulevard density and heights (i.e., 1.5:1 to 4.0:1, and three- six-story).<sup>21</sup> The inconsistency with the General Plan and Framework is the subject of a recently filed lawsuit<sup>22</sup> and should give the City further pause before approving this pseudo-TOC Project. Furthermore, notwithstanding the paltry 14 affordable units proposed by the Applicant, the Project's abuse of the TOC program resulting in the loss potential for desperately needed market-rate and affordable housing units conflicts with numerous affordable housing goals, policies, and objectives (see Tbl. 7 on following page).

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<sup>19</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

<sup>20</sup> See TOC Guidelines, *supra* fn 10, p. 7.

<sup>21</sup> General Plan Framework, PDF p. 40 (identifying the Site as a Mixed Use Boulevard), <http://bit.ly/2Pa4zch>.

<sup>22</sup> *Fix the City, Inc. v. City of Los Angeles, et al.* (LASC Case No. 19STCP03740), pp. 2, (alleging, inter alia, the TOC Guidelines provides density bonus via non-legislative actions and circumvents Measure JJJ requirements), <http://bit.ly/2qDklIX>.

**TABLE 7: INCONSISTENCIES WITH APPLICABLE LAND USE PLANS**

<b>City Housing Element 2013-2021 Goals and Policies<sup>23</sup></b>
Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.
Policy 1.1.1: Expand affordable homeownership opportunities and support current homeowners in retaining their homeowner status.
Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.
Policy Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.
Policy Objective 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed-use development, Transit Oriented Districts and designated Centers.
Policy Objective 2.5.2: Foster the development of new affordable housing units Citywide and within each planning area.
<b>General Plan Framework Element</b>
<b>Chapter 4: Housing<sup>24</sup></b>
Policy 4.2.1 states the City should “offer incentives to include housing for very low- and low-income households in mixed-use developments[,]”
<b>Chapter 7: Economic Development<sup>25</sup></b>
Objective 7.9 states the City should seek to “[e]nsure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range[,]” and Policy 7.9.1 states that the City should promote “the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure ....” <sup>26</sup>
<b>Wilshire Community Plan<sup>27</sup></b>
<b>Residential Issues</b>
Need to preserve the existing character of residential neighborhoods while accommodating more affordable housing and child care facilities
<b>Commercial Issues</b>
New commercial development needs to be compatible with existing buildings in terms of architectural design, bulk and building heights.
<b>Purpose of Plan</b>
Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
<b>Objectives &amp; Policies</b>
Objective 1-3: To foster residential development which can accommodate a full range of incomes.
Policy 9-1.1: Preserve the existing affordable housing stock through rehabilitation and develop new affordable housing options.

<sup>23</sup> [https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement\\_20140321\\_HR.pdf](https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement_20140321_HR.pdf).

<sup>24</sup> General Plan Framework, Ch. 4, Housing, <https://planning.lacity.org/cwd/framwk/chapters/04/04.htm>.

<sup>25</sup> General Plan Framework, Ch. 7, Economic Development, <http://bit.ly/2N2aZrb>.

<sup>26</sup> See also e.g., General Plan Framework Element Goals 4a, 7G, Objective 4.1, Policies 4.1.2, 4.1.6, and Implementation Policy P29; General Plan Housing Element Goal 1, Objectives 1.1, 2.5, and Policies 1.1.1, 1.1.2, 1.1.3, 1.1.7, 1.2.5, 2.5.1; General Plan Health and Wellness Element Policies 1.2, 1.3, 1.6, 1.7, and Guiding Principal 22; Central City Community Plan Objectives 1-3.

<sup>27</sup> Wilshire Community Plan, <http://bit.ly/2N4FDA9>.

## VI. WHERE IS THE LINKAGE FEE?

Here, the Staff Report makes no mention of the Project's compliance with the City's Affordable Housing Linkage Fee ("AHLF").<sup>28</sup> The Project case was filed on March 22, 2019. In accordance with the AHLF Ordinance, the Project is subject to two-thirds of its AHLF fee.<sup>29</sup> Here, according to ZIMAS, the Site is located in the High Non-Residential Market Area and Medium-High Residential Market Area.<sup>30</sup> Thus, the Project's 70,985-SF non-residential uses (i.e., hotel, commercial, retail, restaurant) is subject to the High Non-Residential Market Area rate of \$5 per SF (\$354,925 full fee), reduced to two-thirds of the full fee (\$236,616.66).<sup>31</sup> Because this Project is not entirely a multi-family project and forgoes Measure JJJ-compliant Zone Change/General Plan Amendment, the Project's residential component does not fall within the AHLF fee exemption.<sup>32</sup> Due to Applicant's abuse of the TOC program previously discussed, the City should forego any of the *discretionary*<sup>33</sup> deductions and/or credits provided under the AHLF, with the exception of exempting approximately 14,588 SF of residential floor area of restricted affordable housing units (based on the Project's proposed 14 restricted affordable housing at an average units size of 1,042 SF). Thus, the remaining 115,550-SF of residential floor area is subject to the Medium-High Residential Market Area rate of \$12 per SF (\$1,386,600 full fee), reduced to two-thirds of the full fee (\$924,400).<sup>34</sup>

Subject to adjustment for inflation (which begins July 1, 2019),<sup>35</sup> the Project appears to be subject to a total AHLF fee of approximately \$1.161 million. However, the Staff Report makes no mention of the Project's compliance with its AHLF fee obligations or any exemptions, deductions, or credits proposed.

## VII. APPLICANT'S RECORD OF CONVERTING RESIDENTIAL PROPERTIES/PROJECTS INTO DE FACTO HOTELS MUST BE ADDRESSED WITH ENFORCEABLE CONDITIONS

Here, the Applicant La Brea Bliss, LLC is proposing the Project on behalf of Gidi Cohen (Project Application, PDF p. 4), who is the founder and CEO of CGI Strategies.<sup>36</sup> CGI Strategies has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. For example, CGI Strategies originally proposed to converting the rent-stabilized Villa Carlotta into a standard hotel, when Councilmember Ryu made it clear it would not support the conversion,<sup>37</sup> CGI Strategies turned the property into an extended stay hotel allowing stays as short as 31 days.<sup>38</sup> Similarly, CGI Strategies purchased a rent-stabilized building in Westwood (888 Hilgard Ave.) and did the same thing—renting out units for as short as 31 days.<sup>39</sup> So too, at its Koreatown Kodo project, which was approved by the City as a "60-

<sup>28</sup> City (7/16/18) RE: AHLF Implementation Memo, <http://bit.ly/2W5CRyE>.

<sup>29</sup> *Ibid.*, p. 2 (plans submitted on or after December 20, 2018 are subject to two-thirds of full fee amount).

<sup>30</sup> *See also Ibid.*, PDF pp. 5-6.

<sup>31</sup> *Ibid.*, p. 2 (\$5 per SF fee includes "hotels").

<sup>32</sup> *Ibid.*, p. 3.

<sup>33</sup> *Ibid.*, p. 3 (AHLF guidance states projects "*may* be eligible" for some deductions/credits. Emphasis added).

<sup>34</sup> *Ibid.*, p. 2 (\$12 per SF fee for residential uses including multifamily with six or more units).

<sup>35</sup> *Ibid.*, p. 3.

<sup>36</sup> <https://cgistrategies.com/about-us/our-team/>.

<sup>37</sup> [http://davidryu.lacity.org/statement\\_villa\\_carlotta](http://davidryu.lacity.org/statement_villa_carlotta).

<sup>38</sup> <https://la.curbed.com/2018/6/1/17362856/villa-carlotta-hollywood-hotel-rent-control>.

<sup>39</sup> <https://cgistrategies.com/project/888hilgard/>.

unit multi-family” “residential building” project to serve the Wilshire Community Plan’s “need to provide a diverse mix of housing,”<sup>40</sup> is marketed by CGI Strategies as offering “boutique hotel-style” amenities and also offer short/long term stays.<sup>41</sup> In each case, CGI Strategies either removed housing or promised housing, but delivered de facto hotel uses.

Given CGI Strategies’ track record, Local 11 urges the City to impose enforceable Conditions of Approval (“COA”) that restricts the Project’s residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy. Similar restrictions have been incorporated into other projects approved by the City, which run with the land.<sup>42</sup> So too, the COA should prevent the Applicant from offering any initial lease for less than one year, nor allow tenants to sublet or assign their units or any portion thereof for less than 30 days, and ensure residential units are leased only to actual individuals and families (rather than corporations or other business entities) to ensure this housing remains for long-term residents—not tourists or short-term corporate visitors. Other cities have taken and/or considered these safeguards to ensure project’s approved as residential housing, are actually used for genuine housing purposes.<sup>43</sup>

### VIII. BROWN ACT AND CEQA VIOLATIONS

Here, the agenda for the Zoning Administrator hearing<sup>44</sup> indicates the City is considering the discretionary approvals for the Project’s subdivision and land use entitlements, which is admittedly contingent on the City’s approval of the Project’s ) and the legislative approval of the Projects environmental review under the requested SCPE (Staff Report, pp. 17-20). In fact, the Staff Report states (pp. 4, 16) that City Planning has already “determined that the project is exempt from CEQA as a Sustainable Communities Project (“SCP”) pursuant to [Pub. Res. Code § 21155.1].”

CEQA is necessary here to ensure that the City address the concerns raised herein, as well as ensure the Project does not pose any significant CEQA impacts (e.g., noise impacts to adjacent neighbors due rooftop lounge/pool deck with alcohol service that may or may not include live entertainment with amplified music; hazard impacts due to the Site being within a methane zone, or how the Project will achieve equivalent LEED-Certified to avoid GHG impacts).

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<sup>40</sup> See LOD (8/19/14) DCP Case No. DIR-2014-0601-SPR, pp. 1, 10, <http://bit.ly/2PgGTTT>.

<sup>41</sup> <https://www.multiphasingnews.com/post/cgi-strategies-debuts-la-short-and-long-term-housing/>; see also

<sup>42</sup> See LOD (4/5/18) DCP Case No. CPC-2015-4611, p. Q1 (“The use and development of the 231 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.”), <http://bit.ly/32Bld8w>; see also LOD (2/27/98) DCP Case No. ZA-97-0945-CUZ-ZAI, p. 3 (restriction on conversions “shall run with the land and shall be binding on any subsequent owners, heirs or assigns.”)

<sup>43</sup> See e.g., City of Santa Monica (8/9/18) Rent Control Board Memo, p. 2 (discussing potential steps for the City of Santa Monica to address “a new threat to the rental housing supply ... as an increasing number of landlords have begun to rent to corporate entities who use rent-controlled units for other than the provision of long-term, permanent housing, or themselves rent units to short-term visitors ... Although these practices effect less of a wholesale loss of units than does the demolition of an entire apartment building, the loss is nonetheless real.”), <http://bit.ly/31zjrUg>; see also City of West Hollywood (10/21/19) Item 3A Staff Report, p. (proposing zoning text amendment that would require all dwelling units to have an initial lease term of one year, including apartments units rented), <http://bit.ly/2W6740U>.

<sup>44</sup> Project Hearing Notice, <http://bit.ly/2oVv0b8>.



However, in violation of CEQA and the Brown Act, the agenda does not reference CEQA and the City has not published any SCPE documentation showing the Project's consistency with various criteria and policies under the 2016-2040 RTP/SCS and implementation of all feasible mitigation measures. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed SCPE and staff report concerning the Project's land use entitlements, adopting that CEQA compliance for the Project, and agendizing this all under CEQA. *Azusa Land Reclamation v. Main San Gabriel Watermaster* (1997) 52 Cal.App.4th 1165, 1190 (land use approvals are discretionary action that must include CEQA compliance); *San Joaquin Raptor Rescue Center v. County of Merced* (2013) 216 Cal.App.4th 1167 (Brown Act requires that agenda must identify CEQA). Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## **IX. CITY CANNOT MAKE CODE-REQUIRED LAND USE FINDINGS**

The Project requests approval of various land use entitlements and the environmental clearances which the City *must* make numerous discretionary land use and CEQA findings, including but not limited to those listed below:

- That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;
- That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties; and
- That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.
- That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- That the proposed use will not adversely affect the welfare of the pertinent community. *See* LAMC §§ 12.24.E, 12.24.W.1(a), 16.05.F.

Because the City fails to provide a staff report regarding the Project's entitlements (much less a staff report that addresses the issues raised herein), or any documentation showing the Project is properly exempt from CEQA, the City cannot make to above-listed, Code-required land use findings. Absent substantial evidence addressing the substantial issues with this Project, particularly its inconsistency with the City's TOC program, Local 11 respectfully requests that the City decline any action on the Project Approvals.

## X. CONCLUSION

In summary, Local 11 appreciates the opportunity to comment on the Project's Approvals. However, as proposed, the Project is inconsistent with the City's TOC incentive program and must include more affordable housing units—such as applying the on-site restricted affordable housing unit percentage to the Project's entire hotel and residential components. Otherwise, the City should reject the discretionary land use approvals requested by the Applicant.

The City's TOC incentives are to be used to incentivize housing, not boutique hotels! Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.

The issues raised herein constitute substantial evidence that the Project is not consistent with applicable land use plans, policies, and other zoning regulations. Again, this is not a by-right project; you have the discretion to reject the Project and demand more for the residents of Council District 4. *You have the discretion, so please use it.*

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall", written in a cursive style.

Jamie T. Hall



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Sarajo Frieden** <sarajo@sarajofrieden.com>  
Reply-To: sarajo@sarajofrieden.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 10:25 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Sarajo Frieden  
[sarajo@sarajofrieden.com](mailto:sarajo@sarajofrieden.com)  
1910 North Serrano Avenue  
LA, California 90027



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

2 messages

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**Judith Bogdanove** <info@email.actionnetwork.org>  
Reply-To: judy.bogdanove@gmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 10:23 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,  
Judith K Bogdanove

Judith Bogdanove  
[judy.bogdanove@gmail.com](mailto:judy.bogdanove@gmail.com)  
5141 Ledge Ave  
[North Hollywood, California 91601-4145](#)

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**Aaron Schwab** <info@email.actionnetwork.org>  
Reply-To: schwabar@hotmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 10:32 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a

dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Aaron Schwab

[schwabar@hotmail.com](mailto:schwabar@hotmail.com)

7513 Fountain Avenue, Apt 321

[Los Angeles, California 90046](#)





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Melina Bielefelt** <melinaesther@sbcglobal.net>

Sun, Jan 26, 2020 at 10:32 AM

Reply-To: melinaesther@sbcglobal.net

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Melina Bielefelt

[melinaesther@sbcglobal.net](mailto:melinaesther@sbcglobal.net)

4308 los feliz blvd. #4

Los Angeles , California 90027-2238



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Melanie Henderson** <mh57blue@pacbell.net>  
Reply-To: mh57blue@pacbell.net  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 10:33 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Melanie Henderson  
[mh57blue@pacbell.net](mailto:mh57blue@pacbell.net)  
7428 Hollywood Blvd #306  
[Los Angeles , California 90046](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Suzan Fellman** <suzan@suzanfellman.com>  
Reply-To: suzan@suzanfellman.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 10:33 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Suzan Fellman  
[suzan@suzanfellman.com](mailto:suzan@suzanfellman.com)  
613 S. Citrus Avenue  
[Los Angeles, California 90036](#)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Linda Palius** <palius@sbcglobal.net>  
Reply-To: palius@sbcglobal.net  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 11:38 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Linda Palius  
[palius@sbcglobal.net](mailto:palius@sbcglobal.net)  
4502 Longridge Ave  
Sherman Oaks, California 91423



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

2 messages

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**Mark Spector** <info@email.actionnetwork.org>  
Reply-To: markss240@gmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 1:07 PM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Mark Spector  
[markss240@gmail.com](mailto:markss240@gmail.com)  
Hollywood Blvd  
Los Angeles, California 90069

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**Joyce Davidson** <info@email.actionnetwork.org>  
Reply-To: davidsonjn@gmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 1:26 PM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Joyce Davidson  
[davidsonjn@gmail.com](mailto:davidsonjn@gmail.com)  
540 lillian way  
[Los angeles, California 90004](#)





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**Alyssa Shah** <alyssahshah@earthlink.net>

Sun, Jan 26, 2020 at 5:18 PM

Reply-To: alyssahshah@earthlink.net

To: clerk.cps@lacity.org

PLUM Committee Members,

The City is rushing the environmental review process ahead of approvals for the project at [623-671 S. La Brea Ave](#). This denies the community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure the adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels !

Please stop the CGI Strategies project as proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing.

Environmental Impact must be done first !

Regards,

Alyssa Shah

Alyssa Shah

[alyssahshah@earthlink.net](mailto:alyssahshah@earthlink.net)

611 s. La Brea Ave.

[Los Angeles Ca., California 90036](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

3 messages

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**Alexis Gaines** <info@email.actionnetwork.org>  
Reply-To: lexigaines95@gmail.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 8:58 AM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Alexis Gaines  
[lexigaines95@gmail.com](mailto:lexigaines95@gmail.com)  
4812 Sunnyslope Ave, Apt A  
Sherman Oaks, California 91423

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**Suzann Janvrin** <info@email.actionnetwork.org>  
Reply-To: suzannnicole@gmail.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 8:59 AM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Suzann Janvrin  
[suzannnicole@gmail.com](mailto:suzannnicole@gmail.com)  
401 n Wilton pl  
Los angeles , California 90004

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**Zack Imbrogno** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [zack.imbrogno@gmail.com](mailto:zack.imbrogno@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:14 AM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea Project](#)'s environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Zack Imbrogno  
[zack.imbrogno@gmail.com](mailto:zack.imbrogno@gmail.com)  
8756 Wonderland ave  
[Los Angeles , California 90046](#)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

4 messages

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**Lawrence Carnow** <info@email.actionnetwork.org>  
Reply-To: carnow@gmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 11:10 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Lawrence Carnow  
[carnow@gmail.com](mailto:carnow@gmail.com)  
4348 Mammoth Ave  
[Los Angeles, California 91423](#)

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**Chris Poole** <info@email.actionnetwork.org>  
Reply-To: topherpoole@gmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 5:52 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Chris Poole  
[topherpoole@gmail.com](mailto:topherpoole@gmail.com)  
2035 N Hoover St  
Los Angeles, California 90027

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**Christina Xenos** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [xtina.xenos@gmail.com](mailto:xtina.xenos@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Sun, Jan 26, 2020 at 10:11 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Christina Xenos  
[xtina.xenos@gmail.com](mailto:xtina.xenos@gmail.com)  
2045 Holly Drive, B  
Los Angeles, California 90068

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**Barbara Moroncini** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [bmoroncini@me.com](mailto:bmoroncini@me.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:47 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



1/29/2020

City of Los Angeles Mail - Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

Barbara Moroncini

[bmoroncini@me.com](mailto:bmoroncini@me.com)

1701 Sanborn Ave

Los Angeles, California 90027



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Rosemary Peters** <libigfrat@sbcglobal.net>  
Reply-To: libigfrat@sbcglobal.net  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 10:25 AM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Rosemary Peters  
[libigfrat@sbcglobal.net](mailto:libigfrat@sbcglobal.net)  
612 S Dunsmuir Ave  
Los Angeles, California 90036



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

1 message

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**Alfred Bie** <themEEK@earthlink.net>  
Reply-To: themEEK@earthlink.net  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 2:54 PM

PLUM Committee Members,

To PLUM COMMITTEE MEMBERS, COUNCIL MEMBER RYU, CITY PLANNER MICHELLE CARTER, COUNCIL DISTRICT 4 TEAM, PLANNING DEPUTY EMMA HOWARD, Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Please stop another blatant disregard for the humanity that is missing in current city planning and policy. The right to affordable housing is not only what Los Angeles voted for it is the right for people in Los Angeles.

Regards,

Alfred Bie  
[themEEK@earthlink.net](mailto:themEEK@earthlink.net)  
2412 Kenilworth Ave  
[Los Angeles, California 90039](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Carlo Coppola** <coppola@oakland.edu>  
Reply-To: coppola@oakland.edu  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 6:58 PM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We we deserve a more thorough environmental review.

Thank you,

Carlo Coppola  
[coppola@oakland.edu](mailto:coppola@oakland.edu)  
5033 Franklin Ave  
[Los Angeles](#), Colorado 90927





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

11 messages

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**Adam Reider** <info@email.actionnetwork.org>  
Reply-To: adamreider@mac.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 10:21 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Adam Reider  
[adamreider@mac.com](mailto:adamreider@mac.com)  
826 S. Highland Ave  
Los Angeles, California 90036

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**Christianne Hedtke** <info@email.actionnetwork.org>  
Reply-To: yourfriendchristi@gmail.com  
To: clerk.cps@lacity.org

Sun, Jan 26, 2020 at 1:16 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC



program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Christianne Hedtke  
[yourfriendchristi@gmail.com](mailto:yourfriendchristi@gmail.com)  
1905 n. Alexandria Ave  
Los Angeles, California 90027

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**Armen Meymarian** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [ameymarian@yahoo.com](mailto:ameymarian@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Sun, Jan 26, 2020 at 9:14 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Armen Meymarian  
[ameymarian@yahoo.com](mailto:ameymarian@yahoo.com)  
1964 N. Berendo Street  
Los Angeles, California 90027



**Rich Crook** <info@email.actionnetwork.org>  
Reply-To: homebrewguy@gmail.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 8:56 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave.](#) The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Rich Crook  
[homebrewguy@gmail.com](mailto:homebrewguy@gmail.com)  
1973 Palmerston Place  
Los Angeles, California 90027

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**Maxxe Sternbaum** <info@email.actionnetwork.org>  
Reply-To: batobateau@gmail.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 8:57 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave.](#) The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any

environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Maxxe Sternbaum  
[batobateau@gmail.com](mailto:batobateau@gmail.com)  
8756 wonderland ave  
Los angeles, California 90046

---

**Don Hug** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [donjhug@gmail.com](mailto:donjhug@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:01 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Don Hug  
[donjhug@gmail.com](mailto:donjhug@gmail.com)  
137 n Larchmont Blvd unit 675  
Los Angeles , California 90004

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**Christopher Avina** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [c.avina05@gmail.com](mailto:c.avina05@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:07 AM

PLUM Committee Members,



I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Christopher Avina  
[c.avina05@gmail.com](mailto:c.avina05@gmail.com)  
596 S Ogden Street  
Los Angeles, California 90036

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**Sue Bielenberg** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [hollywoodartchick@yahoo.com](mailto:hollywoodartchick@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:09 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Sue Bielenberg  
[hollywoodartchick@yahoo.com](mailto:hollywoodartchick@yahoo.com)  
1540 N. Formosa Ave, Apt 6  
Los Angeles, California 90046



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**k Ziegler** <info@email.actionnetwork.org>  
Reply-To: kziegler6@yahoo.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 9:31 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

k Ziegler  
[kziegler6@yahoo.com](mailto:kziegler6@yahoo.com)  
4335 Van Nuys blvd  
Sherman oaks , California 91403

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**Mariel Yohe** <info@email.actionnetwork.org>  
Reply-To: marielyohe@gmail.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 2:47 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor).



Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Mariel Yohe

[marielyohe@gmail.com](mailto:marielyohe@gmail.com)

618 S DETROIT ST, APT. 302

[Los Angeles, California 90036](#)

---

**Corey Barger** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [coreysbarger@gmail.com](mailto:coreysbarger@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 10:57 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Corey Barger

[coreysbarger@gmail.com](mailto:coreysbarger@gmail.com)

501 north rossmore ave., #c7

[Los angeles, California 90004](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

13 messages

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**Kabira Stokes** <info@email.actionnetwork.org>

Mon, Jan 27, 2020 at 7:25 AM

Reply-To: kabiramiriam@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Kabira Stokes

[kabiramiriam@gmail.com](mailto:kabiramiriam@gmail.com)

129 Fort Greene Pl

[Brooklyn](#) , [New York 11217](#)

---

**kendrum@aol.com** <info@email.actionnetwork.org>

Mon, Jan 27, 2020 at 9:00 AM

Reply-To: kendrum@aol.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at



the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

[kendrum@aol.com](mailto:kendrum@aol.com)

3650 REGAL PLACE, APT 37

Los Angeles, California 90068

---

**Roni Orlina** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [envproni@gmail.com](mailto:envproni@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:01 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for 623-671 S. La Brea Ave which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Roni Orlina

[envproni@gmail.com](mailto:envproni@gmail.com)

3189 Lake Hollywood

Los Angeles , California 90068

---

**Tulica Singh** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [singh.tulica@gmail.com](mailto:singh.tulica@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:09 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Tulica Singh  
[singh.tulica@gmail.com](mailto:singh.tulica@gmail.com)  
438 s Cochran Ave  
Los Angeles , California 90036

---

**Anne Jubb** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [anniejubb@mac.com](mailto:anniejubb@mac.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 9:27 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Anne Jubb  
[anniejubb@mac.com](mailto:anniejubb@mac.com)



6527 Homewood Ave.  
Hollywood, California 90028

---

**theresabaca@yahoo.com** <info@email.actionnetwork.org>  
Reply-To: theresabaca@yahoo.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 9:58 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

[theresabaca@yahoo.com](mailto:theresabaca@yahoo.com)  
3846 Evans Street Apt. 1  
Los Angeles , California 90027

---

**Cedes Boston** <info@email.actionnetwork.org>  
Reply-To: boston292mercedes3@gmail.com  
To: clerk.cps@lacity.org

Mon, Jan 27, 2020 at 2:22 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at

the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Cedes Boston

[boston292mercedes3@gmail.com](mailto:boston292mercedes3@gmail.com)

1243 1/2 s citrus ave LA .ca

[Los Angeles , California 90019](#)

---

**Shira Pive** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [shirapiv@gmail.com](mailto:shirapiv@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 4:31 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Shira Pive

[shirapiv@gmail.com](mailto:shirapiv@gmail.com)

344 s rossmore

[Los Angeles , California 90020](#)

---

**Wendy Tucker** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Mon, Jan 27, 2020 at 6:28 PM



Reply-To: watucker59@gmail.com  
To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Wendy Tucker  
[watucker59@gmail.com](mailto:watucker59@gmail.com)  
4359 Talofa Ave  
Toluca Lake, California 91602

---

**Judy Rumeliotis** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [judyrumeliotis76@gmail.com](mailto:judyrumeliotis76@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Mon, Jan 27, 2020 at 7:01 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Judy Rumeliotis

Judy Rumeliotis  
[judyrumeliotis76@gmail.com](mailto:judyrumeliotis76@gmail.com)  
Burnside Avenue  
Los Angeles, California 90036

---

**Cassie Ito** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [cassie.ito@gmail.com](mailto:cassie.ito@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Tue, Jan 28, 2020 at 6:15 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Cassie Ito  
[cassie.ito@gmail.com](mailto:cassie.ito@gmail.com)  
900 Seminole  
Wilmette, Illinois 60091

---

**Mark Simon** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [marksimon911@gmail.com](mailto:marksimon911@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Tue, Jan 28, 2020 at 6:40 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La](#)



[Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Mark Simon

[marksimon911@gmail.com](mailto:marksimon911@gmail.com)

1938 1/2 Commonwealth Ave

Los Angeles, California 90027

---

**Rita Kassak** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [kassak.rota@gmail.com](mailto:kassak.rota@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Tue, Jan 28, 2020 at 3:44 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Rita Kassak

[kassak.rota@gmail.com](mailto:kassak.rota@gmail.com)

5775 1/2 Aldama

LA , California 90042



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**Peter Harris** <peterharris59@netzero.net>

Thu, Jan 30, 2020 at 3:30 PM

Reply-To: peterharris59@netzero.net

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Peter Harris

[peterharris59@netzero.net](mailto:peterharris59@netzero.net)

6526 Drexel Avenue

Los Angeles, California 90048





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

---

**Amiya Brown** <arbrown@hamilton.edu>  
Reply-To: arbrown@hamilton.edu  
To: clerk.cps@lacity.org

Fri, Jan 31, 2020 at 3:18 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Amiya Brown  
[arbrown@hamilton.edu](mailto:arbrown@hamilton.edu)  
402 N Windsor Blvd  
[Los Angeles, California 90004](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

**Rosi Reed** <info@email.actionnetwork.org>  
Reply-To: all4luv100@yahoo.com  
To: clerk.cps@lacity.org

Tue, Feb 4, 2020 at 2:43 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

La needs at least 300 percent more Affordable Housing ASAP!!! THE NATIONAL HOMELESS CRISIS IN AMERICA IS INHUMANE AND VILE!!!

Rosi Reed  
[all4luv100@yahoo.com](mailto:all4luv100@yahoo.com)  
5112 Sepulveda Blvd N. #123  
Sherman Oaks, California 91403





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Rita Kassak** <kassak.rita@gmsil.com>  
Reply-To: kassak.rita@gmsil.com  
To: clerk.cps@lacity.org

Sat, Feb 8, 2020 at 12:19 PM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Rita Kassak  
[kassak.rita@gmsil.com](mailto:kassak.rita@gmsil.com)  
5775 1/2 Aldama St  
[Los Angeles, California 90042](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

---

## CF #19-1533: No to Wilshire / La Brea

1 message

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**Paige Wery** <info@email.actionnetwork.org>  
Reply-To: paigeannwery@gmail.com  
To: clerk.cps@lacity.org

Sat, Feb 8, 2020 at 6:25 AM

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Paige Wery  
[paigeannwery@gmail.com](mailto:paigeannwery@gmail.com)  
7160 Rosewood Ave  
Los Angeles, California 90036



City Clerk Council and Public Services <clerk.cps@lacity.org>

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**Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Josh McCloskey** <info@email.actionnetwork.org>  
Reply-To: joshmccloskey@yahoo.com  
To: clerk.cps@lacity.org

Mon, Feb 10, 2020 at 5:56 PM

PLUM Committee Members,

I fully support the luxury hotel project and want it approved as fast as possible.

Best,

Josh McCloskey

Josh McCloskey

[joshmccloskey@yahoo.com](mailto:joshmccloskey@yahoo.com)

428 S. Sycamore ave

[Los Angeles, California 90036](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

---

## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**stephaniedshaw@gmail.com** <info@email.actionnetwork.org>

Tue, Feb 18, 2020 at 5:09 PM

Reply-To: stephaniedshaw@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

[stephaniedshaw@gmail.com](mailto:stephaniedshaw@gmail.com)

1306 N Orange Dr, 102

LA, California 90028





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Juan Vidopio** <info@email.actionnetwork.org>  
Reply-To: vidopio@gmail.com  
To: clerk.cps@lacity.org

Fri, Feb 7, 2020 at 10:41 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Juan Vidopio  
[vidopio@gmail.com](mailto:vidopio@gmail.com)  
21414 Clinton st  
Los Angeles , California 90026

## Communication from Public

**Name:** Maya Barron

**Date Submitted:** 01/14/2020 02:10 PM

**Council File No:** 19-1533

**Comments for Public Posting:** As property owners and/or residents living less than half a mile from the project, we object to the project for all the reasons stated in the record. We ask that this letter be placed in the administrative record for the project and the council file. Maya Kobayashi Barron (owner and resident) Matthew Jones (resident) Katherine T. Kobayashi (owner) Harold S. Barron (owner)  
Address: 600 S. Ridgeley Dr. Unit 202, Los Angeles, CA 90036

## Communication from Public

**Name:** Jamie Hall

**Date Submitted:** 01/14/2020 09:17 AM

**Council File No:** 19-1533

**Comments for Public Posting:** Dear Honorable Planning Land Use Management Committee:  
This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively “Local 11”) to provide the City of Los Angeles (“City”) the following comments regarding the Sustainable Communities Exemption Assessment (“SCEA”) for the eight-story, 201,123 square foot (“SF”) mixed-use project including 121 residential units and 125 guest rooms (“Project”) on a 12-lot site at 623-671 South La Brea Avenue (“Site”) proposed by La Brea Bliss, LLC on behalf of CGI Strategies (“Applicant”).  
Regards, Jamie T. Hall Channel Law Group, LLP 8383 Wilshire Blvd., Suite 750 Beverly Hills, CA 90211

# Channel Law Group, LLP

---

8383 Wilshire Blvd.  
Suite 750  
Beverly Hills, CA 90211

Phone: (310) 347-0050  
Fax: (323) 723-3960  
www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III  
JAMIE T. HALL \*  
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

---

\*ALSO Admitted in Texas

January 14, 2020

## VIA ELECTRONIC MAIL

Leyla Campos, Legislative Assistant  
Michelle Carter, Planner  
c/o PLUM Committee Members  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012  
[michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)  
[clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

**RE: SCEA Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; PLUM Hearing January 14, 2020 at 2:30 P.M.**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the Sustainable Communities Exemption Assessment ("SCEA") for the eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, Local 11 is concerned with the Project's compliance with the California Environmental Quality Act ("CEQA");<sup>2</sup> specifically the SCEA's lack of analysis demonstrating that the Project is genuinely consistent with the Southern California Association of Government's ("SCAG") 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy ("2016 RTP/SCS"), or other requirements for projects seeking CEQA streamlining review. For example, the SCEA fails to provide any modeling of greenhouse gas emissions ("GHG")—a departure from other

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").



City SCEAs. Nor does the SCEA confirm whether the Project will achieve the necessary per capita GHG emission reductions mandated under SB 375.

The comments contained in this comment letter supplement and incorporate by this reference Local 11's previous written comments dated October 30, 2019 regarding the Applicant's improper use of the City's Transit Oriented Communities ("TOC") incentives for this hotel Project (attached hereto as Exhibit A). As fully explained therein<sup>3</sup>, no hotel project has ever been approved using the TOC incentives, and the only other hotel project seeking to use TOC incentives (other than the Project here), has since been terminated.<sup>4</sup>

So too, Local 11 objects to the City's consideration or possible approval of the Project's CEQA environmental document under a SCEA now without also considering or acting on the Project's requested entitlements, which are still pending a decision before the Zoning Administrator who held a public hearing on October 23, 2019 and still has not issued a Letter of Determination.<sup>5</sup> It is well-established that you cannot approve a CEQA document for a project before you approve the project itself.<sup>6</sup> Additionally, CEQA's basic purpose of informing agency decision-makers can be served only if the environmental document is reviewed and considered by the persons responsible for determining whether to approve or disapprove the project.<sup>7</sup>

Local 11 respectfully urges the Planning Land Use Management ("PLUM") Committee to stay all action on the SCEA until the issues discussed herein, as well as the land use and TOC issues raised in our previous written comment (*see* Exhibit A), are addressed in a CEQA-compliant SCEA. So too, Local 11 asks that the City consult with SCAG and request necessary written documentation relevant to the Project's hotel component's purported compliance with the 2016 RTP/SCS.

#### **FAILURE TO ESTIMATE PROJECT'S GHG EMISSIONS OR PROVIDE CALEEMOD MODELING**

Here, the SCEA fails to quantify the Project's GHG emissions or provide any modeling data from CalEEMod, which is contrary to all other SCEAs performed by the City still posted

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<sup>3</sup> CEQA documents including a SCEA are supposed to identify and analyze land use inconsistencies. *See* CEQA Guidelines § 15125(d); *see also* *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-379; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land use policies). As set forth in our October 2019 letter, this Project is riddled with undisclosed land use inconsistencies that also improperly are not identified or analyzed in this SCEA document.

<sup>4</sup> City (12/10/19) Termination Letter RE: ZA-2018-3409/EAF-2018-3410, <http://bit.ly/2QOBDa1>.

<sup>5</sup> City (10/23/19) Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively "Entitlements"]), <http://bit.ly/2uE7LEK>.

<sup>6</sup> *See Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption ["NOE"] filed before the underlying project actually is approved).

<sup>7</sup> *See Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 354; *see also POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731 ("... to serve CEQA's basic purpose of informing governmental decision makers about environmental issues, to the text of the note 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."); CEQA Guidelines § 15022(a)(9) (requires the City to adopt implementing procedures for "[r]eviewing and considering environmental documents by the person or decision making body who will approve or disapprove a project.").

online.<sup>8,9</sup> Failure to do so not only conflicts with past City practices, but also likely may conflict with CEQA Guidelines § 1564.4(a) to make a good-faith effort to calculate or estimate the amount of GHG emissions resulting from a project.

To the extent the SCEA attempts to avoid consideration of project-specific GHG emission analysis by referring to Pub. Res. Code § 21155.2 and Pub. Res. Code § 21159.28 – those sections only provide that the analysis need not discuss “project specific or cumulative impacts from *cars and light-duty truck trips* generated by the project on global warming or the regional transportation network.” Emphasis added. As made clear, only GHG emissions from cars and light-duty trucks need not be considered. This does not eliminate the need to analyze GHG emissions from other sources (e.g., construction, area, energy, water, waste, stationary equipment) for this Project.

### **FAILURE TO COMPARE PROJECT AGAINST SCAG’S GHG PERFORMANCE-BASED GOALS UNDER SB 375**

Here, the Project’s SCEA fails to discuss whether or not the Project is genuinely consistent with SCAG’s 2016 RTP/SCS regarding the reduction in GHG emissions from auto and light-duty vehicles. SB 375 was signed into law in September 2008 to enhance the state’s ability to reach AB 32 goals by directing the California Air Resources Board (“CARB”) to develop regional GHG emission reduction targets to be achieved from passenger vehicles (i.e., autos and light-duty trucks) for 2020 and 2035. In September 2010, CARB adopted regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035, assigning SCAG the targets of an eight percent reduction by 2020 and a 13 percent reduction by 2035.

This goal is reflected in SCAG’s current 2016 RTP/SCS,<sup>10</sup> which the 2016 RTP/SCS Program EIR (“PEIR”) determined that the per capita emission in pounds per day (“lbs/day”) for each SCAG region resident was 23.8 lbs/day in 2005, and that the 2016 RTP/SCS plan would achieve a per capita emission of 21.4 lbs/day in 2020 (i.e., a reduction of eight percent from 2005 levels) and 19.5 lbs in 2035 (i.e., a reduction of 18 percent from 2005 levels) (*see* excerpt following page).<sup>11</sup>

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<sup>8</sup> See e.g., 3600 Wilshire Project (Dec. 2019) SCEA, p. B-96 – B-98, <http://bit.ly/2t59V01> and Appendix C (<http://bit.ly/36SGaOC>); 340 S. Hill St. Equity Residential Mixed-Use Project (Sep. 2019) SCEA, p. V-100 – V-106, <http://bit.ly/2tdOQ3m> and Appendix E (<http://bit.ly/35USXyN>); Thatcher Yard Project (Sep. 2019) SCEA, p. V-57 – V-58, <http://bit.ly/2tdnCdb> and Appendix D (<http://bit.ly/2TmvZ0C>).

<sup>9</sup> Notwithstanding being listed on City website, multiple project SCEA hyperlinks do not open including the Soul Project, Olympic and Hill Projects, Weingart Projects, and Montecito II Senior Housing Project. *See* City (2020) SCEA, <http://bit.ly/387t9Rr>.

<sup>10</sup> SCAG (Apr. 2016) 2016 RTP/SCS, p. 8, 15, 153, 166, <http://bit.ly/2sG4VyH>.

<sup>11</sup> SCAG (11/24/15) 2016 RTP/SCS Draft PEIR, p. 3.8-37 – 3.8-38, <http://bit.ly/2FogAVl>.

**TABLE 3.8.4-3  
SB 375 ANALYSIS**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)	2040 (Plan)
Resident population (per 1,000)	17,161	19,060	21,475	22,116
CO <sub>2</sub> emissions (per 1,000 tons)	204.0*	203.6**	206.0**	203.0**
Per capita emissions (pounds/day)	23.8	21.4	19.5	18.7
% difference from Plan (2020) to Baseline (2005)				-8%*
% difference from Plan (2035) to Baseline (2005)				-18%***
% difference from Plan (2040) to Baseline (2005)				-22%***

**NOTE:**

\* Based on EMFAC2007

\*\* Based on EMFAC2014

\*\*\*Included off-model adjustments for 2035 and 2040

**SOURCE:**

SCAG modeling, 2015

Southern California Association of Governments. 5 November 2015. *Item No. 1 Staff Report: 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) – Proposed Major Components*. Available at: <http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

However, in March 2018, CARB adopted updated targets requiring a 19 percent decrease in GHG emissions for the SCAG region by 2035. This goal is reflected in SCAG’s Draft 2020 RTP/SCS per capita targets,<sup>12</sup> which the 2020 RTP/SCS Draft PEIR updates to per capita emissions of 21.3 lbs/day in 2020 and 18.8 lbs/day in 2035 (*see* excerpt below).<sup>13</sup>

**Table 3.8-10  
SB 375 Analysis**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)
Resident population (per 1,000)	17,161	19,194	21,110
CO <sub>2</sub> emissions (per 1,000 tons)	204.0 <sup>a/</sup>	204.5 <sup>b/</sup>	198.6 <sup>b/</sup>
Per capita emissions (pounds/day)	23.8	21.3	18.8
% difference from Plan (2020) to Baseline (2005)			-8%
% difference from Plan (2035) to Baseline (2005)			-19% <sup>c/</sup>

**Note:**

<sup>a/</sup> Based on EMFAC2007

<sup>b/</sup> Based on EMFAC2014 and SCAG modeling, 2019.

<sup>c/</sup> Includes off-model adjustments for 2035 and 2045

Source: SCAG modeling, 2019.

<http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

Here, the SCEA fails to discuss whether the Project will meet any of the targets identified in the 2016 or 2020 RTP/SCS targets, which is a fundamental requirement under SB 375 and the RTP/SCS.<sup>14</sup> Instead, the SCEA provides an abbreviated consistency analysis of generic goals, policies, and principles listed in the 2016 RTP/SCS; such as: nine generic goals (three of which are admittedly inapplicable), eight generic guiding principles (admittedly none of which are applicable), nine generic land use principles (six of which are admittedly inapplicable), and four generic benefits (one which is admittedly inapplicable) (*see* SCEA pp. 40-46).

<sup>12</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, p. 9, 48, 138, <http://bit.ly/2ZTBEwq>.

<sup>13</sup> SCAG (Nov. 2019) 2020 RTP/SCS Draft PEIR, p. 3.8-73 – 3.8-74, <http://bit.ly/2ZTBEwq>.

<sup>14</sup> SCAG (Apr. 2016) 2016 RTP/SCS, pp. 8, 153 (“The Plan would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040—compared with 2005 levels. This meets or exceeds the state’s mandated reductions, which are eight percent by 2020 and 13 percent by 2035.”), <http://bit.ly/2sG4VyH>.

In addition to the claim of exceeding Title 24 and water efficiency standards (which we question in the below section), the thrust of the SCEA's analysis is that the mixed-use project is infill and near transit and, thus, consistent with the RTP/SCS. Yet, the SCEA fails to compare the Project against any of the actual strategies that flush out and achieve the aforementioned generic goals/policies/principles under the RTP/SCS.<sup>15</sup>

For example, the Project is admittedly overparked by 43 spaces (*see* SCEA, p. 22), which is contrary to parking strategies embraced by SCAG's 2016 RTP/SCS,<sup>16</sup> as well as strategies advanced by the City<sup>17</sup> and California Air Pollution Control Officers Association ("CAPCOA").<sup>18</sup>

Moreover, the SCEA fails to consider whether the Project will meet the 2016 or 2020 RTP/SCS GHG emission reduction targets required under SB 375 discussed above. Nor does the SCEA show that the Project will achieve a 7.4 percent reduction in vehicles miles traveled ("VMT") per capita (regionally) as anticipated under the 2016 RTP/SCS, or consistent with the downward trajectory of VMT per capita (specific to Los Angeles County) anticipated to go from 21.5 VMT in 2012 to 18.4 VMT by 2040.<sup>19</sup> Nor does the SCEA compare the Project against any of the performance-based measures/outcomes also listed in the 2016 RTP/SCS (e.g., Location Efficiency, Mobility And Accessibility, Safety And Health, Environmental Quality, Environmental Justice, etc.).<sup>20</sup>

In sum, the 2016 RTP/SCS's generic goals principles, policies, and benefits are only effectuated via specific strategies achieving tangible performance-based goals/outcomes. Unfortunately, the SCEA's abbreviated consistency evaluation ignores these specific tangible strategies and performance-based standards.

#### **FAILURE TO JUSTIFY WATER EFFICIENCY CALCULATIONS**

To use a SCEA, a project must be 25 percent more water-efficient than the average household use in the region. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCEA claims the Project is 73 percent more water-efficient than the regional average (*see* SCEA, p. 37; *see also* Water Use Reduction Report ["H2O Report"],<sup>21</sup> p. 9). First, however, the SCEA utilizes 2016 Plumbing Code assumptions rather than the 2019 Plumbing Code but fails to discuss why or if this may cause overestimation of water reductions.

Second, the H2O Report assumes only one daily use of dishwasher and clothes washer (*see* H2O Report, p. 4) without justification that it will not be higher. This assumption must correlate to other assumptions of the report, such as the MWD or SCAG data.

Third, the H2O Report generically describes the Project's proposed restaurant use as retail without any reference to its intended use as a restaurant, which has a distinctly different water consumption characteristics than just generic retail (e.g., constant dishwashing). Yet, the report is

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<sup>15</sup> *Ibid.*, pp. 75-84 (such as combating gentrification and incorporating neighborhood electric vehicle).

<sup>16</sup> *Ibid.*, pp. 25, 33, 58, 78, 86.

<sup>17</sup> City (10/24/19) Recommendation Report, <http://bit.ly/2tRHYZA>.

<sup>18</sup> CAPCOA (Aug. 2010) Quantifying Greenhouse Gas Mitigation Measures, pp. 61-62, 207-209, <http://bit.ly/2QN4R8i>.

<sup>19</sup> *Supra* fn. 12, pp. 153-155.

<sup>20</sup> *Supra* fn. 12, pp. 156-174.

<sup>21</sup> OED (Apr. 2019) Total Water use Reduction Report, <http://bit.ly/2RcEvwr>.



silent if these unique restaurant-related water consumption operations were accounted for.

Fourth, the H2O Report uses a 130 gallons per day (“GPD”) per capita in 2017 based on Metropolitan Water District (“MWD”) source (*id.*)<sup>22</sup> but does not explain why it did not use data from SCAG given this is a SCAG-related SCEA.

Fifth, the H2O Report utilizes occupancy rates that seem artificially high, which skews the Report’s baseline levels. The Report establishes a 210,340 GPD baseline by multiplying the 130 GPD to the purported Full-Time Equivalent (“FTE”) occupancy of 1,618 occupants (*see* SCEA, pp. 9-10). Yet, this occupancy level seems too high. For example, the H2O Report claims the 121 dwelling units and 125 hotel rooms will be occupied by 1,505 occupants, equivalent to 6.11 occupants per unit/room. This exceeds 2019 data from the Department of Finance (“DOF”) that shows the average person per household for Los Angeles is 2.83 persons per household, as well as exceeding the rates at nearby cities of Beverly Hills and West Hollywood (2.32 and 1.55 persons per household, respectively).<sup>23</sup> Similarly, the H2O Report’s 6.11 occupants per unit/room also exceeds the 1.5 persons per hotel room<sup>24</sup> and 80 percent hotel occupancy rate<sup>25</sup> used by the City and cited by other sources. Hence, the 121-dwelling units would reasonably accommodate 343 residents (based on 2.83 average people per household), and 150 FTE hotel patrons (based on 80 percent occupancy rate and 1.5 persons per room), for a total of 493 persons—roughly a third of the proposed 1,505 occupancy used in the H2O Report for the Project’s residential/hotel component. As a result, this error alone would reduce baseline levels by 131,560 GPD<sup>26</sup> to 78,780 GPD,<sup>27</sup> which means that the Project’s 56,686 GPD of purported water use (*see* H2O Report, p. 9) would be roughly only 28 percent more water-efficient (assuming no other errors in its analysis).

Sixth, the H2O Report claims the retail portion will have 822 visitors and 50 employees for a 13,037-SF restaurant/retail without any reference to a traffic study, LEED calculator, or other sources to justify these assumptions. Nor is it explain where the weighted factors come from or correctly applied. If improperly used, these occupancy levels and weighted factors can overestimate the Project’s FTE occupancy, which ultimately artificially inflates the baseline level (as demonstrated above).

Seventh, the H2O Report overestimates baseline consumption by including 130 GPD for every

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<sup>22</sup> MWD (Feb. 2019) Achievements in Conservation, Recycling and Groundwater Recharge, p. 17, <http://bit.ly/3a5IBQJ>.

<sup>23</sup> DOF (May 2019) E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2019, <http://bit.ly/37xumBc>.

<sup>24</sup> *See e.g.*, Lizard Hotel Project (Jan. 2017) Draft EIR, PDF p. 24 (Tbl. IV.E-7, table note “b”), <http://bit.ly/2MWiErS>; Colorado Waterwise (undated) Water Savings Analysis for St. Regis Resort, pp. 2 (assuming “assume that the average occupancy is 1.5 guests per room and there is an occupancy rate of 80% . . .”), <http://bit.ly/2ZTEZeW>; American Hotel & Lodging Association (2019) Green Guidelines: Water-Efficient Guest Bathrooms Webpage (showing water savings from example of “a typical 300-room hotel with an average 72% occupancy rate and average 1.5 guests per room.”), <http://bit.ly/2QuQ03j>.

<sup>25</sup> *See e.g.*, Atlas Hospitality Group (7/27/18) Does Southern California Need 472 More Hotels? (Vacancy rates in first five months of 2018 ranged from 78.5 to 81.8 percent for hotels in counties of Los Angeles and Orange, and Inland Empire), <http://bit.ly/2FpTyNY>; City of Los Angeles (2017) Hotel Market Study, p. 3, 7, <http://bit.ly/2QqneRj>; City of Los Angeles (2017) 2017 Annual Report, p. 6, <http://bit.ly/2Nfr9yD>; Visit Anaheim (Aug. 2017) Anaheim and Orange County Hotels, PDF p. 2 (Average occupancy rate for Orange County 80.60 percent), <http://bit.ly/35wF8Gd>.

<sup>26</sup> Calculated: [(1,505 purported occupants) – (493 reasonably expected residents and hotel patrons)] x (130 GPD).

<sup>27</sup> Calculated: (210,340 GPD purported baseline) – (131,560 GPD overestimated).

retail and hotel occupant. Hotels patrons and retail occupants typical do not wash their clothes or dishes in hotels and restaurants like the Project here. Hence, the report overestimates the baseline levels that make the Project appear to be more water-efficient.

In sum, the H20 Report overestimates the baseline consumption without justification and is not conducting an apples-to-apples analysis. These issues must be resolved to ensure the Project's claimed water efficiency is not overstated.

### **FAILURE TO JUSTIFY TITLE 24 CALCULATIONS**

To use a SCEA, a project must be 15 percent more energy-efficient than required under Title 24. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCEA claims that the Project is 15.4 percent more efficient than otherwise required under Title 24 (*see* SCEA, p. 35; *see also* SCEA Title 24 Energy Performance Report [“T24 Report”],<sup>28</sup> p. 3). First, however, the SCEA uses old Title 24 (from 2016) as a baseline (*see* T24 Report, p. 4) and not the new Title 24 (from 2019). To the extent the new Title 24 (2019) is more energy-efficient than prior versions, the use of old Title 24 (2016) artificially inflates the baseline and, thus, overestimates the Project's energy efficiency.

Second, the “energy efficiency measures” cited appear to be fairly generic measures (*id.* at 9), and we question whether they are already included in Title 24 (2019). If these measures are already included in Title 24 (2019), the Project should not get credit for doing what is already required. Nor, should mandatory requirements be included as part of the necessary 15 percent reduction from Title 24.

Third, the T24 Report uses gross square footage that differs from the use square footage used in the SCEA (*compare id.* at p. 5 *with* SCEA, p. 9), and uses occupancy levels that seem artificially high (*see* T24 Report, p. 5). For example, the analysis assumes roughly 7.2 occupants for every residential unit, 5.03 occupants for every hotel room, and 14.9 SF for every retail patron, which is substantially higher compared to other rates, which can ultimately skew the baseline assumptions (as demonstrated in the above section).

In sum, these issues should be explained and justified to ensure the claimed 15-plus percent reduction from Title 24 required for the SCEA is not overestimated.

### **PROJECT MAY NOT QUALIFY FOR SCEA STREAMLINE REVIEW**

To use a SCEA, a project must be limited to no more than 200 residential units. *Id.*, subd. (b)(2). Here, the Project contains 121 residential units and 125 hotel rooms for a total of 246 units. Given the residential nature of hotels, which have similar GHG inducing operations as dwelling units (e.g., mobile emissions, water use, building energy needs, etc.), the Project's hotel units could be considered residential units for SCEA purposes. For example, the SCEA's H20 Report calculates the purported 629 hotel occupants as residential (*see* H20 Report, pp. 2-3), which is further indicia that the hotel units should be considered residential for SCEA analysis purposes. This must be verified with SCAG to determine if SCAG's SCEA/SB 375 analysis accounted for hotels as a residential use or an entirely separate use category subject to different assumptions and performance standards. If SCAG considered hotels as separate and distinct from residential uses, then the City should request the specific data and performance metrics applicable to hotels

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<sup>28</sup> OED (Apr. 2019) Title 24 Energy Performance Report, <http://bit.ly/2Rg09Qn>.

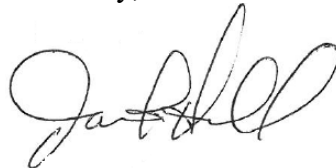
used by SCAG in its 2016 RTP/SCS. Otherwise, the 246-dwelling unit/hotel rooms for the entire Project may very well exceed this 200-unit threshold.

Finally, to use a SCEA, a project must be adequately served by existing utilities. *See* Pub. Res. Code § 21155.1(a)(1). Here, public comments have questioned whether there is adequate utility service given cumulative projects in the area.<sup>29</sup> This, too, should be clarified with substantial evidence.

## CONCLUSION

As discussed above, the Project's SCEA is inadequate and does not meet the level of analysis provided in other SCEA projects reviewed by the City. Local 11 respectfully urges the City to hold action on the SCEA until a CEQA-compliant SCEA is revised and circulated for public review. So too, Local 11 asks the City to request from SCAG the necessary written data and documentation to demonstrate that this hotel Project is consistent with assumptions and performance-based measures outlined in the 2016 RTP/SCS, as SCAG may do upon request.<sup>30</sup>

Sincerely,



Jamie T. Hall

Attachment:

Exhibit A: Local 11 Comments on La Brea Bliss Project Dated October 30, 2019

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<sup>29</sup> Fix the City (1/3/20) Comment Letter, <http://bit.ly/2Tr3puW>.

<sup>30</sup> SCAG (Apr. 2016) 2016 RTP/SCS, SCS Background Documentation, p. 59 (“SCAG staff may provide a *lead agency at the time of its request* readily available data and documentation to help support its finding upon request.” Emphasis added), <http://bit.ly/2RaLYfy>.

# **Exhibit A**



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October 30, 2019

## VIA ELECTRONIC MAIL

Michelle Carter  
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**Re: Comments on La Brea Bliss Project (623-671 South La Brea Avenue)  
DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736  
Zoning Administrator Hearing 10/23/19 at 9:30 a.m**

Dear Ms. Carter:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the proposed eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant"). In short, Local 11 is concerned with the Project's compliance with the Los Angeles Municipal Code ("LAMC" or "Code") and the California Environmental Quality Act ("CEQA"),<sup>2</sup> and requests the City disapproves the Project's requested subdivision, land use entitlements, and environmental review under a Sustainable Communities Project CEQA Exemption ("SCPE") (collectively "Project Approvals").

Of great concern is this Project's unprecedented misuse of the City's Transit Oriented Communities ("TOC") incentives to provide hotel uses. Specifically, the Applicant improperly shuffles floor area ratios and densities between the residential and hotel uses at the Site, misusing the City's TOC density incentives to produce inadequate housing plans – while using the extra density to give itself a free hotel. This is a gross abuse of the TOC incentives and means that the Project apports more than one-third of its total allowed floor area to non-residential uses—at

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

the expense of desperately needed housing. An extra 14 to 48 affordable units must be provided (depending on level of affordability). We have exhaustively researched this issue, as set forth below, and have found no approved or pending TOC incentive project in the City with an even remotely similar imbalance between the residential and non-residential uses. *The City's TOC incentives are to be used to incentive housing, not boutique hotels!* Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). *This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.*

Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of the Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>3</sup> Local 11 therefore respectfully urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units). If not, the City should reject this Project altogether.

Moreover, the Applicant here has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. Given this track record, and the entire TOC-derived planning for this Project, Local 11 urges the City to impose enforceable Conditions of Approval that restricts the Project's residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy.

Finally, in violation of CEQA and the Brown Act the agenda for the October 23, 2019 Zoning Administrator hearing does not reference CEQA, and the City has published no CEQA compliance document for the Project. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed CEQA compliance document, adopting that CEQA document for the Project, and agendizing this all under CEQA. Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## I. STANDING OF LOCAL 11

Local 11 represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona. Members of Local 11, including hundreds who live or work in the City of Los Angeles at or near the Project Site, join together to fight for improved living standards and working conditions. Local 11's members have a direct interest in seeing that the City's land-use laws are being followed, that the City satisfies its affordable housing obligations, and complies with the State's environmental laws. So too unions have standing to litigate land use and environmental claims. *See Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

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<sup>3</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

## II. PROJECT BACKGROUND

Based on the Project application materials (“Project Application”)<sup>4</sup> and entitlement building plans (“Project Plans”),<sup>5</sup> the Project Site includes 12 continuous, C2-1 zoned lots totaling 47,323-SF of lot area (used by Applicant to calculate FAR density) or 51,866 SF including half-width of adjacent alley (used by Applicant to calculate residential and hotel density). *See* Project Application, PDF pp. 10, 12; Project Plans, PDF p. 3, 6. The Project entails the construction of an eight-story, 201,123-SF mixed-use structure including 121 residential units (14 set aside for Extremely Low Income Households), a 125-room hotel (57,948 SF), and 13,037 SF of commercial/retail/restaurant uses, resulting in a development totaling 4.25:1 floor-area-ratio (“FAR”) and advertised by the Applicant as “luxury” residential.<sup>6</sup> *See* Project Application, PDF pp. 12-14. The requested Project Approvals include:

- Vesting Tentative Tract Map for the merger of 12 lots and the creation of five (5) condominium lots (“VTT”),
- Tier 4 TOC incentives to allow an increase in density, FAR, and additional incentives (“TOC Incentives”),
- Master Conditional Use Permit to allow the sale and dispensing of alcoholic beverages on Site (“MCUP”),
- Conditional Use to permit a hotel within 500 feet of a residential zone (“CUP”), and
- Site Plan Review for a development project resulting in an increase of 50 or more residential units and/or guestrooms (“SPR”) (collectively “Entitlements”).

Below is a Project rendering (Fig. 1) and Project components and respective square footage (Fig. 2) from the Applicant’s March 2019 application. *See* Project Application, PDF p. 12; *see also* Project Plans, PDF pp. 2, 4.

**FIGURE 1: PROJECT RENDERING**

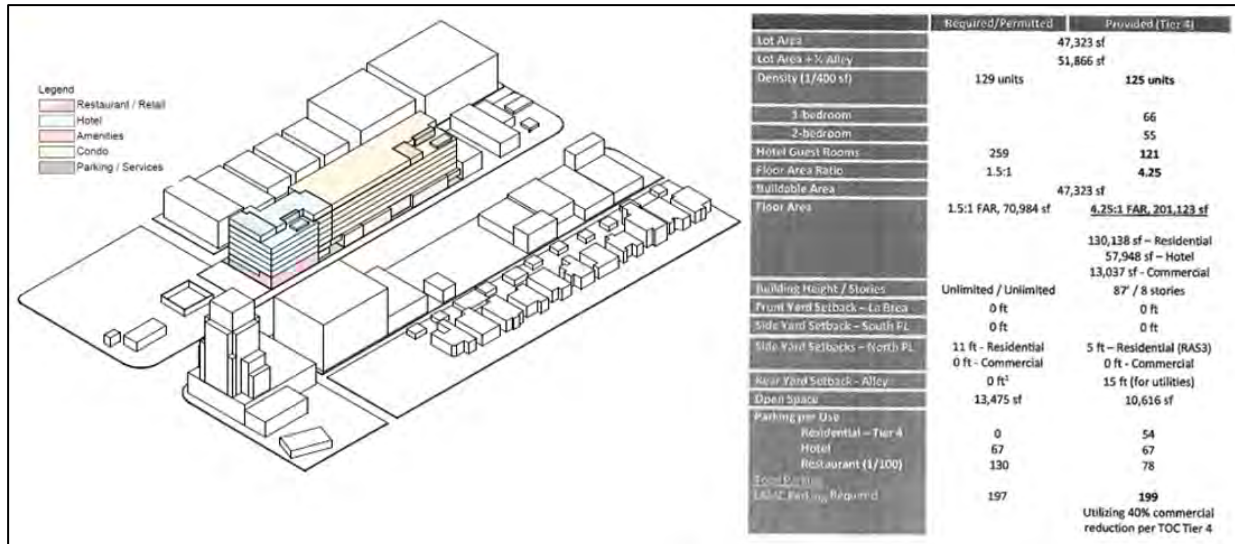


<sup>4</sup> Project Application (250 pages dated March 2019, including Expedited Processing application, proposed findings, EAF application, TOC Referral form, VTT application, etc.), <http://bit.ly/32Eomo8>.

<sup>5</sup> Project Plans (32 pages dated March 19, 2019), <http://bit.ly/35V3hbd>.

<sup>6</sup> CGI Strategies (2019) La Brea Project Webpage, <https://cgistrategies.com/project/la-brea-project/>.

**FIGURE 2: PROJECT COMPONENTS AND PROPOSED SQUARE FOOTAGE**

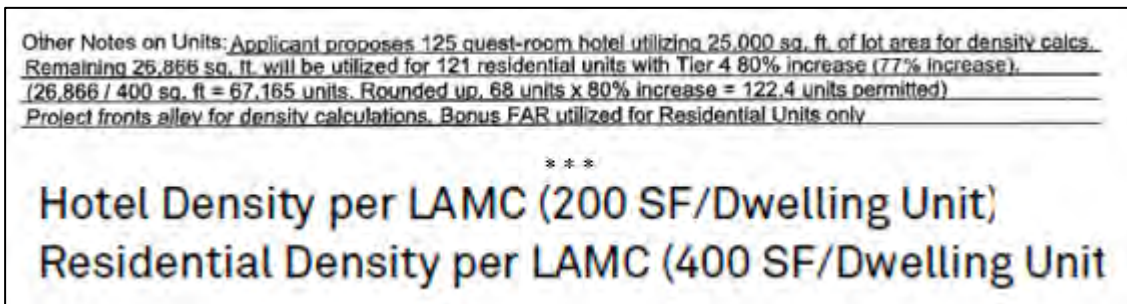


**III. APPLICANT’S DENSITY CALCULATIONS ARE UNTETHERED TO SITE CONDITIONS AND VIOLATE THE CODE**

To reverse engineer the Applicant’s ultimate goal of getting a free hotel, the Project calculates its hotel guest room and base housing density by utilizing arbitrary lot size values. Here, the Applicant calculates its base residential and hotel density by allocating different Site area (i.e., lot area plus half-width alley totaling 51,866 SF) to the Project’s proposed residential and hotel uses. As depicted in the below figures, the Project Application allocates 26,866-SF of Site area for a base residential density of 68 (400 per dwelling unit, rounded up); and 25,000-SF of Site area for a base hotel density of 125 (200 SF per hotel room) (see Fig. 3 below). See Project Application, PDF p. 92; Project Plans, PDF p. 3.

However, when calculating its by-right non-residential FAR, the Applicant utilizes the entire Project Site (not including the half-width alley totaling 47,323 SF), for total of 70,985 SF or 1.5:1 FAR (see Fig. 4 on following page). See Project Application, PDF p. 12; Project Plans, PDF p. 3. As explained below, this shuffling of lot area and density/FAR calculations is neither tethered to the actual proposed building plans nor complies with the Code.

**FIGURE 3: APPLICANT'S DENSITY CALCULATION**





**FIGURE 4: APPLICANT'S NON-RESIDENTIAL FAR CALCULATION**

Buildable Area		47,323 sf
Floor Area	1.5:1 FAR, 70,984 sf	<u>4.25:1 FAR, 201,123 sf</u>
		130,138 sf – Residential
		57,948 sf – Hotel
		13,037 sf - Commercial
	***	
Proposed Non-Residential FAR		1.5 : 1
Proposed Net Hotel Floor Area		57,948 SF
Proposed Net Commercial Floor Area		13,037 SF

**A. BY-RIGHT FAR CALCULATIONS FOR NON-RESIDENTIAL USE VIOLATE THE CODE**

Under the Code, “[n]o required lot which is provided for a dwelling unit, guest room, specific use or total floor area within a building shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building.” LAMC § 12.21.C.1(j), emphasis added. As mentioned above, the Applicant allocated 26,866-SF and 25,000-SF of Site area for the Project’s base residential density and hotel density (respectively), or roughly 52 and 48 percent (respectively) of the Site’s lot area and half-alley square footage. Consistent with LAMC § 12.21.C.1(j), the Project’s hotel FAR component is tied to its allocated lot area, approximately 22,810-SF of lot area (i.e., equivalent to 48 percent of the Site’s total 47,323-SF lot area). As such, the Project’s non-residential floor area should be limited to 34,215-SF.<sup>7</sup>

Here, however, the Applicant disregards this unambiguous Code provision and utilizes the entire 47,323-SF Site area (including the area provided for residential dwelling units) to calculate its hotel floor area rights of 70,985 SF. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

**B. LOT AREA ALLOCATIONS ARE UNTETHERED TO THE PROJECT’S SITE PLANS**

As depicted in the below figures, the Project Plans show the entire mixed-use structure is 400 feet long (see Figs. 5 through 7 on following page), spanning ten of the contiguous lots (i.e., lots 38 through 47) (see Fig. 6), with the hotel component covering roughly one-third of the floor plan (i.e., lots 45-47, roughly 130’-9” along La Brea and 104’-11” deep) (see Fig. 7). See Project Plans, PDF pp. 3-6, 11. As such, the lot area allocated to the Project’s hotel component should be approximately 13,718-SF of lot area<sup>8</sup> (not 25,000 SF), providing by-right floor area rights of 20,578 SF<sup>9</sup> (not 70,985 SF), and hotel density of 69 guest rooms<sup>10</sup> (not 125 rooms). Here, however, the Applicant is shuffling the lot area to maximize its hotel density untethered to its own Project Plans. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

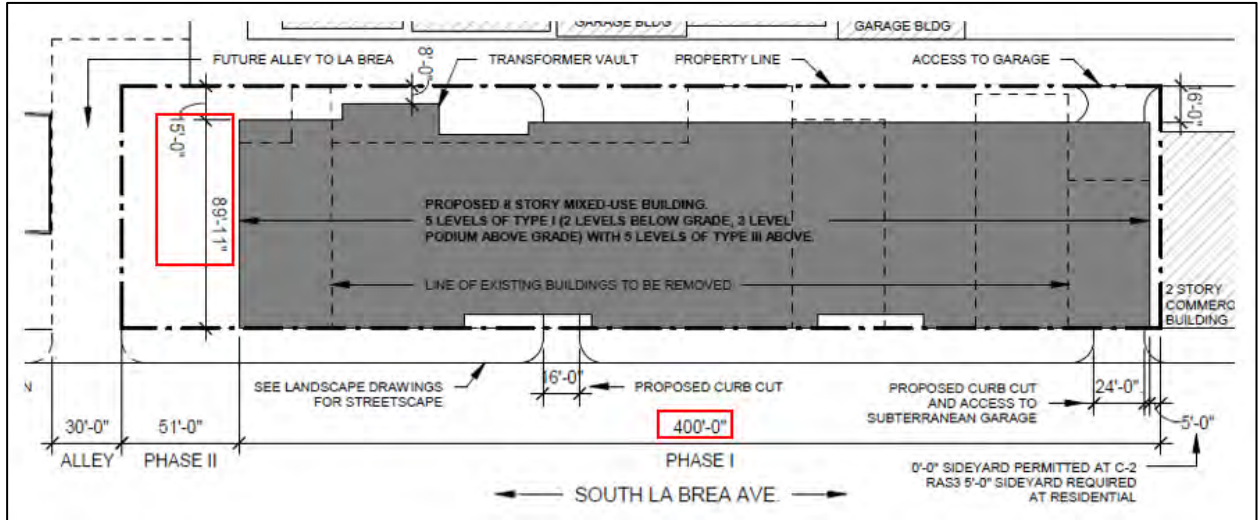
<sup>7</sup> Calculated: (22,810 lot area) x (1.5:1 FAR) = (34,215.33 SF).

<sup>8</sup> Calculated: (130’-9”) x (104’-11”) = (13,717.8 SF of lot area).

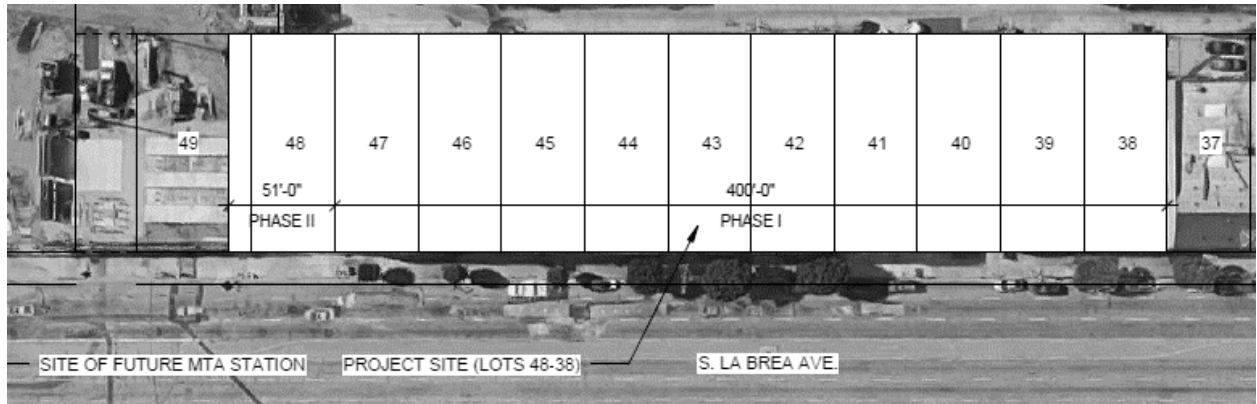
<sup>9</sup> Calculated: (13,717.8 SF of lot area) x (1.5:1 FAR) = (20,576.7 SF).

<sup>10</sup> Calculated: (13,717.8 SF of lot area) / (200 SF per guest room) = (68.5 guest rooms).

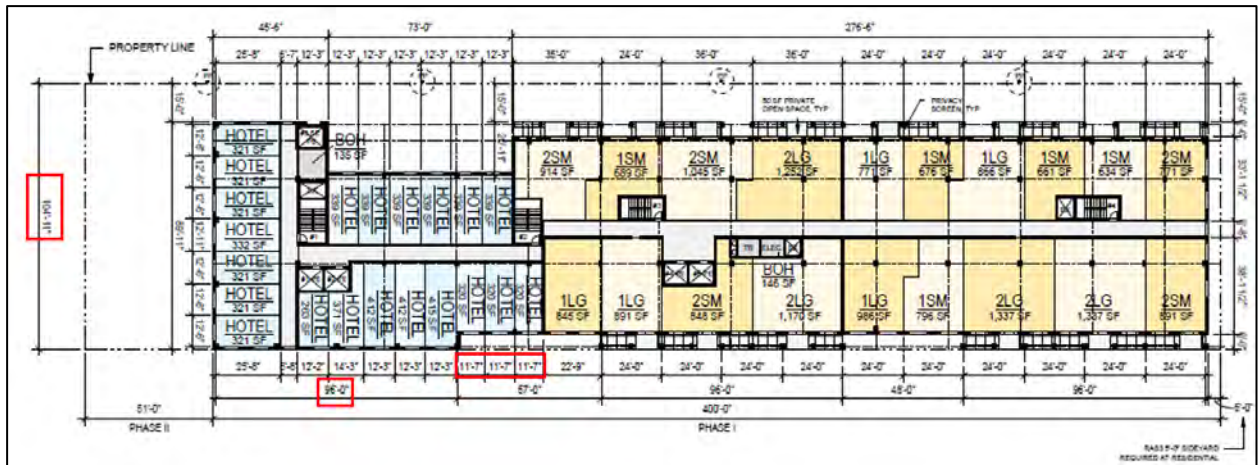
**FIGURE 5: PROPOSED MIXED USE STRUCTURE**



**FIGURE 6: PROJECT LOT COVERAGE**



**FIGURE 7: PROJECT FLOOR PLANS**



## C. SUMMARY

The Applicant's three-card-monte shuffling of the lot area is neither allowed under the Code, nor tethered to reality. It is an elaborate hustle to confuse the City in granting the Site additional density on the false narrative that the Project is just another TOC housing project, which as explained below, could not be further from the truth. As a result, the Applicant gets a bigger, free hotel by misusing the City's TOC incentives (as discussed in great detail below).

## IV. THIS IS AN UNPRECEDENTED TOC PROJECT

In November 2016, City voters approved Measure JJJ by a nearly 30-point margin, which led to the adoption of the TOC incentive program in 2017 (codified at LAMC § 12.22.A.31 *et seq.*). Under the TOC Guidelines, residential projects within a one-half mile of a major transit stop could seek additional incentives, such as increased residential density and FAR from its base zoning if it met various affordable housing requirements.<sup>11</sup> According to the City's most recent housing report, the TOC Guidelines have resulted in the proposal of 3,863 affordable units since 2017.<sup>12</sup> The fundamental purpose of the TOC Guidelines and program is to provide density/FAR incentives to produce housing.

Here, however, the Applicant abuses the TOC Guidelines by utilizing the TOC incentives to produce inadequate housing while using the extra density to give itself a free hotel. This is an obvious and gross misuse of the TOC incentives. With by-right 1.5:1 FAR (70,985 SF), the Applicant allocates all of its by-right square footage to non-residential uses (i.e., 125-room hotel, commercial, retail, restaurant uses), tacks on 130,138-SF (2.75:1 FAR) of residential uses (i.e., 121-room apartment room) for a total of 4.25:1 FAR mixed-use project, in exchange for a meager 14 affordable units. This was not the purpose of the TOC program and Applicant's clever jiggery of the TOC incentives runs counter to every TOC project approved or pending City approval (as discussed below). This is an unprecedented misuse of the TOC incentives and means that the Project has substantially less housing (market-rate and affordable) than it is supposed to – an extra 14 to 48 affordable units must be provided (depending on level of affordability). *The TOC incentives are to be used for housing, not boutique hotels!*

### A. TYPICAL TOC PROJECTS ARE EXCLUSIVELY RESIDENTIAL

Upon reviewing more than 300 TOC projects, it is clearly evident that TOC incentives are used for projects primarily serving residential purposes. For example, as listed in Table 1 on the following page, 240 TOC projects have been approved by the City (111 projects)<sup>13</sup> or pending City approval (129 projects) that exclusively serve residential uses (e.g., market-rate housing, affordable housing, permanent-supportive housing). Here, a by-right project would allow for a 70,985-SF, 1.5:1 FAR (based on 47,323-SF lot area), and up to 129 residential units (based on 51,866-SF lot area plus half-alley). *If this was a typical Tier 4 TOC project, the Project would be allowed 201,123-SF, 4.25:1 FAR (based on 47,323-SF lot area) used exclusively for residential*

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<sup>11</sup> See City (2/26/18) Technical Clarifications to the TOC Guidelines, <http://bit.ly/2BxvaYL>; see also TOC Guidelines FAQ (5/5/18), <http://bit.ly/2N8llps>.

<sup>12</sup> See City (Jun. 2019) Housing Progress Report, PDF p. 3 (noting 2,945 and 918 affordable units via discretionary cases and by-right permits, respectively, since October 2017), <http://bit.ly/2o4hRvl>.

<sup>13</sup> Per DCP's description on the City's Case Summary & Documents website when searching individual projects. See <https://planning.lacity.org/pdiscaseinfo/search/encoded/>.

*uses, and permitting up to 233 residential units* with either 26 Extremely Low Income, 35 Very Low Income, or 59 Low Income units (based on 51,866-SF lot area plus half-alley). Here, however, this mixed-use Project is not providing an entirely residential project, provides only 125 apartment units, and because Applicant wants a hotel use, improperly forgoes as much as 108 residential units (much of which would be affordable).

**TABLE 1: TYPICAL TOC PROJECTS INCLUDING EXCLUSIVELY RESIDENTIAL USES**

<b>111 TOC Projects Approved by the City</b>				
DIR-2017-4421	DIR-2018-2736	DIR-2018-4296	DIR-2018-5919	DIR-2019-0761
DIR-2017-4551	DIR-2018-2808	DIR-2018-4319	DIR-2018-6162	DIR-2019-0764
DIR-2017-4561	DIR-2018-2831	DIR-2018-4336	DIR-2018-6186	DIR-2019-0840
DIR-2017-4807	DIR-2018-2887	DIR-2018-4508	DIR-2018-6218	DIR-2019-0855
DIR-2018-0894	DIR-2018-2918	DIR-2018-4525	DIR-2018-6244	DIR-2019-0883
DIR-2018-0901	DIR-2018-2943	DIR-2018-4649	DIR-2018-6497	DIR-2019-0898
DIR-2018-1122	DIR-2018-3005	DIR-2018-4655	DIR-2018-6560	DIR-2019-1008
DIR-2018-1257	DIR-2018-3038	DIR-2018-4682	DIR-2018-6630	DIR-2019-1021
DIR-2018-1277	DIR-2018-3069	DIR-2018-4752	DIR-2018-6671	DIR-2019-1053
DIR-2018-1393	DIR-2018-3110	DIR-2018-4793	DIR-2018-6719	DIR-2019-1157
DIR-2018-1581	DIR-2018-3274	DIR-2018-4928	DIR-2018-6866	DIR-2019-1445
DIR-2018-1603	DIR-2018-3378	DIR-2018-4954	DIR-2018-6904	DIR-2019-1517
DIR-2018-1626	DIR-2018-3411	DIR-2018-4983	DIR-2018-6956	DIR-2019-1675
DIR-2018-1656	DIR-2018-3460	DIR-2018-4999	DIR-2018-6996	DIR-2019-1753
DIR-2018-1677	DIR-2018-3471	DIR-2018-5175	DIR-2018-7067	DIR-2019-1855
DIR-2018-1868	DIR-2018-3524	DIR-2018-5204	DIR-2018-7575	DIR-2019-1971
DIR-2018-2029	DIR-2018-3645	DIR-2018-5208	DIR-2018-7647	DIR-2019-2356
DIR-2018-2234	DIR-2018-3691	DIR-2018-5473	DIR-2019-0038	DIR-2019-2947
DIR-2018-2503	DIR-2018-3839	DIR-2018-5480	DIR-2019-0091	DIR-2019-2966
DIR-2018-2589	DIR-2018-3888	DIR-2018-5510	DIR-2019-0366	
DIR-2018-2628	DIR-2018-3931	DIR-2018-5515	DIR-2019-0399	
DIR-2018-2653	DIR-2018-3952	DIR-2018-5647	DIR-2019-0575	
DIR-2018-2732	DIR-2018-4135	DIR-2018-5664	DIR-2019-0757	
<b>129 TOC Projects Pending City Approval</b>				
APCC-2019-2047	DIR-2018-7606	DIR-2019-2603	DIR-2019-3768	DIR-2019-5220
DIR-2018-2957	DIR-2019-1006	DIR-2019-2657	DIR-2019-3912	DIR-2019-5235
DIR-2018-3391	DIR-2019-1103	DIR-2019-2700	DIR-2019-4023	DIR-2019-5248
DIR-2018-3536	DIR-2019-1113	DIR-2019-2731	DIR-2019-4049	DIR-2019-5267
DIR-2018-3609	DIR-2019-1200	DIR-2019-0274	DIR-2019-4075	DIR-2019-0530
DIR-2018-4052	DIR-2019-1224	DIR-2019-0277	DIR-2019-0409	DIR-2019-5351
DIR-2018-4817	DIR-2019-1244	DIR-2019-2789	DIR-2019-4090	DIR-2019-5356
DIR-2018-5101	DIR-2019-1323	DIR-2019-2893	DIR-2019-4091	DIR-2019-5420
DIR-2018-5355	DIR-2019-1672	DIR-2019-2908	DIR-2019-4185	DIR-2019-5422
DIR-2018-5859	DIR-2019-1679	DIR-2019-2938	DIR-2019-4221	DIR-2019-5516
DIR-2018-5870	DIR-2019-1693	DIR-2019-0304	DIR-2019-4395	DIR-2019-0553
DIR-2018-5925	DIR-2019-1794	DIR-2019-3138	DIR-2019-4425	DIR-2019-5659
DIR-2018-6175	DIR-2019-1919	DIR-2019-3143	DIR-2019-4577	DIR-2019-5702
DIR-2018-6344	DIR-2019-1955	DIR-2019-3158	DIR-2019-4705	DIR-2019-5704
DIR-2018-6392	DIR-2019-2017	DIR-2019-3204	DIR-2019-4723	DIR-2019-5733
DIR-2018-6634	DIR-2019-2128	DIR-2019-3222	DIR-2019-4725	DIR-2019-5741



DIR-2018-6861	DIR-2019-2145	DIR-2019-0324	DIR-2019-4728	DIR-2019-5859
DIR-2018-6987	DIR-2019-2171	DIR-2019-3294	DIR-2019-4821	DIR-2019-5957
DIR-2018-7019	DIR-2019-2262	DIR-2019-3377	DIR-2019-4911	DIR-2019-0739
DIR-2018-7148	DIR-2019-2266	DIR-2019-3500	DIR-2019-4920	DIR-2019-0750
DIR-2018-7191	DIR-2019-2271	DIR-2019-3502	DIR-2019-5001	DIR-2019-0790
DIR-2018-7340	DIR-2019-2291	DIR-2019-3530	DIR-2019-5051	DIR-2019-0805
DIR-2018-7363	DIR-2019-2323	DIR-2019-3555	DIR-2019-5086	DIR-2019-0848
DIR-2018-7376	DIR-2019-2427	DIR-2019-3588	DIR-2019-5137	DIR-2019-0929
DIR-2018-7431	DIR-2019-2480	DIR-2019-3727	DIR-2019-5170	DIR-2019-0970
DIR-2018-7554	DIR-2019-2570	DIR-2019-3760	DIR-2019-5213	

**B. UNLIKE HERE, THE FEW MIXED-USE TOC PROJECTS TYPICALLY HAVE EXTREMELY LIMITED NON-RESIDENTIAL USES**

So too, the Project is an outlier for even the 57 mixed-use TOC projects approved by the City (28 projects)<sup>14</sup> or pending City approval (29 projects).<sup>15</sup> For example, based on City documents (e.g., Letters of Determination [“LOD”], Case Summary & Document website [“CS&D”], etc.), we were able to discern in 30 of the 57 mixed-use TOC projects the total floor area of the proposed projects including the portion allocated for non-residential uses (e.g., retail, commercial, restaurant, office, etc.). As shown in Table 2 below and the following pages, these rare mixed-use TOC projects on average allocate a mere 6.38 percent of the entire proposed project square footage to non-residential uses. *If this was a typical rare mixed-use TOC project, the Project would include only 6.38 percent of its proposed floor area to non-residential uses* (i.e., 12,832-SF of hotel/retail uses), with the remaining 188,291 SF allocated to residential uses *permitting up to approximately 181 apartment units*<sup>16</sup> (i.e., 58,153 SF and 56 apartment units more than proposed). Here, however, this Project is allocating 35.29 of the entire proposed square footage to non-residential uses (hotel and commercial/retail)—more than five times the average rare mixed-use TOC project.

**TABLE 2: MIXED-USE TOC PROJECTS NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Lot Size (SF)	Total Project (SF)	Non-Residential		Source
			(SF)	Percent of Total SF	
DIR-2019-2593[a]	28,687*	107,012	1,089	1.02%	City (2019) CS&D, <a href="http://bit.ly/2MWPIEH">http://bit.ly/2MWPIEH</a> .

<sup>14</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-1136; DIR-2018-1500; DIR-2018-3014; DIR-2018-3021; DIR-2018-4743; DIR-2018-4864; DIR-2018-4879; DIR-2018-5303; DIR-2018-5415; DIR-2018-5417; DIR-2018-5601; DIR-2018-5887; DIR-2018-5945; DIR-2018-6274; DIR-2018-6322; DIR-2018-6425; DIR-2018-6691; DIR-2018-7342; DIR-2018-7374; DIR-2018-7382; DIR-2018-7690; DIR-2019-104; DIR-2019-1101; DIR-2019-1394; DIR-2019-1957; DIR-2019-2453; DIR-2019-2593; DIR-2019-3287.

<sup>15</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-3172; DIR-2018-5014; DIR-2018-5079; DIR-2018-6684; DIR-2019-1133; DIR-2019-1254; DIR-2019-1321; DIR-2019-1558; DIR-2019-1663; DIR-2019-2051; DIR-2019-2131; DIR-2019-2431; DIR-2019-2482; DIR-2019-2727; DIR-2019-2765; DIR-2019-3146; DIR-2019-337; DIR-2019-3680; DIR-2019-3936; DIR-2019-3991; DIR-2019-4573; DIR-2019-5140; DIR-2019-5394; DIR-2019-5590; DIR-2019-5645; DIR-2019-6048; DIR-2019-647; DIR-2019-909; ZA-2018-3985.

<sup>16</sup> Based on the Applicant’s average 1,042-SF apartment unit calculated based on the following: (130,138-SF residential uses) / (125 apartment units) = (1,041.1 SF/unit). *See* Project Application, PDF p. 12.

DIR-2019-3287[a]	46,009	117,106	1,700	1.45%	City (8/1/19) LOD, PDF pp. 2, 8, 11, <a href="http://bit.ly/32xArLT">http://bit.ly/32xArLT</a> .
DIR-2018-6691[a]	7,500	28,071	426	1.52%	City (5/2/19) LOD, PDF pp. 2, 7-8, <a href="http://bit.ly/32uSWk8">http://bit.ly/32uSWk8</a> .
DIR-2018-3021[a]	16,704	62,640	1,145	1.83%	City (12/17/18) LOD, PDF pp. 7-8, <a href="http://bit.ly/32wQBoR">http://bit.ly/32wQBoR</a> .
DIR-2018-1136[a]	51,303	180,334	3,600	2.00%	City (11/1/18) LOD, PDF p. 7, <a href="http://bit.ly/2oWREj6">http://bit.ly/2oWREj6</a> .
DIR-2018-7374[a]	7,210	11,559	240	2.08%	City (5/21/19) LOD, PDF pp. 6-7, <a href="http://bit.ly/33NyJ9c">http://bit.ly/33NyJ9c</a> .
DIR-2018-1500[a]	41,440	110,558	2,346	2.12%	City (7/23/18) LOD, PDF pp. 2, 7, <a href="http://bit.ly/2Mxzw8I">http://bit.ly/2Mxzw8I</a> .
DIR-2018-3014[a]	7,350	27,501	645	2.35%	City (12/12/18) LOD, PDF p. 5, <a href="http://bit.ly/33LGXP7">http://bit.ly/33LGXP7</a> ; see also Floor Plan, PDF p. 1, <a href="http://bit.ly/2pG2wSp">http://bit.ly/2pG2wSp</a> .
DIR-2018-6274[a]	10,733	28,333	671	2.37%	City (4/29/19) LOD, PDF pp. 3, 7, 11, <a href="http://bit.ly/2BpxYqZ">http://bit.ly/2BpxYqZ</a> .
DIR-2018-4743[a]	20,913	95,260	2,499	2.62%	City (5/9/19) LOD, PDF p. 6, <a href="http://bit.ly/32xkRzR">http://bit.ly/32xkRzR</a> .
DIR-2018-6322[a]	36,371	136,189	3,600	2.64%	City (1/23/19) LOD, PDF p. 6, <a href="http://bit.ly/2o1tsfl">http://bit.ly/2o1tsfl</a> .
DIR-2018-5014[b]	21,274*	93,467	2,500	2.67%	City (9/18/19) Hearing Notice, PDF p. 1, <a href="http://bit.ly/2BunfLK">http://bit.ly/2BunfLK</a> .
DIR-2018-5945[a]	53,504	200,640	7,843	3.91%	City (2/27/19) LOD, PDF p. 6, <a href="http://bit.ly/31yHeDw">http://bit.ly/31yHeDw</a> .
DIR-2018-5417[a]	11,708	23,455	1,000	4.26%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2qqJksh">http://bit.ly/2qqJksh</a> .
DIR-2018-5601[a]	16,940	55,055	2,395	4.35%	City (12/10/18) LOD, PDF p. 6, <a href="http://bit.ly/2Bva79m">http://bit.ly/2Bva79m</a> .
DIR-2019-1394[a]	22,824	51,623	2,491	4.83%	City (7/5/19) LOD, PDF pp. 7, 11, <a href="http://bit.ly/2PeBvR9">http://bit.ly/2PeBvR9</a> .
DIR-2018-6425[a]	45,792*	171,634	8,561	4.99%	City (2/1/19) Notice of Exemption, PDF p. 1, <a href="http://bit.ly/35PD6Td">http://bit.ly/35PD6Td</a> .
DIR-2018-7342[a]	14,863	50,985	2,640	5.18%	City (4/10/19) LOD, PDF p. 7, <a href="http://bit.ly/2pG3Lkx">http://bit.ly/2pG3Lkx</a> .
DIR-2019-2727[b]	21,547*	65,140	3,640	5.59%	City (2019) CS&D, <a href="http://bit.ly/2VWZ2Ho">http://bit.ly/2VWZ2Ho</a> ; see also Office of Historic Resources (10/2/19) Updated Agenda, PDF p. 2, <a href="http://bit.ly/35R6hFl">http://bit.ly/35R6hFl</a> .
DIR-2018-4864[a]	60,810	209,157	12,175	5.82%	City (4/19/19) LOD, PDF pp. 2, 7-8, 19, <a href="http://bit.ly/2VXcb3e">http://bit.ly/2VXcb3e</a> .
DIR-2018-5415[a]	24,357	51,630	3,175	6.15%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2Myb6vE">http://bit.ly/2Myb6vE</a> ; see also City (2019) CS&D, <a href="http://bit.ly/35SqESI">http://bit.ly/35SqESI</a> .

ZA-2018-3985[b]	51,236	222,944	15,307	6.87%	City (5/15/19) SCEA, PDF p. 1, 6-7, <a href="http://bit.ly/32zLcNQ">http://bit.ly/32zLcNQ</a> .
DIR-2018-7690[a]	36,423	137,951	10,114	7.33%	City (7/25/19) LOD, PDF p. 7, <a href="http://bit.ly/2pFu6Q4">http://bit.ly/2pFu6Q4</a> .
DIR-2019-0104[a]	16,379*	60,940	5,689	9.34%	City (2019) CS&D, <a href="http://bit.ly/2BtAhJr">http://bit.ly/2BtAhJr</a> .
DIR-2019-2453[a]	22,379	62,678	6,500	10.37%	City (6/27/19) LOD, PDF p. 8, <a href="http://bit.ly/2W45Djl">http://bit.ly/2W45Djl</a> .
DIR-2019-1957[a]	27,496	75,571	9,048	11.97%	City (8/14/19) LOD, PDF p. 8, <a href="http://bit.ly/31vqYDm">http://bit.ly/31vqYDm</a> .
DIR-2019-1663[b]	11,634*	44,566	5,861	13.15%	City (2019) CS&D, <a href="http://bit.ly/2P4aK1v">http://bit.ly/2P4aK1v</a> .
DIR-2018-7382[a]	12,867	44,116	6,479	14.69%	City (8/1/19) LOD, PDF pp. 7, 13-14, <a href="http://bit.ly/31svBhr">http://bit.ly/31svBhr</a> .
DIR-2018-4879[a]	12,000	22,566	5,325	23.60%	City (3/5/19) LOD, PDF p. 6, <a href="http://bit.ly/33SJo2J">http://bit.ly/33SJo2J</a> .
DIR-2018-5303[a]	12,544	44,081	10,774	24.44%	City (5/16/16) LOD, PDF pp. 7, 13, <a href="http://bit.ly/32y0lPA">http://bit.ly/32y0lPA</a> .
<b>Average</b>				<b>6.38%</b>	
<b>Project</b>	47,323	201,123	70,985	<b>35.29%</b>	
<b>Notes:</b>					
*: Lot area determined via ZIMAS for all lots listing case number.					
[a]: Approved by the City.					
[b]: Pending City Approval.					

**C. OUTLIER MIXED-USE TOC PROJECTS NEVER MAX OUT THEIR BY-RIGHT FAR ON NON-RESIDENTIAL USES, WHICH THE PROJECT PROPOSES HERE**

As the above table demonstrates, the vast majority of the above-listed projects allocate less than ten percent of the entire proposed project square footage to non-residential uses. Even in outlier cases (six in total) where a rare mixed-use TOC project allocates 10 percent or more to non-residential uses, those projects allocate only a small portion of their by-right FAR to non-residential uses. As shown in Table 3 on the following page, those six mixed-use TOC projects included relatively small lot sizes (average 16,487 SF) with relatively small by-right floor area rights (average 27,369 SF), and where applicants proposed only a small fraction to be used for non-residential uses—amounting to less than 30 percent of their respective by-right floor area rights (on average). *If this was a typical outlier case of a rare mixed-use TOC project, the Project would include only 30 percent of its by-right floor area rights to non-residential uses (i.e., 21,296 -SF of hotel/retail uses), with the remaining 179,827 SF allocated to residential uses permitting up to approximately 173 apartment units<sup>17</sup> (i.e., 49,689 SF and 48 apartment units more than proposed).* Here, however, this Project includes a substantially larger lot area (2.8 times larger than average) and allocates 100 percent of its by-right floor area rights for non-residential uses— more than three times the average for outliers in rare mixed-use TOC projects.

<sup>17</sup> *Ibid.*

**TABLE 3: OUTLIER, MIXED-USE TOC PROJECTS USE OF BY-RIGHT FAR**

DCP Case Number	Lot		By Right		Proposed Non-Res	
	Size (SF)	Zoning	FAR[c]	SF	SF	Percentage of By-Right
DIR-2019-2453[a][d]	22,379	Mix	1.93:1	43,132	6,500	15%
DIR-2019-1957[a][e]	27,496	[Q]C2-1VL	1.5:1	41,244	9,048	22%
DIR-2019-1663[b][f]	11,634*	C2-1	1.5:1	17,451	5,861	34%
DIR-2018-7382[a][g]	12,867	C2-1VL	1.5:1	19,300	6,479	34%
DIR-2018-4879[a][h]	12,000	C4-1XL	1.5:1	18,000	5,325	30%
DIR-2018-5303[a][i]	12,544	[Q]C2-1-O	2.0:1	25,088	10,774	43%
<b>Average</b>	16,487					<b>29%</b>
<b>Project</b>	47,323	C2-1	1.5:1	70,985	70,985	<b>100%</b>

**Notes:**

- \*: Lot area determined via ZIMAS for all lots listing case number.
- [a]: Approved by the City.
- [b]: Pending City Approval.
- [c]: See 2013-2021 Housing Element, Appendix E, Generalized Summary of Zoning Regulations, p. E-6 (Height Districts), <http://bit.ly/2W0y1TG>.
- [d]: According to ZIMAS, project comprised of three lots including: two lots totaling 16,004.5 SF, zoned C2-1, permitted 1.5:1 FAR by right; and one, 6,375-SF lot zoned RD2-1 permitted 3:1 FAR by right. See also City (6/27/19) LOD, PDF pp. 8, 13-14, <http://bit.ly/2W45Djl>.
- [e]: See City (8/14/19) LOD, PDF pp. 8, 10, 16, 20, <http://bit.ly/31vqYDm>.
- [f]: See City (2019) CS&D, <http://bit.ly/2P4aK1v>.
- [g]: See City (8/1/19) LOD, PDF pp. 7-8, 13-14, <http://bit.ly/31svBhr>.
- [h]: See City (3/5/19) LOD, PDF pp. 2, 6, <http://bit.ly/33SJo2J>.
- [i]: See City (5/16/16) LOD, PDF pp. 7, 13, <http://bit.ly/32y0IPA>.

**D. MIXED-USE TOC PROJECTS PRODUCE WAY MORE RESIDENTIAL UNITS PER NON-RESIDENTIAL SQUARE FOOTAGE THAN THIS PROJECT**

As previously mentioned, City documents disclosed proposed floor area for only 30 of the 57 rare mixed-use TOC projects approved and/or pending City approval. However, City documents disclose proposed total residential units for 17 other rare mixed-use TOC projects (mostly pending City approval). As shown in Table 4 on the following page, on average, these rare mixed-use TOC projects allocate approximately 74.2 SF of non-residential uses for every residential unit proposed. *If this was a typical rare mixed-use TOC project, the Project would produce one residential unit for every 74.2 SF of non-residential uses* (i.e., 9,275 SF of hotel/retail uses), with the remaining 191,848 SF allocated to the 125 apartment units, *resulting in substantially larger units (i.e., appx. 1,535 SF on average) capable of providing more beds to house larger families*. Here, however, this Project is proposing much smaller apartment units (i.e., 1,042 SF on average)<sup>18</sup> because it produces one apartment unit for every 587 SF of non-residential uses—more than seven times the average for these rare mixed-use TOC projects.

<sup>18</sup> *Ibid.*



**TABLE 4: MIXED-USE TOC PROJECTS HOUSING UNITS V. NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Total Res. Units (Units Affordable)	Non-Res (SF)	Non-Res SF per Res Unit (SF/unit)	Source
DIR-2019-1558[b]	119 (11)	2,000	16.8	City (2019) CS&D, <a href="http://bit.ly/2o8P4Gw">http://bit.ly/2o8P4Gw</a> .
DIR-2019-3680[b]	99 (TBD)	2,000	20.2	City (2019) CS&D, <a href="http://bit.ly/2MYymCa">http://bit.ly/2MYymCa</a> .
DIR-2019-2482[b]	64 (6)	1,395	21.8	City (2019) CS&D, <a href="http://bit.ly/2o4TWWl">http://bit.ly/2o4TWWl</a> .
DIR-2019-1101[a]	57 (TBD)	1,600	28.1	City (2019) CS&D, <a href="http://bit.ly/35UBffW">http://bit.ly/35UBffW</a> .
DIR-2019-337[b]	177 (TBD)	5,500	31.1	City (2019) CS&D, <a href="http://bit.ly/31yG771">http://bit.ly/31yG771</a> .
DIR-2019-6048[b]	486 (66)	16,395	33.7	City (2019) CS&D, <a href="http://bit.ly/2P6c2Ju">http://bit.ly/2P6c2Ju</a> .
DIR-2019-2051[b]	119 (TBD)	4,800	40.3	City (2019) CS&D, <a href="http://bit.ly/2W1S97y">http://bit.ly/2W1S97y</a> .
DIR-2019-3936[b]	371 (56)	15,726	42.4	City (2019) CS&D, <a href="http://bit.ly/2NcDUcr">http://bit.ly/2NcDUcr</a> .
DIR-2018-3172[b]	80 (8)	4,117	51.5	City (2019) CS&D, <a href="http://bit.ly/33RVbOq">http://bit.ly/33RVbOq</a> .
DIR-2019-0909[b]	58 (TBD)	3,245	55.9	City (2019) CS&D, <a href="http://bit.ly/32A2qKS">http://bit.ly/32A2qKS</a> .
DIR-2018-6684[b]	130 (13)	10,053	77.3	City (2019) CS&D, <a href="http://bit.ly/2qxuh09">http://bit.ly/2qxuh09</a> .
DIR-2018-5079[b]	73 (16)	6,481	88.8	City (2019) CS&D, <a href="http://bit.ly/35V2tmo">http://bit.ly/35V2tmo</a> .
DIR-2019-5394[b]	60 (6)	5,900	98.3	City (2019) CS&D, <a href="http://bit.ly/35XHoYT">http://bit.ly/35XHoYT</a> .
DIR-2019-2765[b]	67 (7)	8,450	126.1	City (2019) CS&D, <a href="http://bit.ly/2MCKH4N">http://bit.ly/2MCKH4N</a> .
DIR-2019-1321[b]	55 (6)	7,379	134.2	City (2019) CS&D, <a href="http://bit.ly/2VYyYvs">http://bit.ly/2VYyYvs</a> .
DIR-2019-0647[b]	33 (3)	4,895	148.3	City (2019) CS&D, <a href="http://bit.ly/2JaJqLh">http://bit.ly/2JaJqLh</a> .
DIR-2019-4573[b]	67 (7)	16,500	246.3	City (2019) CS&D, <a href="http://bit.ly/31vi20N">http://bit.ly/31vi20N</a> .
<b>Average</b>			<b>74.2</b>	
<b>Project</b>	121 (14)	70,985	<b>586.7</b>	
<b>Notes:</b>				
[a]: Approved by the City.				
[b]: Pending City Approval.				

**E. HOTEL TOC PROJECTS ARE UNCHARTERED TERRITORY THAT MUST UNDERGO THE STRICTEST SCRUTINY**

Upon the review of more than 300 TOC projects, we were able to identify only two TOC projects pending City approval that include hotel uses, this Project and a ten-story, 108,625-SF mixed-use TOC project including 110-guest room, 45-residential units, and 6,212-SF ground floor commercial/restaurant uses located at 6075 W. Pico Boulevard (DCP Case No. ZA-2018-3409) (“Pico Hotel”). Based on their respective DCP applications, both of these projects are linked to the same expediter (i.e., Three6ity), play the same three-card-monte shuffling of lot area to calculate hotel/residential density, and max-out (or nearly max-out) the project site’s by-right floor area on non-residential uses like the hotel (see Tbl. 5 on following page). Please stop this practice now in its tracks.

/ / /

**TABLE 5: HOTEL TOC PROJECTS**

La Brea Bliss Project[a]	Pico Hotel Project[b]																																																																																																																											
<p><b>Agent/Representative name:</b> Dana Savig, AICP  <b>Company/Firm:</b> Treadwell  <b>Address:</b> 11872 N. Winthelton Boulevard  <b>City:</b> Glendale, CA  <b>Telephone:</b> (310) 204-3500</p>	<p><b>Agent/Representative name:</b> Dana Savig, AICP  <b>Company/Firm:</b> Treadwell  <b>Address:</b> 4989 Overhill Ave  <b>City:</b> Glendale, CA  <b>Telephone:</b> (310) 204-3500</p>																																																																																																																											
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<p><b>Notes:</b></p> <p>[a] Project Application Materials, PDF pp. 4, 12, 92, 109</p> <p>[b] Pico Hotel Application Materials, PDF pp. 2, 4, 18, 45</p> <p>[c] Based on its 47,323-SF, 1.5:1 FAR Site, the Project's existing by-right floor area is 70,984.5 SF, which the Project uses 100 percent for non-residential uses (e.g., hotel, commercial, restaurant, retail). Based on its 29,511-SF, 1.5:1 FAR site, the Pico Hotel project's existing by-right floor area is 44,266.5 SF, which the project uses more than 95 percent for non-residential uses (e.g., hotel, commercial, restaurant).</p>																																																																																																																												

Both of these cases set a dangerous precedent that departs from all the TOC projects and the intent of the TOC incentives. Unlike the above-mentioned 240 of 300 TOC projects (80 percent) that produce exclusively residential units, here these projects are rare mixed-use projects (discussed *supra* section IV.A). As shown in Table 6 below, these projects also depart from the above-mentioned 57 few mixed-use projects (19 percent of the 300 TOC projects reviewed). Unlike the 30 mixed-use projects that allocate an average 6.38 percent of its total proposed development on non-residential uses (discussed *supra* section IV.B), these projects allocate 35 to 39 percent of its total proposed development on non-residential uses. Unlike the six outlier mixed-use projects (allocating more than 10 percent to non-residential uses) that utilize an average 29 percent of its by-right floor area rights to non-residential uses (discussed *supra* section IV.C), these projects allocate 95 to 100 percent of its by-right floor area rights to non-residential uses. Unlike the 17 mixed-use projects that on average produce one residential unit for every 74.2-SF of non-residential uses (on average) (discussed *supra* section IV.D), here these projects produce one residential unit for every 587 to 938-SF of non-residential uses.

**TABLE 6: HOTEL TOC PROJECT DEPARTURE FROM EVEN RARE, MIXED-USE TOC PROJECTS**

	La Brea Bliss Project	Pico Hotel	Average
<b>Rare Mixed-Use TOC Projects (Allocating &lt; 10 % to Non-Res. Uses)</b>			
<i>Total Proposed Project (SF)</i>	201,123	110,625	
<i>Non-Res. Portion of Project (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of Total Proposed SF</i>	<b>35.29%</b>	<b>38.16%</b>	<b>6.38%</b>
<b>Outlier, Rare Mixed-Use TOC Projects (Allocating ≥ 10 % to Non-Res. Uses)</b>			
<i>Lot Size</i>	47,323	29,511	
<i>By Right (SF)</i>	70,985	44,267	
<i>Non-Res (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of By Right SF</i>	<b>100%</b>	<b>95.36%</b>	<b>29.00%</b>
<b>Rare Mixed-Use TOC Projects</b>			
<i>Total Res. Units (Units Affordable)</i>	121 (14)	45 (5)	
<i>Non-Res. (SF)</i>	70,985	42,211	
<i>Non-Res SF per Res. Unit (SF/unit)</i>	<b>586.7</b>	<b>938.0</b>	<b>74.2</b>

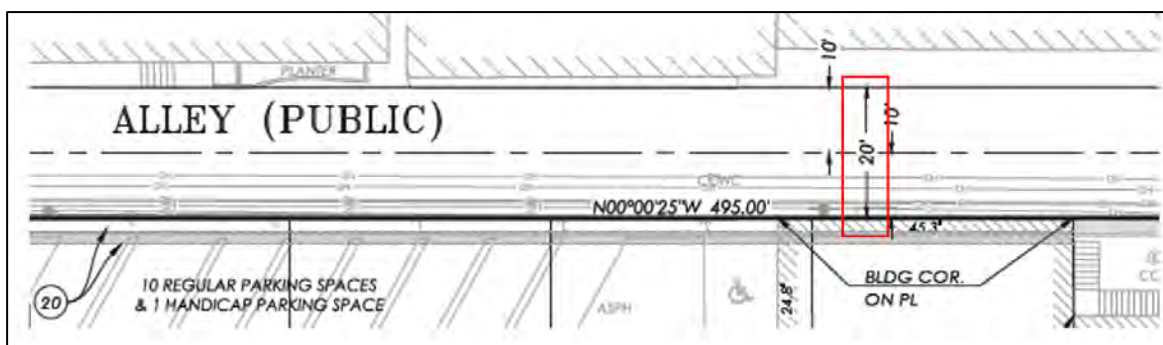
Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). As previously discussed (*supra* section III), the Applicant seeks to build 70,985-SF hotel/commercial/restaurant space essentially concentrated on one-third of the Project Site (i.e., approximately 13,718 SF), resulting in 5.17:1 FAR that exceeds the Site’s by-right 1.5:1 FAR. Even if you use the Applicant’s own 25,000 lot area plus half-alley, the Project’s non-residential uses would be 2.83:1 FAR, which also exceeds the Site’s 1.5:1 by-right FAR. The only way the Applicant can build this hotel component is to spread the non-residential uses across the entire 12 lots, or seek a Zone Change and General Plan Amendment (subject to Measure JJJ). Instead, the Applicant seeks a TOC FAR bonus under the guise of being a housing project—it is not. As discussed above, non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant’s reverse engineering of the FAR numbers, which comes at the expense of producing housing.



## F. STAFF REPORT INCONSISTENCIES MUST BE RESOLVED

The Project’s inconsistencies with the applicable TOC Guidelines we set forth above are premised on the information disclosed in the Project’s Application. However, the Staff Report references several significant changes and/or discrepancies. For example, the Staff Report (p. 3) references a “15-foot public alley,” while the Project Plans (PDF p. 7) show a 20-foot alley (see Fig. 8 below). Additionally, the Staff Report (pp. 1-3, 17, 19) references a request for 13,641-SF of retail/commercial uses, while the Project Application (p. 108) shows a request for 13,037-SF of commercial/retail uses (see Fig. 9 below). Also, the Project Plans repeatedly references a “phase 2” of the Project (PDF pp. 3, 5-6, 8-14; see e.g., Fig. 10 below), but the Project Application and Staff Report makes no reference to any other phases. Finally, the Staff Report (p. 6) references a “Remainder Parcel” to be included in the entire subdivision, while the Project Plans make’s no references to any “remainder” parcel.

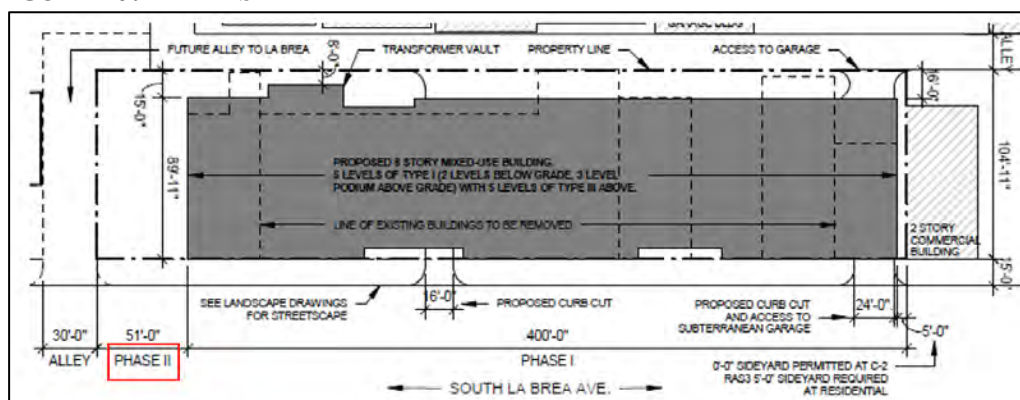
**FIGURE 8: PUBLIC ALLEY**



**FIGURE 9: PROPOSED COMMERCIAL SQUARE FOOTAGE**

<b>2. PROJECT DESCRIPTION</b>
Present Use <u>Commercial</u>
Proposed Use <u>Mixed-Use</u>
Project Name (if applicable) <u>La Brea</u>
Describe in detail the characteristics, scope and/or operation of the proposed project <u>TOC Tier 4 mixed-use project with 121 residential units, 125 guest-rooms, 13,037 sq. ft. of commercial space, 199 parking spaces in two sub-levels. Total project square footage of 201,123 sq. ft. with 4.25:1 FAR.</u>

**FIGURE 10: PHASE II**



All of these inconsistencies directly affect the Project's residential and non-residential unit/FAR density calculations, which must be resolved in light of the issues raised above. For instance, the Project's density calculations could be worse if the alley square footage is less than anticipated by the Applicant, if the increase commercial square footage comes at the expense of residential square footage, if Phase II includes additional floor area, or if the remainder parcel is not appropriately accounted for in the density/FAR calculations. These inconsistencies must be confronted and resolved.

#### **G. SUMMARY ON THE PROJECT'S PROPOSED TOC MISUSE**

No matter how the Applicant and its representatives wish to spin the narrative or jiggle the numbers, the Project is not your typically TOC project. It seeks increased density not genuinely tied to creating housing, much less affordable housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>19</sup>

For these reasons, Local 11 urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units).<sup>20</sup>

#### **V. PROJECT IS INCONSISTENT WITH APPLICABLE LAND USE POLICIES**

Here, the proposed eight-story, 4.25:1 FAR Project exceeds the Sites 1.5:1 FAR limitation under the General Plan land use designation. So too, the eight-story Project is incompatible with the adjacent properties ranging from two- to five-story tall, as raised by the public (see Staff Report, p. 2). So too, the Project exceeds the General Plan Framework Elements' Mixed Boulevard density and heights (i.e., 1.5:1 to 4.0:1, and three- six-story).<sup>21</sup> The inconsistency with the General Plan and Framework is the subject of a recently filed lawsuit<sup>22</sup> and should give the City further pause before approving this pseudo-TOC Project. Furthermore, notwithstanding the paltry 14 affordable units proposed by the Applicant, the Project's abuse of the TOC program resulting in the loss potential for desperately needed market-rate and affordable housing units conflicts with numerous affordable housing goals, policies, and objectives (see Tbl. 7 on following page).

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<sup>19</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

<sup>20</sup> See TOC Guidelines, *supra* fn 10, p. 7.

<sup>21</sup> General Plan Framework, PDF p. 40 (identifying the Site as a Mixed Use Boulevard), <http://bit.ly/2Pa4zch>.

<sup>22</sup> *Fix the City, Inc. v. City of Los Angeles, et al.* (LASC Case No. 19STCP03740), pp. 2, (alleging, inter alia, the TOC Guidelines provides density bonus via non-legislative actions and circumvents Measure JJJ requirements), <http://bit.ly/2qDklIX>.

**TABLE 7: INCONSISTENCIES WITH APPLICABLE LAND USE PLANS**

<b>City Housing Element 2013-2021 Goals and Policies<sup>23</sup></b>
Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.
Policy 1.1.1: Expand affordable homeownership opportunities and support current homeowners in retaining their homeowner status.
Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.
Policy Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.
Policy Objective 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed-use development, Transit Oriented Districts and designated Centers.
Policy Objective 2.5.2: Foster the development of new affordable housing units Citywide and within each planning area.
<b>General Plan Framework Element</b>
<b>Chapter 4: Housing<sup>24</sup></b>
Policy 4.2.1 states the City should “offer incentives to include housing for very low- and low-income households in mixed-use developments[,]”
<b>Chapter 7: Economic Development<sup>25</sup></b>
Objective 7.9 states the City should seek to “[e]nsure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range[,]” and Policy 7.9.1 states that the City should promote “the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure ....” <sup>26</sup>
<b>Wilshire Community Plan<sup>27</sup></b>
<b>Residential Issues</b>
Need to preserve the existing character of residential neighborhoods while accommodating more affordable housing and child care facilities
<b>Commercial Issues</b>
New commercial development needs to be compatible with existing buildings in terms of architectural design, bulk and building heights.
<b>Purpose of Plan</b>
Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
<b>Objectives &amp; Policies</b>
Objective 1-3: To foster residential development which can accommodate a full range of incomes.
Policy 9-1.1: Preserve the existing affordable housing stock through rehabilitation and develop new affordable housing options.

<sup>23</sup> [https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement\\_20140321\\_HR.pdf](https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement_20140321_HR.pdf).

<sup>24</sup> General Plan Framework, Ch. 4, Housing, <https://planning.lacity.org/cwd/framwk/chapters/04/04.htm>.

<sup>25</sup> General Plan Framework, Ch. 7, Economic Development, <http://bit.ly/2N2aZrb>.

<sup>26</sup> See also e.g., General Plan Framework Element Goals 4a, 7G, Objective 4.1, Policies 4.1.2, 4.1.6, and Implementation Policy P29; General Plan Housing Element Goal 1, Objectives 1.1, 2.5, and Policies 1.1.1, 1.1.2, 1.1.3, 1.1.7, 1.2.5, 2.5.1; General Plan Health and Wellness Element Policies 1.2, 1.3, 1.6, 1.7, and Guiding Principal 22; Central City Community Plan Objectives 1-3.

<sup>27</sup> Wilshire Community Plan, <http://bit.ly/2N4FDA9>.

## VI. WHERE IS THE LINKAGE FEE?

Here, the Staff Report makes no mention of the Project's compliance with the City's Affordable Housing Linkage Fee ("AHLF").<sup>28</sup> The Project case was filed on March 22, 2019. In accordance with the AHLF Ordinance, the Project is subject to two-thirds of its AHLF fee.<sup>29</sup> Here, according to ZIMAS, the Site is located in the High Non-Residential Market Area and Medium-High Residential Market Area.<sup>30</sup> Thus, the Project's 70,985-SF non-residential uses (i.e., hotel, commercial, retail, restaurant) is subject to the High Non-Residential Market Area rate of \$5 per SF (\$354,925 full fee), reduced to two-thirds of the full fee (\$236,616.66).<sup>31</sup> Because this Project is not entirely a multi-family project and forgoes Measure JJJ-compliant Zone Change/General Plan Amendment, the Project's residential component does not fall within the AHLF fee exemption.<sup>32</sup> Due to Applicant's abuse of the TOC program previously discussed, the City should forego any of the *discretionary*<sup>33</sup> deductions and/or credits provided under the AHLF, with the exception of exempting approximately 14,588 SF of residential floor area of restricted affordable housing units (based on the Project's proposed 14 restricted affordable housing at an average units size of 1,042 SF). Thus, the remaining 115,550-SF of residential floor area is subject to the Medium-High Residential Market Area rate of \$12 per SF (\$1,386,600 full fee), reduced to two-thirds of the full fee (\$924,400).<sup>34</sup>

Subject to adjustment for inflation (which begins July 1, 2019),<sup>35</sup> the Project appears to be subject to a total AHLF fee of approximately \$1.161 million. However, the Staff Report makes no mention of the Project's compliance with its AHLF fee obligations or any exemptions, deductions, or credits proposed.

## VII. APPLICANT'S RECORD OF CONVERTING RESIDENTIAL PROPERTIES/PROJECTS INTO DE FACTO HOTELS MUST BE ADDRESSED WITH ENFORCEABLE CONDITIONS

Here, the Applicant La Brea Bliss, LLC is proposing the Project on behalf of Gidi Cohen (Project Application, PDF p. 4), who is the founder and CEO of CGI Strategies.<sup>36</sup> CGI Strategies has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. For example, CGI Strategies originally proposed to converting the rent-stabilized Villa Carlotta into a standard hotel, when Councilmember Ryu made it clear it would not support the conversion,<sup>37</sup> CGI Strategies turned the property into an extended stay hotel allowing stays as short as 31 days.<sup>38</sup> Similarly, CGI Strategies purchased a rent-stabilized building in Westwood (888 Hilgard Ave.) and did the same thing—renting out units for as short as 31 days.<sup>39</sup> So too, at its Koreatown Kodo project, which was approved by the City as a "60-

<sup>28</sup> City (7/16/18) RE: AHLF Implementation Memo, <http://bit.ly/2W5CRyE>.

<sup>29</sup> *Ibid.*, p. 2 (plans submitted on or after December 20, 2018 are subject to two-thirds of full fee amount).

<sup>30</sup> *See also Ibid.*, PDF pp. 5-6.

<sup>31</sup> *Ibid.*, p. 2 (\$5 per SF fee includes "hotels").

<sup>32</sup> *Ibid.*, p. 3.

<sup>33</sup> *Ibid.*, p. 3 (AHLF guidance states projects "*may* be eligible" for some deductions/credits. Emphasis added).

<sup>34</sup> *Ibid.*, p. 2 (\$12 per SF fee for residential uses including multifamily with six or more units).

<sup>35</sup> *Ibid.*, p. 3.

<sup>36</sup> <https://cgistrategies.com/about-us/our-team/>.

<sup>37</sup> [http://davidryu.lacity.org/statement\\_villa\\_carlotta](http://davidryu.lacity.org/statement_villa_carlotta).

<sup>38</sup> <https://la.curbed.com/2018/6/1/17362856/villa-carlotta-hollywood-hotel-rent-control>.

<sup>39</sup> <https://cgistrategies.com/project/888hilgard/>.



unit multi-family” “residential building” project to serve the Wilshire Community Plan’s “need to provide a diverse mix of housing,”<sup>40</sup> is marketed by CGI Strategies as offering “boutique hotel-style” amenities and also offer short/long term stays.<sup>41</sup> In each case, CGI Strategies either removed housing or promised housing, but delivered de facto hotel uses.

Given CGI Strategies’ track record, Local 11 urges the City to impose enforceable Conditions of Approval (“COA”) that restricts the Project’s residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy. Similar restrictions have been incorporated into other projects approved by the City, which run with the land.<sup>42</sup> So too, the COA should prevent the Applicant from offering any initial lease for less than one year, nor allow tenants to sublet or assign their units or any portion thereof for less than 30 days, and ensure residential units are leased only to actual individuals and families (rather than corporations or other business entities) to ensure this housing remains for long-term residents—not tourists or short-term corporate visitors. Other cities have taken and/or considered these safeguards to ensure project’s approved as residential housing, are actually used for genuine housing purposes.<sup>43</sup>

## VIII. BROWN ACT AND CEQA VIOLATIONS

Here, the agenda for the Zoning Administrator hearing<sup>44</sup> indicates the City is considering the discretionary approvals for the Project’s subdivision and land use entitlements, which is admittedly contingent on the City’s approval of the Project’s ) and the legislative approval of the Projects environmental review under the requested SCPE (Staff Report, pp. 17-20). In fact, the Staff Report states (pp. 4, 16) that City Planning has already “determined that the project is exempt from CEQA as a Sustainable Communities Project (“SCP”) pursuant to [Pub. Res. Code § 21155.1].”

CEQA is necessary here to ensure that the City address the concerns raised herein, as well as ensure the Project does not pose any significant CEQA impacts (e.g., noise impacts to adjacent neighbors due rooftop lounge/pool deck with alcohol service that may or may not include live entertainment with amplified music; hazard impacts due to the Site being within a methane zone, or how the Project will achieve equivalent LEED-Certified to avoid GHG impacts).

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<sup>40</sup> See LOD (8/19/14) DCP Case No. DIR-2014-0601-SPR, pp. 1, 10, <http://bit.ly/2PgGTTT>.

<sup>41</sup> <https://www.multiphasingnews.com/post/cgi-strategies-debuts-la-short-and-long-term-housing/>; see also

<sup>42</sup> See LOD (4/5/18) DCP Case No. CPC-2015-4611, p. Q1 (“The use and development of the 231 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.”), <http://bit.ly/32Bld8w>; see also LOD (2/27/98) DCP Case No. ZA-97-0945-CUZ-ZAI, p. 3 (restriction on conversions “shall run with the land and shall be binding on any subsequent owners, heirs or assigns.”)

<sup>43</sup> See e.g., City of Santa Monica (8/9/18) Rent Control Board Memo, p. 2 (discussing potential steps for the City of Santa Monica to address “a new threat to the rental housing supply ... as an increasing number of landlords have begun to rent to corporate entities who use rent-controlled units for other than the provision of long-term, permanent housing, or themselves rent units to short-term visitors ... Although these practices effect less of a wholesale loss of units than does the demolition of an entire apartment building, the loss is nonetheless real.”), <http://bit.ly/31zjrUg>; see also City of West Hollywood (10/21/19) Item 3A Staff Report, p. (proposing zoning text amendment that would require all dwelling units to have an initial lease term of one year, including apartments units rented), <http://bit.ly/2W6740U>.

<sup>44</sup> Project Hearing Notice, <http://bit.ly/2oVv0b8>.

However, in violation of CEQA and the Brown Act, the agenda does not reference CEQA and the City has not published any SCPE documentation showing the Project's consistency with various criteria and policies under the 2016-2040 RTP/SCS and implementation of all feasible mitigation measures. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed SCPE and staff report concerning the Project's land use entitlements, adopting that CEQA compliance for the Project, and agendizing this all under CEQA. *Azusa Land Reclamation v. Main San Gabriel Watermaster* (1997) 52 Cal.App.4th 1165, 1190 (land use approvals are discretionary action that must include CEQA compliance); *San Joaquin Raptor Rescue Center v. County of Merced* (2013) 216 Cal.App.4th 1167 (Brown Act requires that agenda must identify CEQA). Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## **IX. CITY CANNOT MAKE CODE-REQUIRED LAND USE FINDINGS**

The Project requests approval of various land use entitlements and the environmental clearances which the City *must* make numerous discretionary land use and CEQA findings, including but not limited to those listed below:

- That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;
- That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties; and
- That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.
- That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- That the proposed use will not adversely affect the welfare of the pertinent community. *See* LAMC §§ 12.24.E, 12.24.W.1(a), 16.05.F.

Because the City fails to provide a staff report regarding the Project's entitlements (much less a staff report that addresses the issues raised herein), or any documentation showing the Project is properly exempt from CEQA, the City cannot make to above-listed, Code-required land use findings. Absent substantial evidence addressing the substantial issues with this Project, particularly its inconsistency with the City's TOC program, Local 11 respectfully requests that the City decline any action on the Project Approvals.

## X. CONCLUSION

In summary, Local 11 appreciates the opportunity to comment on the Project's Approvals. However, as proposed, the Project is inconsistent with the City's TOC incentive program and must include more affordable housing units—such as applying the on-site restricted affordable housing unit percentage to the Project's entire hotel and residential components. Otherwise, the City should reject the discretionary land use approvals requested by the Applicant.

The City's TOC incentives are to be used to incentivize housing, not boutique hotels! Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.

The issues raised herein constitute substantial evidence that the Project is not consistent with applicable land use plans, policies, and other zoning regulations. Again, this is not a by-right project; you have the discretion to reject the Project and demand more for the residents of Council District 4. You have the discretion, so please use it.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being the most prominent part.

Jamie T. Hall

## Communication from Public

**Name:**

**Date Submitted:** 01/22/2020 05:27 PM

**Council File No:** 19-1533

**Comments for Public Posting:** Please oppose CGI Strategies' Wilshire/ La Brea project. Los Angeles' affordable housing crisis continues to worsen. That's why I am concerned about yet another luxury hotel in the area right next to our future metro stop when it could better be used as a genuine housing project with more desperately needed affordable housing units. The area needs more housing (particularly affordable housing), and the City should not forgo this opportunity to demand as much as housing possible at this unique site. I am also concerned that the environmental review process for the project is being rushed. I have been unable to locate the Project's environmental website on the City Planning's website for published environmental documents (<https://planning.lacity.org/development-services/environmental-review/published-documents>). Additionally, I am concerned that the City's Planning Land Use Committee is considering the environmental documents ahead of the Zoning Administrator's approvals on the actual project itself. So too, I am concerned that the mitigations proposed on energy, water, and climate change are too speculative. Please oppose the hotel portion of this project (the Conditional Use Permit and its environmental review) so we can maximize housing, and particularly the affordable housing we need. Regards, Concerned LA Resident



## Communication from Public

**Name:** Amanda Fabian  
**Date Submitted:** 01/23/2020 08:29 AM  
**Council File No:** 19-1533

**Comments for Public Posting:** Michelle Carter, I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.  
Amanda Fabian mandy@mandyfabian.com 4504 Stern Ave  
Sherman Oaks, California 91423

1/21/20

Dear Michelle:

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Thank you for your attention to this.

Sincerely,

Amanda Fabian  
[mandy@mandyfabian.com](mailto:mandy@mandyfabian.com)  
4504 Stern Ave  
Sherman Oaks, California 91423

## Communication from Public

**Name:**

**Date Submitted:** 01/27/2020 06:06 PM

**Council File No:** 19-1533

**Comments for Public Posting:** Attention : PLUM Committee Members January 20, 2020  
Honorable David Ryu Leyla Campos, Legislative Assistant  
Michelle Carter, Planner Los Angeles City Planning Department  
200 N. Spring Street, Room 763 Los Angeles, CA 90012  
michelle.carter@lacity.org clerk.plumcommittee@lacity.org I am writing as a concerned adjacent property owner ( shared wall ) to the proposed development Hotel / Residential project at 639 S. La Brea Ave. ( Wilshire & La Brea ) I must protest this project as it is currently proposed. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic negatively effecting the surrounding business's as well as its energy and water use. Additionally, the project misuses the TOC program that was intended to create more affordable housing. I urge that the PLUM Committee halt ANY approval of environmental clearances until the City has reviewed this underlying project and has ordered a " full and accurate" Environmental Impact Report " This is very important for the community as a whole. Home owners, community living , local business and adjacent property owners should be protected and considered in this process ! The alley behind this CGI strategies proposed project was built over 100 years ago and can not handle the additional 200 plus cars flowing into the 20' wide alley day and night. The proposed current flow of traffic exiting the project to the small alley and residential neighborhood should be redesigned and /or adjusted to exit onto the more appropriate commercial La Brea Ave. towards the metro station. Thank you , Alyssa Ashton Shah



January 20, 2020

Design MIX Furniture Inc.  
611 S. La Brea Ave.  
Los Angeles CA 90036  
323-939-7500  
[www.mixfurniture.com](http://www.mixfurniture.com)

**Council File Number: 19-1533**

Attention :

PLUM Committee Members  
Honorable David Ryu  
Leyla Campos, Legislative Assistant Michelle Carter, Planner  
Los Angeles City Planning Department 200 N. Spring Street, Room 763  
Los Angeles, CA 90012 [michelle.carter@lacity.org](mailto:michelle.carter@lacity.org) [clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

I am writing as a concerned adjacent property owner ( shared wall ) to the proposed development Hotel / Residential project at 639 S. La Brea Ave. ( Wilshire & La Brea ) I must protest this project as it is currently proposed. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic negatively effecting the surrounding business's as well as its energy and water use. Additionally, the project misuses the TOC program that was intended to create more affordable housing.

I urge that the PLUM Committee halt ANY approval of environmental clearances until the City has reviewed this underlying project and has ordered a " full and accurate" **Environmental Impact Report** " This is very important for the community as a whole. Home owners, community living , local business and adjacent property owners should be protected and considered in this process ! The alley behind this CGI strategies proposed project was built over 100 years ago and can not handle the additional 200 plus cars flowing into the 20' wide alley day and night.

The proposed *current flow of traffic exiting the project* to the small alley and residential neighborhood should be redesigned and /or adjusted to exit onto the more appropriate commercial La Brea Ave. towards the metro station.

Thank you ,  
Alyssa Ashton Shah



## Communication from Public

**Name:** Janet Eckholm

**Date Submitted:** 01/27/2020 07:24 PM

**Council File No:** 19-1533

**Comments for Public Posting:** I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

## Communication from Public

**Name:** Coalition for Economic Survival  
**Date Submitted:** 01/27/2020 11:49 AM  
**Council File No:** 19-1533  
**Comments for Public Posting:** Coalition for Economic Survival opposition to 639 S. La Brea (CF #19-1533/ZA-2019-1744)



514 Shatto Place, Suite 270 ★ Los Angeles ★ California ★ 90020

Telephone: (213) 252-4411 ★ Fax: (213) 252-4422

Email: [contactces@earthlink.net](mailto:contactces@earthlink.net) ★ Website: [www.CESinAction.org](http://www.CESinAction.org)

January 27, 2020

Councilmember David Ryu  
LA City Hall  
200 N Spring St  
Los Angeles, CA 90012

Subject: Coalition for Economic Survival Opposes 639 S. La Brea Ave Project/SCPE (CF #19-1533/(ZA-2019-1744))

Dear Councilmember Ryu:

I am writing to express the Coalition for Economic Survival's strong oppositions to the use of our Transit Oriented Communities (TOC) program to build the proposed hotel/housing development at 639 S. La Brea Ave and urges you to oppose the Sustainable Communities Project Exemption (SCPE) set for next Tuesday's PLUM hearing.

It is important that our affordable housing programs be used for the purpose they were intended, to create affordable units, not shoehorn in commercial development. This project would be the first TOC proposal including a hotel and it would set a terrible precedent for use of the program. The Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plan.

The plan's environmental document is insufficient and should be opposed. The City should ensure projects are as water / energy / GHG efficient as possible. There are also several outstanding questions SCAG should answer on whether the significant hotel component means the project is too large to qualify for its SCPE exemption at all.

Additionally, a hotel is uniquely unsuited to this site and would negatively affect the tenants on Detroit as nearly all circulation from the hotel is supposed to use the adjacent alley and everyone is supposed to be valeted. Hotels and restaurants not only generate more trips by visitors and employees than similarly sized apartment buildings. They also generate truck trips that will backup that alley and valets that will speed through it.

Please oppose the project and urge your PLUM to vote against its SCPE environmental review document on Tuesday.

Sincerely,

Larry Gross  
Executive Director

## Communication from Public

**Name:** Suzan Fellman

**Date Submitted:** 01/27/2020 09:19 AM

**Council File No:** 19-1533

**Comments for Public Posting:** I am a resident of the La Brea Hancock area. I was at the presentation (or lack there of) last Tuesday hosted by CGI of the proposed project at 639 S. La Brea. I strongly oppose this project. Further environmental review is requested before I or my neighbors will agree to this project. Further, the design, (art deco inspired) needs additional review. I imagine that CGI is getting low income funding for this project. Another egregious claim and a fleecing of Los Angeles tax payer money.



## Communication from Public

**Name:** Steven Luftman  
**Date Submitted:** 01/27/2020 10:20 AM  
**Council File No:** 19-1533

**Comments for Public Posting:** Dear Councilmembers, I find this project deeply troubling. CGI Strategies, developer of this project, is using the TOC program to build a luxury hotel. The TOC program's full name is the "Transit Oriented Communities Affordable Housing Incentive Program" not the "Luxury Hotel Incentive Program". I urge the members of the PLUM committee to oppose this clear misuse of the TOC program. Thank you, Steven Luftman

## Communication from Public

**Name:** Alfred Bie

**Date Submitted:** 01/27/2020 03:19 PM

**Council File No:** 19-1533

**Comments for Public Posting:** RE: Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736) Honorable PLUM Committee Members, Council Member Ryu, City Planner Michelle Carter, Council District 4 Team and Planning Deputy Emma Howard, I write deeply concerned about the luxury hotel and condo project proposed for 639 S. La Brea Ave. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law and consider looking beyond financial gain and current trends that place profit over humanity. Stand by the true intention of the citizens of Los Angeles who voted to help raise everyone and leave no one behind and do more than serve the wealthy by sharing dignity and equality with all of Los Angeles.

October 12, 2020

The Los Angeles City Council  
LA City Hall  
200 N. Spring St.  
Los Angeles, CA 90012

Re: 639 La Brea Project, OPPOSED  
623-671 South La Brea Avenue, Los Angeles, California 90036  
ZA-2019-1744-CU-MCUP-SPR-TOC, ENV-2019-1736-SCPE  
Council File: 19-1533

Members of the Los Angeles City Council,

I am writing to voice my strong opposition to the 639 La Brea Project. In rushing through the approvals for this project, the Department of City Planning (DCP) has once again abused the law to clear the way for significant entitlements that promise to make the developer much richer while doing significant damage to the surrounding community. Here is a brief summary of my objections. Detailed comments and exhibits are below.

The Project Does Not Qualify for a Sustainable Communities CEQA Exemption

CA PRC Sec. 21155.1 (a) (1) requires that the Project can be adequately served by existing utilities. The site is currently not adequately served with regard to electrical power and waste collection, and the Project will only exacerbate these deficiencies.

The Project Is Not Consistent with the RTP/SCS

The Project is only consistent with the RTP/SCS in that it increases density near transit. It does not promote reduction in GHGs from vehicles. The City has consistently failed to achieve the GHG reductions that the RTP/SCS was designed to reduce. Instead GHG emissions from vehicles have increased significantly in the LA area while transit ridership on Metro and DASH has fallen substantially.

The TOC Guidelines Can't Be Used to Approve the Project Because They Aren't Part of the LAMC

The developer seeks a density bonus under the TOC Guidelines, but the TOC Guidelines were never approved by the City Council, and therefore cannot grant legal authority to approve additional density.

The Project Description Fails to Acknowledge the Request for a Master CUP to Sell Alcohol

DCP appears to be aiding the developer in concealing the fact that one of the requested entitlements is a Master Conditional Use Permit for the sale of alcohol. This information does not appear in the project description or in the case summary on the DCP web site. The MCUP is mentioned only once on page 25 of the Sustainable Communities Project CEQA Exemption document, which does not disclose how many establishments will serve alcohol, or whether they will be restaurants, bars or clubs.

See the following pages for detailed comments and exhibits.

Casey Maddren  
2141 Cahuenga Blvd., Apt. 17  
Los Angeles, CA 90068

**COMMENTS**

The Project Does Not Qualify for a Sustainable Communities CEQA Exemption

CA PRC Sec. 21155.1 (a) (1) requires that the Project can be adequately served by existing utilities. The site is currently not adequately served with regard to electrical power and waste collection, and the Project will only exacerbate this problem.

The area frequently experiences power outages, and the proposed Project will only exacerbate the inability of existing infrastructure to serve the community. See Exhibits A1, A2 and A3.

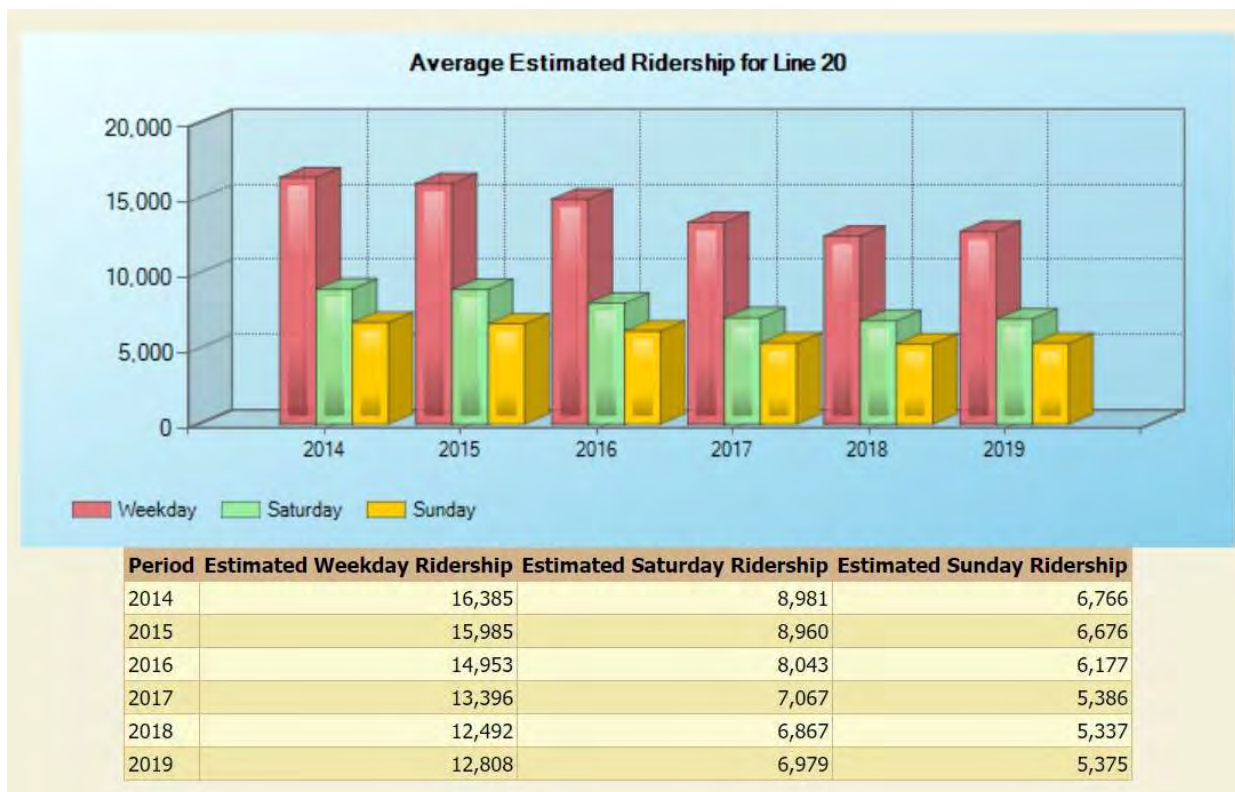
The Project will be served by RecycLA, which currently does not come anywhere near the State-mandated threshold of 50% diversion to recycling (CA PRC 41780 (a) (2)). The City has lowered required diversion rates for RecycLA waste haulers to 35% by 2023. The City’s claim that it will achieve 90% diversion to recycling by 2025 is absurd, and is not backed by data or any adopted plan. See Exhibit B.

The Project Is Not Consistent with the RTP/SCS

The Project is only consistent with the RTP/SCS in that it increases density near transit. It does not promote reduction in GHGs from vehicles. The City has consistently failed to achieve the GHG reductions that the RTP/SCS was designed to reduce. Instead GHG emissions from vehicles have increased significantly in the LA area while transit ridership on Metro and DASH has fallen substantially.

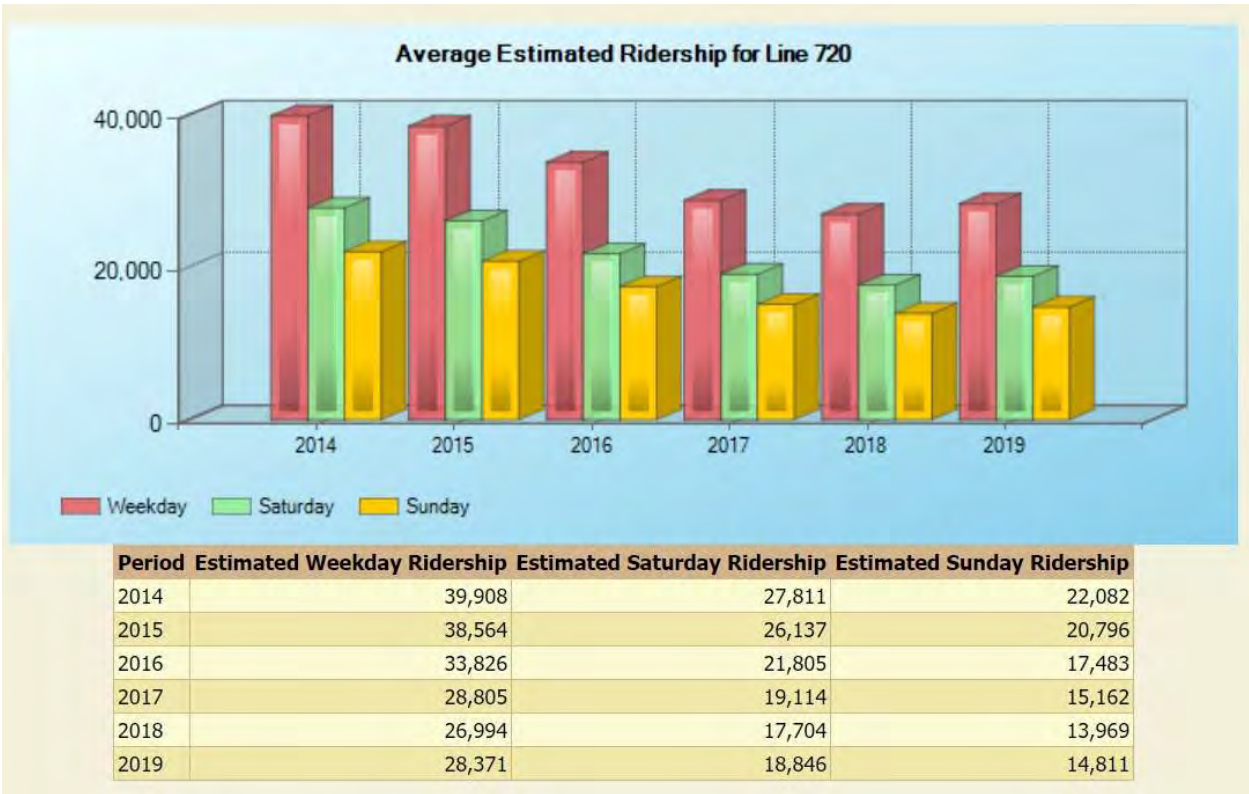
Hundreds of new residential units have been built along both Wilshire and La Brea over the past decade, but the Metro lines that serve these corridors have seen significant declines.

*Line 20, Wilshire Blvd.*

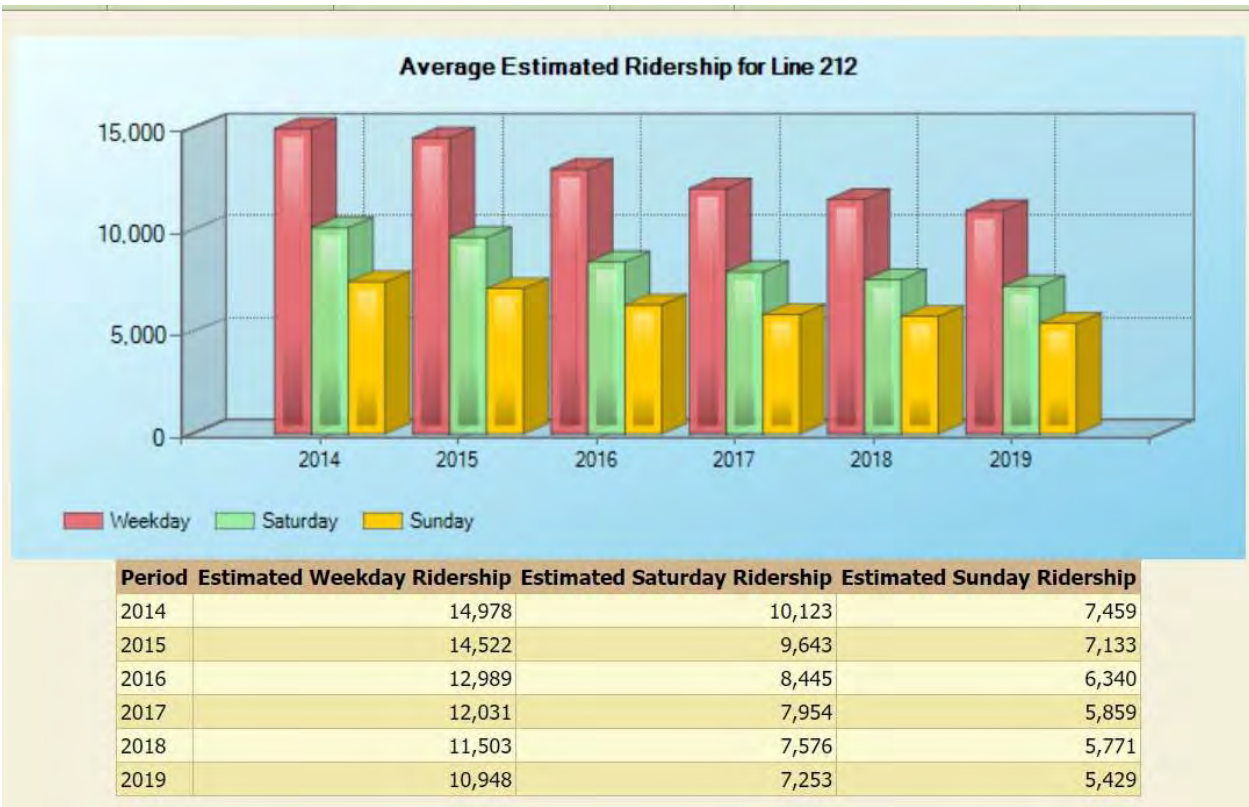




Line 720, Wilshire Blvd.



Line 212, La Brea



In general terms, the project complies with the RTP/SCS policy of encouraging dense residential uses near transit, but does it actually further the goals listed in the RTP/SCS? Under "What We Will Accomplish", the RTP/SCS lists the following goals:

- The combined percentage of work trips made by carpooling, active transportation and public transit would increase by about four percent, with a commensurate reduction in the share of commuters traveling by single occupant vehicle.
  - The number of Vehicle Miles Traveled (VMT) per capita would be reduced by more than seven percent and Vehicle Hours Traveled (VHT) per capita by 17 percent (for automobiles and light/medium duty trucks) as a result of more location efficient land use patterns and improved transit service.
  - Daily travel by transit would increase by nearly one-third, as a result of improved transit service and more transit-oriented development patterns.
1. *The City offers no evidence to show it has achieved any increases in trips made by transit, and the graphs above show that the opposite is true. The City offers no evidence to show an increase in carpooling or active transit.*
  2. *The City offers no data to show that any actual VMT reductions have been achieved, and only offers the claim that LADOT's VMT Calculator show a relative reduction in trips generated by the Project.*
  3. *Far from increasing transit ridership by one-third, Metro stats show that ridership has declined in this area, in spite of significant new residential development along both Wilshire and La Brea.*

A 2018 report from the UCLA Institute of Transportation Studies makes clear how completely the City has failed to achieve the RTP/SCS

Falling Transit Ridership: California and Southern California, UCLA ITS, 2018

[https://www.scag.ca.gov/Documents/ITS\\_SCAG\\_Transit\\_Ridership.pdf](https://www.scag.ca.gov/Documents/ITS_SCAG_Transit_Ridership.pdf)

From Page 4:

*Long associated with the automobile, in the last 25 years Southern California has invested heavily in public transportation. Since 1990, the SCAG region has added over 100 miles of light and heavy rail in Los Angeles County, and over 530 miles of commuter rail region-wide. These investments, however, have not been matched by increases in transit ridership. Transit ridership in the SCAG region reached its postwar peak in 1985. Through the 1990s and 2000s ridership rose and fell modestly, but never again reached its 1985 level. Figure ES-1 shows that per capita trips have been mostly declining in the SCAG region since 2007, and have fallen consistently since 2013.*

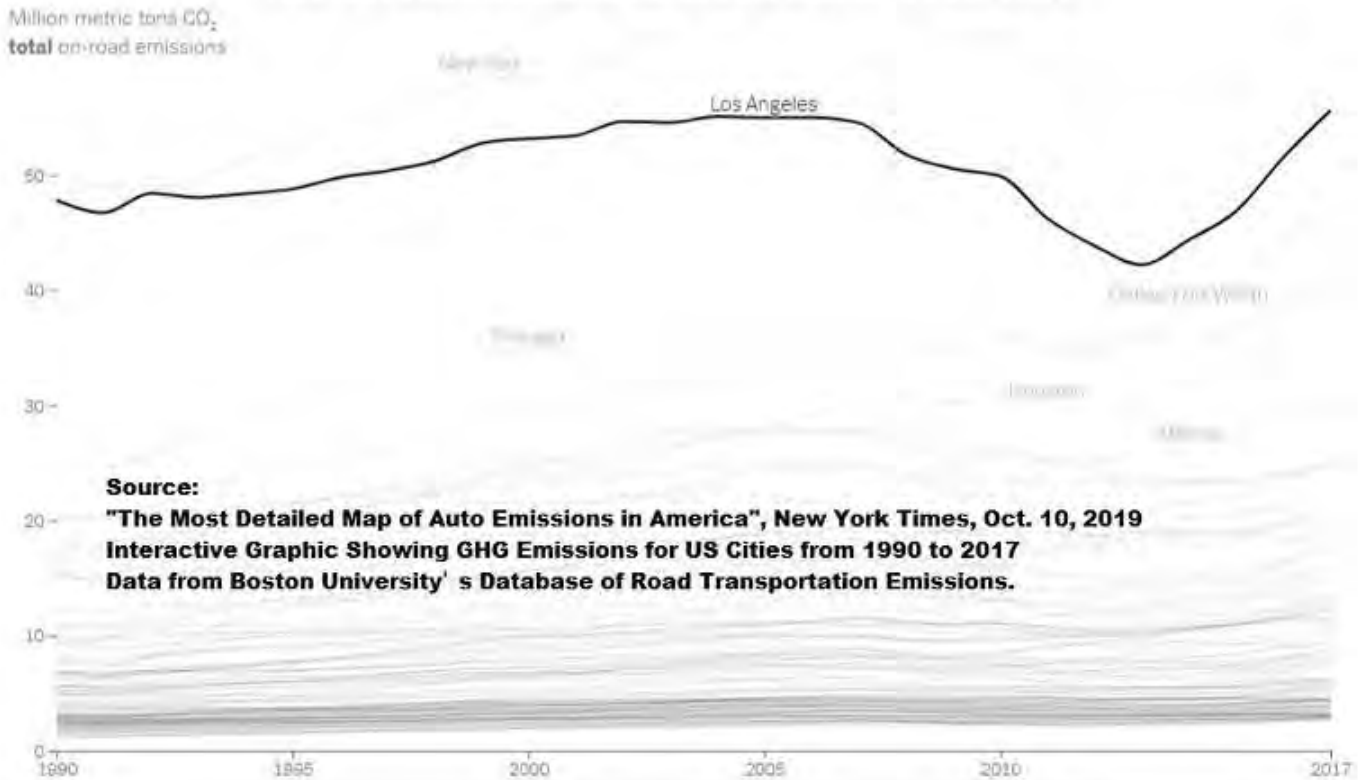
From Page 9

*The growth in vehicle access has been especially dramatic among subsets of the population that are among the heaviest users of transit. Between 2000 and 2015, the share of households in the region with no vehicles fell by 30 percent, and the share of households with fewer vehicles than adults fell 14 percent.*

Boston University's Database of Road Transportation Emissions shows a steady increase in CO2 emissions in Los Angeles from 2013 through 2017.

*[See following page.]*

In nearly every metro area, total emissions have increased since 1990. Here's the trend line for the area you selected in the top map.



The TOC Guidelines Cannot Be Used to Approve the Project Because They Are Not Part of the LAMC

The developer seeks a density bonus under the TOC Guidelines, but the TOC Guidelines were never approved by the City Council, and therefore cannot grant authority to approve additional density. Even if the TOC Guidelines were part of the LAMC, using them to approve this Project would constitute an egregious abuse. The Guidelines were supposedly based on voter-approved Measure JJJ, which was intended to boost construction of residential housing and to promote affordable housing. Voters did not approve Measure JJJ to offer loopholes for hotel projects.

The Project Description Fails to Acknowledge the Request for a Master CUP to Sell Alcohol

DCP appears to be aiding the developer in concealing the fact that one of the requested entitlements is a Master Conditional Use Permit for the sale of alcohol. This information does not appear in the project description or in the case summary on the DCP web site. The MCUP is mentioned only once in the Sustainable Communities Project CEQA Exemption document, on page 25 under Discretionary Requests. Even here the SCPE document does not disclose how many establishments will serve alcohol, or whether they will be restaurants, bars or clubs. The public has had no opportunity to learn what uses are proposed or to offer comments.

## EXHIBIT A1

Current estimated time for response remains 24-48 hours, but this could change. Dispatchers continue to assign repair crews to locations where customers have been out the longest and are reviewing and updating data on assignments and outages. As they continue to assess our progress and the potential for mutual aid, we will update our estimated response times, which could be extended longer.

We understand how difficult long outages are on our customers and their families and want to assure everyone currently affected that our crews remain focused on getting every repair job done quickly and safely. They have been working around the clock on 16-hour shifts since Saturday and will continue until every last customer is restored. We appreciate everyone's patience as we respond to one of the worst heat storms ever to hit our City.

### **Communities most affected include:**

#### **Metro Area** (South of Mulholland Drive)

Leimert Park – 1815                      Mount Washington – 389                      Hyde Park – 1056

Mid-Wilshire – 1339                      West Adams – 1537

Park LaBrea – 1332                      Hollywood Hills – 1049

East Hollywood – 2593                      Highland Park – 1095

#### **San Fernando Valley**

Pacoima – 455                                      Arleta – 587

Sylmar – 3895                                      North Hollywood – 372

Sun Valley – 559                                      Panorama City – 640

Lake View Terrace – 879                      Studio City – 448

### **Cooling Centers**

We encourage customers to check on elderly neighbors and also to consider using



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## EXHIBIT A2

### POWER OUTAGES

# Thousands Lose Power Due To 'Extreme Heat' and Demand

By **City News Service** • Published August 18, 2020 • Updated on August 18, 2020 at 11:39 pm







SHARE




might amid high temperatures throughout the city.

"Extreme heat and electricity demand has caused outages in parts of Los Angeles, currently affecting some LADWP customers," Mayor Eric Garcetti said on Twitter Tuesday night. "Crews are working hard to restore power as quickly as possible."


LADWP said it could take between four and 12 hours for power to be restored.


As of 10 p.m., 12,000 customers were without power, mostly in the areas of Mid-Wilshire, Westlake, Echo Park, Studio City, Panorama City and West Hills, according to DWP's Joe Ramalo. At 5 p.m., the number of customers offline was 9,000.

The outage in Studio City includes customers impacted by a tree that fell and took out power lines, Ramalo said.

 **MayorOfLA**   
@MayorOfLA 

Extreme heat and electricity demand has caused outages in parts of Los Angeles, currently affecting some LADWP customers. Crews are working hard to restore power as quickly as possible. Follow [@LADWP](#) for updates.

8:44 PM · Aug 18, 2020 

 461



The outages were not related to the city's distribution system being strained by the heat.

's distribution

Repair crews took advantage of the cooler temperatures in restoring power to affected customers, Ramalo said.

ss in restoring  
ners back online,



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# PARK LABREA NEWS BEVERLY PRESS

Serving the Park Labrea, Miracle Mile, Hancock Park, Beverly Hills and West Hollywood communities since 1946.

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## AL FRESCO DINING SINCE 1934



BY CAMERON KISZLA / JUNE 13, 2019

# Power outage affects M Mile

Two separate electrical outages left more than 300 Miracle Mile customers without power for up to 18 hours on June 12-13.

Sylvia Beltran, public affairs representative for the Los Angeles Department of Water and Power, said an underground cable failed between 3:30 and 4 p.m. on June 12, a few hours before scheduled maintenance was to begin. Some customers had their power restored in the overnight hours, Beltran said, but others had to wait because a steel plate belonging to the Los Angeles County Metropolitan Transportation Authority was blocking the LADWP's access to some circuits.

Early on June 13, Metro removed the plate near Wilshire Boulevard and Orange Grove Avenue, and electricity was restored by 9:30 a.m., Beltran said.

"As soon as they lifted that steel plate, we were able to access that circuit and get that power transferred to another circuit," Beltran said.

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\$500  
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## BRIEF

# New RecyclA settlement: Relaxed hauler targets, \$9M in customer relief

By Cole Rosengren

Published Feb. 14, 2019

## Dive Brief:

- After months of negotiation, the Los Angeles Bureau of Sanitation (LASAN) has reached a settlement agreement with the seven RecyclA service providers. Among multiple changes, it is designed to give them more leeway on meeting contract targets, while reducing near-term costs for customers and reinforcing diversion goals.
- If approved by the Los Angeles Board of Public Works (BPW) on Feb. 15, customers will no longer pay access/distance fees for blue bin recycling. The city will split the expense of any fees, including retroactive charges, at an initial cost of \$9.12 million. Contamination levels up to 20% will also be allowable through 2020 in an extended "optimization period."
- Companies now have until Jan. 31, 2023 to meet initial disposal reduction targets and will pay lower liquidated damages if they fail to do so. 2020 rate increases for blue bin and green bin organics service have been raised to 3.5% beyond CPI (plus an automatic 0.25% increase to reflect low commodity values), and an automatic 3% increase for overall cost of service will take effect in 2022.

## Dive Insight:

The RecyclA franchise saga has been a long, ambitious and contentious one. Waste Management, Republic Services, Athens

Services, Universal Waste Systems, CalMet Services, NASA Services and Ware Disposal have lucrative 10-year contracts (with the option to extend) but have been working overtime to meet elevated standards amid ongoing public scrutiny.

While LASAN notes that initial missed collection issues are old news, the mounting expense of additional fees has become a serious issue. On top of higher baseline costs, the fees have spurred vitriol and pushback from multiple real estate and business interests. Whether or not any of these changes will quiet the program's critics, or have any effect on ongoing legal proceedings, remains unclear.

An estimated 19,600 of the program's 66,000 customers are currently getting extra charges based on access or distance, according to LASAN. The city's initial \$9.12 million contribution is slated to cover any charges incurred Feb. 2018-June 2019, and budget reserves can cover future expenses through at least FY20. LASAN has committed to spending upward of \$94.2 million on this program through 2027 if necessary.

Described as the "Removing Barriers to Recycling" program, these new terms will also require service providers to offer robust and ongoing education, including up to four warnings for customers that surpass the 20% contamination threshold.


Multiple companies told Waste Dive this had been a challenge last fall, but said they were largely holding off on contamination charges out of good faith. Temporarily raising the acceptable threshold from 10% to 20% and agreeing to waive extra charges until 2020 runs counter to the current industry narrative at a national level — but it's a sign of how delicate the customer relationship is right now in this program.

As service providers deal with tough national commodity market trends, elevated organics diversion requirements and future infrastructure expenses, it's clear some may have underestimated their initial bids. Even though the timing has

been delayed, the newly agreed-upon rate increase schedule can be expected to help fill that gap. At the same time, they still need engaged customer participation to start making headway on mandated disposal reduction targets, so perceptions of excessive rate increases could create future tensions.


Los Angeles still has a stated goal of 90% landfill diversion by 2025, but the city has revised its RecycLA contract target from 45% to 35% diversion by 2023. A lack of recent data (another RecycLA priority) makes it hard to assess where that diversion rate currently stands. Regardless of this new financial compromise, it's clear significant progress will need to be made by all parties in order to hit the mark.

### **Recommended Reading:**

 Waste Dive

Next up for the RecycLA experiment — optimization [↗](#)

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 Waste Dive

Los Angeles BPW approves RecycLA facility plan, plus \$6M for consultant [↗](#)





Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Alexis Rheinwald-Jones** <info@email.actionnetwork.org>

Tue, Sep 15, 2020 at 4:05 PM

Reply-To: alexisfayejones@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we so desperately need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Alexis Rheinwald-Jones

[alexisfayejones@gmail.com](mailto:alexisfayejones@gmail.com)

4242 Russell Ave

[Los Angeles , California 90027](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Amy Markman** <scarletibis4@msn.com>

Tue, Sep 15, 2020 at 5:48 PM

Reply-To: scarletibis4@msn.com

To: michelle.carter@lacity.org

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Amy Markman

[scarletibis4@msn.com](mailto:scarletibis4@msn.com)

14833 Magnolia Blvd, Apt 211

[Sherman Oaks, California 91403](#)



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

---

**Brian Retchless** <brian.retechless@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:40 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [brian.retechless@gmail.com](mailto:brian.retechless@gmail.com). Thank you for your consideration.

Sincerely,  
Brian Retchless  
[brian.retechless@gmail.com](mailto:brian.retechless@gmail.com)  
436 S. Detroit St.  
Los Angeles, CA 90036  
United States



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

---

Aida Paz <info@email.actionnetwork.org>

Wed, Sep 16, 2020 at 12:32 PM

Reply-To: aidapaz30@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Aida Paz

[aidapaz30@gmail.com](mailto:aidapaz30@gmail.com)

850 S St Andrews Pl Apt 2

[LOs ANgeles, CA, California 90005](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

---

**Alberto Brajas** <info@email.actionnetwork.org>  
Reply-To: mbenaryeh@gmail.com  
To: michelle.carter@lacity.org

Thu, Sep 17, 2020 at 9:34 AM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Alberto Brajas  
[mbenaryeh@gmail.com](mailto:mbenaryeh@gmail.com)  
7367 Hollywood Blvd, Apt 303  
[Los Angeles, California 90046](#)





Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Alessio Morello** <info@email.actionnetwork.org>  
Reply-To: amorelloSB@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:30 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you

Alessio Morello  
[amorelloSB@gmail.com](mailto:amorelloSB@gmail.com)  
3328 Oakhurst Ave  
[Los Angeles, California 90034](#)



Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))

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**Alex Snyderman** <info@email.actionnetwork.org>  
Reply-To: alexsnyderman@gmail.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 4:41 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Alex Snyderman  
[alexsnyderman@gmail.com](mailto:alexsnyderman@gmail.com)  
3187, Cadet Court  
[Los Angeles, California 90068](#)



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Allison Walter** <info@email.actionnetwork.org>  
Reply-To: allison.a.walter@gmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 12:55 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Allison Walter  
[allison.a.walter@gmail.com](mailto:allison.a.walter@gmail.com)  
10878 Bloomfield St Apt 210  
[Toluca Lake, Ca, California 91602](#)



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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Alyssa Shah <alyssashah@earthlink.net>  
Reply-To: alyssashah@earthlink.net  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 11:30 PM

Michelle Carter,

Attention; David Ryu, Emma Howard and all ,

I am writing to oppose the development as currently proposed ( [523- 671 La Brea](#) Luxury Project ENV-2019-1736-SCPE; COUNCIL FILE NO. 19-1533 )

I'm a very concerned direct business and property owner adjacent north to the proposed development of CGI strategies. I have owned and operated a successful business on La Brea for the past 25 years. I feel it's important for my position to be heard as I also speak for other numerous business owners and residents in the effected area. I strongly reject and oppose the idea that the city is considering granting an " exemption " for this development from conducting a full environmental impact study on the surrounding area. As we have learned, this large scale project ( as proposed ) will have a devastating outcome on our local community housing and business function in the area.

The current plans to construct underground parking which is NOT sufficient to support the number of planned hotel guests, employees, retail business guests and there employees as well as the added housing and uber lifts ALL with exiting vehicles from the development to dump out in to the small alley .....away from the commercial La Brea Ave. and Wilshire Blvd. streets. This is not only a poorly developed plan it's also carless, dangerous and inconsiderate of the neighborhood business's and community.

Developers and there investors should not be able to make deals behind closed doors and begin building with out showing the true impact to those already living there and also with business's in the area. Pushing the project though and just " dealing " with the problems later should not be acceptable to any of us. Our city representatives should help support and protect all of us, not just the big developers !

The narrow 100 year old alley behind this project currently provides access to numerous apartment parking garages that open directly into alley with lift up garage gates. There is hardly enough space for the residents to access the garage if there is another car or service truck in the alley. My business parking lot also exits into the alley within 3-4 feet of the proposed development underground exit. They do not take into consideration the danger of my local pedestrian business only 3' feet from the planned to build entrance/ exit of the proposed parking structure with heavy traffic speed and blind corners. My current pick up and delivery workers loading customers furniture would be steeping backwards directly into oncoming valet

drivers traffic. Extremely dangerous and poorly planed while not considering or supporting the function existing business's.

The small alley was never meant to be used as a service exit & entrance to support a large luxury hotel and shopping complex. The added traffic spilling out and congesting the alley will have a devastating effect to the function of all local business's besides my own. We pay a great deal for property tax and my family and lively hood depend on my business being able to continue to function.

The neighborhood is also very concerned with ability for emergency vehicles to access the alley with he proposed traffic that will also back up out on to 6th street and that intersection.

There must be a full environmental impact study done as the flow of traffic planned is clearly dysfunctional and does not fully make use of what should be the obvious choice for traffic to be directed back out to the commercial streets of La Brea or Wilshire as would be expected. Instead the project that space for there own square footage money making benefit and instead push's the traffic congestion back on to the neighborhood and business's next door and to the north.

Please insist on a FULL EIR before final approval and oppose the current poorly planned traffic and parking structure plans.

Thank you for hearing our comments and we trust you will help and support our community as a whole.

Alyssa Ashton Shah  
Design MIX Furniture Inc.  
[611 S. La Brea Ave.](#)

Alyssa Shah  
[alyssashah@earthlink.net](mailto:alyssashah@earthlink.net)  
611 S. La Brea Ave.  
[Los Angeles, California 90036](#)





Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

1 message

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**Amanda Alossi** <info@email.actionnetwork.org>  
Reply-To: amandaalossi@yahoo.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 1:01 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Amanda Alossi  
[amandaalossi@yahoo.com](mailto:amandaalossi@yahoo.com)  
4847 Fulton Ave, Apt D  
[Serman Oaks, California 91423](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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amy galaudet <info@email.actionnetwork.org>  
Reply-To: amyg93@aol.com  
To: michelle.carter@lacity.org

Mon, Sep 14, 2020 at 8:02 PM

Michelle Carter,

This project is almost criminal. the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels. It also puts Mom and pop stores out of business. When will you stop catering to billionaires.

amy galaudet  
[amyg93@aol.com](mailto:amyg93@aol.com)  
6120 w. 5th st  
[LA, California 90048](#)



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Armen Meymarian** <info@email.actionnetwork.org>  
Reply-To: armen71@mac.com  
To: michelle.carter@lacity.org

Mon, Sep 14, 2020 at 5:55 PM

Michelle Carter,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Armen Meymarian  
[armen71@mac.com](mailto:armen71@mac.com)  
5436 W. 6th Street  
[Los Angeles, California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Astrea Capmbell-Cobb** <info@email.actionnetwork.org>

Wed, Sep 16, 2020 at 2:28 PM

Reply-To: [astrea.j.cc@gmail.com](mailto:astrea.j.cc@gmail.com)

To: [michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave.](#) The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Astrea Capmbell-Cobb

[astrea.j.cc@gmail.com](mailto:astrea.j.cc@gmail.com)

122 N Wilton Pl

[Los Angeles, Ca, California 90004](#)



Michelle Carter <michelle.carter@lacity.org>

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## GGE Increase for 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

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Barbara Gallen <info@email.actionnetwork.org>  
Reply-To: barbaragallen1@gmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 5:30 PM

Michelle Carter,

In response to Director Bertoni's letter dtd 9-15-20, addressed to the PLUM Committee:

SB 375 was passed in 2008 with the aim of reducing greenhouse gas emissions (GGE). In 2008 nobody foresaw the explosion of the rideshare industry and its contribution to increasing GGE.

Separate studies conducted by University of KY / City of San Francisco and the rideshare industry revealed that the rise of rideshare is associated with 1) declines in transit use, 2) increases in traffic congestion and 3) increases in pollution. Part of the increase in congestion is due to more vehicles on the road with declining transit use, but another component to increased congestion is the doubling of vehicles trips in the vicinity of any given site. The Uber that drops someone off at the [639 S. La Brea](#) site will immediately exit empty ("deadhead") in search of another fare. That is two vehicle trips to drop someone off, rather than 1 vehicle trip to return home and park. Deadheading increases GGE in the vicinity of the site and throughout the City.

Having too few parking spaces for a clientele that DOES NOT USE TRANSIT, will greatly encourage the use of rideshare and thus deadheading and GGE.

The La Brea hotel mixed use project forsee only 192 spaces for all commercial and residential uses which EVERYONE including Mr. Bertoni knows is insufficient for the project's affluent clientele and amount of employees needed to service them. Rich people in LA are not transit users-- if they don't use a personal car, they use a rideshare. What they don't do is stand at a bus stop to wait for a bus. Nor is there a robust transit grid of subways to navigate the city. If you serve on the City Council or are the head a City agency and you do not use a personal vehicle or rideshare more than once or twice a week, you may honorably disagree with this argument.

Aside from a token 14 affordable units, the clientele and occupants of the La Brea luxury hotel / mixed use apartment complex is the antithesis of an Angeleno transit user. The project' will be occupied and frequented primarily by users of personal vehicles and rideshare, promoting an INCREASE in GGE associated with this project.

That is to say nothing of the increase in GGE caused by idling vehicles forced to idle their motors while waiting to clear the intersection at Sixth / La Brea due to backup at the alley which 100% of all vehicles leaving the project must traverse in the cockeyed circulation plan.



Thank you.

Barbara Gallen

[barbaragallen1@gmail.com](mailto:barbaragallen1@gmail.com)

6123 Drexel Avenue

Los Angeles, California 90036



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Brenda Payton** <info@email.actionnetwork.org>  
Reply-To: shhiibear10@hotmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 3:35 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Brenda Payton  
[shhiibear10@hotmail.com](mailto:shhiibear10@hotmail.com)  
333 S St Andrews Pl Apt 307  
[Los Angeles, Ca, California 90020](#)



Michelle Carter <michelle.carter@lacity.org>

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))**

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**Brittany Meckelborg** <info@email.actionnetwork.org>  
Reply-To: brittany.meckelborg@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:22 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Brittany Meckelborg  
[brittany.meckelborg@gmail.com](mailto:brittany.meckelborg@gmail.com)  
1432 N Fairfax Ave Apt 4  
Los Angeles, California 90046



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Carlos Blanco** <info@email.actionnetwork.org>  
Reply-To: cblanco0311@gmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 4:54 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Carlos Blanco  
[cblanco0311@gmail.com](mailto:cblanco0311@gmail.com)  
1016 Talmadge St  
Los Angeles, Ca., California 90027



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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Casey James <info@email.actionnetwork.org>  
Reply-To: iamcaseyjames@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 3:08 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Casey James  
[iamcaseyjames@gmail.com](mailto:iamcaseyjames@gmail.com)  
918 s Mansfield ave  
[Los angeles, California 90036](#)





Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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Charles Prior <info@email.actionnetwork.org>  
Reply-To: chaz185@gmail.com  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 5:09 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Charles Prior  
[chaz185@gmail.com](mailto:chaz185@gmail.com)  
7200 Hollywood Blvd Apt 102 Los Angeles CA 90046  
Lso Angeles,CA., California 90046



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Chris Constable** <info@email.actionnetwork.org>

Sun, Sep 13, 2020 at 3:08 PM

Reply-To: constanteng@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Chris Constable

[constanteng@gmail.com](mailto:constanteng@gmail.com)

1230 N. June St. #102

[Los Angeles, California 90038](#)



Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))

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Christopher Chapman <Chris@chapmancatalyst.com>

Sun, Sep 13, 2020 at 2:26 PM

Reply-To: Chris@chapmancatalyst.com

To: michelle.carter@lacity.org

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Christopher Chapman

Chris@ChapmanCatalyst.com

451 S. Cochran Ave., Apt 201

[Los Angeles, California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

1 message

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**Conrad Starr** <info@sycamoresquare.org>

Tue, Sep 15, 2020 at 4:21 PM

Reply-To: info@sycamoresquare.org

To: michelle.carter@lacity.org

Michelle Carter,

At the February 13, 2020 meeting of the Sycamore Square Neighborhood Association (SSNA), its Board of Directors voted (4 yes, 0 noes, 0 abstentions) to oppose this project as presented based on the traffic circulation plan, which will negatively affect adjacent tenants and business owners. The SSNA is also concerned that the project contains a larger commercial use than should be allowed under TOC. The SSNA ([www.sycamoresquare.org](http://www.sycamoresquare.org)) is an unincorporated nonprofit association representing the residents, property owners, and designated business representatives of the area bordered by La Brea Ave on the west, Citrus Ave (both sides) on the east), Olympic Blvd on the south, and Wilshire Blvd on the north. Our neighborhood's northwest corner is diagonal from the project site. Please do not hesitate to contact SSNA Board President, Conrad Starr, at [president@sycamoresquare.org](mailto:president@sycamoresquare.org). Many thanks.

Conrad Starr

[info@sycamoresquare.org](mailto:info@sycamoresquare.org)

728 1/4 S Mansfield Ave.

[Los Angeles, California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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**CF #19-1533: No to Wilshire / La Brea**

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**Dante Fischbach** <Info@hausofbad.com>  
Reply-To: Info@hausofbad.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 4:04 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Dante Fischbach  
Info@hausofBad.com  
2104 N Cahuenga Blvd, Apt 206  
[Los Angeles, California 90068](#)





Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))

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**Emily Armstrong** <info@email.actionnetwork.org>  
Reply-To: mbenaryeh@gmail.com  
To: michelle.carter@lacity.org

Thu, Sep 17, 2020 at 9:48 AM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Emily Armstrong  
[mbenaryeh@gmail.com](mailto:mbenaryeh@gmail.com)  
827 S St Andrews Pl Apt 18  
[Los Angeles, California 90005](#)



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Ester Gonzalez** <info@email.actionnetwork.org>  
Reply-To: estherflores74@gmail.com  
To: michelle.carter@lacity.org

Thu, Sep 17, 2020 at 9:13 AM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Ester Gonzalez  
[estherflores74@gmail.com](mailto:estherflores74@gmail.com)  
856 S St Andrews Pl Apt 102  
[Los Angeles, Ca., California 90005](#)



Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

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**Felipa Mayo** <info@email.actionnetwork.org>  
Reply-To: felipamayo5977@gmail.com  
To: michelle.carter@lacity.org

Thu, Sep 10, 2020 at 8:09 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Felipa Mayo  
[felipamayo5977@gmail.com](mailto:felipamayo5977@gmail.com)  
5923 Compton Ave  
Los Angeles , California 90001



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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Joy Figueras <info@email.actionnetwork.org>  
Reply-To: figuerella@yahoo.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 4:21 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Joy Figueras  
[figuerella@yahoo.com](mailto:figuerella@yahoo.com)  
4648 FULTON AVE, #104  
[LOS ANGELES, California 91423](#)



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: Something better at Wilshire / La Brea

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**Kev Keller** <info@email.actionnetwork.org>

Wed, Sep 16, 2020 at 8:43 PM

Reply-To: Kevin\_Keller@outlook.com

To: michelle.carter@lacity.org

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's current land use plan. The square footage rental cost of the residential portion of the project is way beyond means of the surrounding community and the majority of Angelinos. The current plan does not serve the community. Further, the neighborhood has not been environmentally prepared for the traffic and parking burden. Before any project like this is carried forth it must A) Meet the needs of the community in which it is built B) Meet the city's middle and working class housing needs and C) be adjacent to a larger plan to modernize the environmental load the neighborhood can handle.

Kind Regards,

Kevin Keller

Kev Keller

[Kevin\\_Keller@outlook.com](mailto:Kevin_Keller@outlook.com)

443. S Cochran Ave

[Los Angeles, California 90036](#)





Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Kristina Gensel** <info@email.actionnetwork.org>

Sun, Sep 13, 2020 at 2:49 PM

Reply-To: kristinamae320@yahoo.com

To: michelle.carter@lacity.org

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Kristina Gensel

[kristinamae320@yahoo.com](mailto:kristinamae320@yahoo.com)

5412 Sepulveda Blvd, Apt 39

[Sherman Oaks, California 91411](#)



Michelle Carter <michelle.carter@lacity.org>

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**CF #19-1533: No to Wilshire / La Brea**

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**Kristina Subsara** <info@email.actionnetwork.org>  
Reply-To: ksubsara@yahoo.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:24 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Kristina Subsara  
[ksubsara@yahoo.com](mailto:ksubsara@yahoo.com)  
7712 Hollywood Blvd, Apt 8  
[Los Angeles, California 90046](#)



Michelle Carter <michelle.carter@lacity.org>

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))**

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**Lana Taylor** <info@email.actionnetwork.org>  
Reply-To: lanaleightaylor@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:22 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Lana Taylor  
[lanaleightaylor@gmail.com](mailto:lanaleightaylor@gmail.com)  
2034 North Argyle Ave, Apt # 105  
Hollywood, California 90068



Michelle Carter <michelle.carter@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Lili Mandl** <info@email.actionnetwork.org>  
Reply-To: lili.j.mandl@gmail.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 5:36 PM

Michelle Carter,

Please: the City must oppose the 639 S. La Brea Project's erroneous environmental review. During a climate crisis of this magnitude, caused by rising greenhouse gas (GHG) emissions, the City must ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review for the safety of our residents, our communities, and our children.

Thank you,

Lili Mandl  
[lili.j.mandl@gmail.com](mailto:lili.j.mandl@gmail.com)  
159 S Norton Ave  
[Los Angeles , California 90004](#)



Michelle Carter <michelle.carter@lacity.org>

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**CF #19-1533: No to Wilshire / La Brea**

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**Lola Elmo** <info@email.actionnetwork.org>  
Reply-To: lolaelmo@mac.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:37 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Lola Elmo  
[lolaelmo@mac.com](mailto:lolaelmo@mac.com)  
6619 Cahuenga Terrace  
[Los Angeles, California 90068](#)





Michelle Carter <michelle.carter@lacity.org>

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## Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

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Marina Roth <info@email.actionnetwork.org>

Tue, Sep 15, 2020 at 7:56 AM

Reply-To: jeff.roth.plb@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

This project will drive the current tenants out. Vincent P. Bertoni live in a mansion and is not the right person to tell tenants they should put up with their neighborhood becoming overrun with congestion and valet parked cars to accommodate a hotel and apartment complex for rich part time residents from other countries and cities. You want to put 246 luxury dwelling units (hotel + apartments) of which only 14 will be for low income people, on top of a subway station. Only the low income people will use the subway more than occasionally. These affluent tenants and customers for the hotel (and its restaurants) will have cars. They will need to park them somewhere since this project has less than half the parking it needs for its employees, rich tenants, visitors and customers. and Our neighborhood already has a crisis of lack of parking. I work in North Hollywood, nowhere near the Red Line. How does the 720 bus or Purple Line get me there? It doesn't. Then there is the alley. You want to put Budweiser delivery trucks. (for four restaurants), dozens of other commercial trucks and dozens (hundreds?) of cars valeted through this alley throughout the day. These need to enter and exit on La Brea, a wide busy street. This alley is 1 lane. I'm also worried about fire trucks and ambulances not being able to get through because of vehicles illegally parked in the alley waiting for their friends to come out the back of the building or lining up for the loading dock. This developer is trying to put too much in too narrow of a site. There should be a way for cars to enter from La Brea and be valeted directly into the garage without going through the alley. I know you don't care about affordable housing because you all live in affluent neighborhoods in homes valued in the 7 figures. But we do. When we can't get home because the alley is blocked, or we can't find a parking space anywhere for four blocks because the valets are putting cars on the local streets that pushes us to move out which then lets the landlords raise the rents for the next tenant. You create a revolving door of low income tenants in what was supposed to be rent stabilized housing but really isn't because of turnover. And you, the "City Fathers and Mothers" have caused that by favoring developers profits over helping an affordable neighborhood stay affordable.

Marina Roth

[jeff.roth.plb@gmail.com](mailto:jeff.roth.plb@gmail.com)

460 S. Detroit

[Los Angeles, California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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Marissa Perez <info@email.actionnetwork.org>  
Reply-To: marissaperez@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 3:08 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Marissa Perez  
[marissaperez@gmail.com](mailto:marissaperez@gmail.com)  
5140 Coldwater Canyon Apt 4  
[Sherman Oaks, California 91423](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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mark poirier <markpoirier@earthlink.net>  
Reply-To: markpoirier@earthlink.net  
To: michelle.carter@lacity.org

Wed, Sep 16, 2020 at 9:11 PM

Michelle Carter,

[639 S. La Brea Ave](#)

We need to know that we can count on you to oppose granting CGI Strategies an exemption from doing a full environmental impact study.

The Environmental study must be done ! Developers should not be able to make deals behind closed doors and begin building without showing the projected impact to those already living and working in the area.

I am one of the owners of MIX Furniture that is right next door to the proposed new construction. The alley behind our building at [611 South La Brea](#) hardly has room for one delivery truck at a time. The apartment tenants parking garage has automatic lift gates that other trucks would hit as they pass each other. This small alley was never meant to be used as a service entrance to a large luxury hotel / shopping complex. The added traffic will lead to accidents and major issues to all who live and work here.

How will Emergency vehicles get to the alley with all of this proposed traffic?

mark poirier  
[markpoirier@earthlink.net](mailto:markpoirier@earthlink.net)  
348 S Mccadden Place  
[Los Angeles, California 90020](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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Patrick Veeder <info@email.actionnetwork.org>

Mon, Sep 14, 2020 at 11:48 AM

Reply-To: patrickveeder@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Can you also please fo something about the constant law breaking by villa carlotta. Its unbelievable and unconscionable what you have let them get away with.

Patrick Veeder

[patrickveeder@gmail.com](mailto:patrickveeder@gmail.com)

2033 n beachwood dr, 21

los angeles, California 90068



Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

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**Ron Farrell** <info@email.actionnetwork.org>  
Reply-To: waterviewcamper@gmail.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 2:43 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

TO THE OFFICE OF THE HOUSING PROJECTS:

It's been brought to public attention that either the staff or some of the staff of this office is misusing housing funds. This goes against the purpose of the established law and rights of the program. Since you are obviously intentionally doing this, it's been made public and you are committing a serious breach of trust with your position.

Therefore your ONLY steps should be either stop the unethical acts you're committing and get HONEST and straight, or resign from your post. The public does not need dishonest people in office. Using the money and resources correctly is the purpose, not hiding in office and abusing it.

Ron Farrell  
[waterviewcamper@gmail.com](mailto:waterviewcamper@gmail.com)  
4632 Franklin Ave  
Los Angeles, California 90027





Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Rose Swain** <info@email.actionnetwork.org>  
Reply-To: vrose.swain@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 2:18 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Rose Swain  
[vrose.swain@gmail.com](mailto:vrose.swain@gmail.com)  
535 S Curson Ave apt 5a  
[Los Angeles , California 90036](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Ryan Morris** <info@email.actionnetwork.org>  
Reply-To: ryannotesmusic@gmail.com  
To: michelle.carter@lacity.org

Sun, Sep 13, 2020 at 3:56 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Ryan Morris  
[ryannotesmusic@gmail.com](mailto:ryannotesmusic@gmail.com)  
8175 Gould Ave  
[Los Angeles , California 90046](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Silamith Maclean** <info@email.actionnetwork.org>  
Reply-To: silamith@gmail.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 4:03 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Silamith Maclean  
[silamith@gmail.com](mailto:silamith@gmail.com)  
4408 Bellflower Ave  
[Toluca Lake, California 91602](#)



Michelle Carter <michelle.carter@lacity.org>

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Thomas Salciccia Jr** <info@email.actionnetwork.org>

Mon, Sep 14, 2020 at 11:38 AM

Reply-To: [tsalcicciajr@gmail.com](mailto:tsalcicciajr@gmail.com)

To: [michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Thomas Salciccia Jr

[tsalcicciajr@gmail.com](mailto:tsalcicciajr@gmail.com)

7280 Hillside Ave # 202

[Los angeles, California 90046](#)



Michelle Carter <michelle.carter@lacity.org>

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Anthony Ng** <info@email.actionnetwork.org>  
Reply-To: apng1989.email@gmail.com  
To: michelle.carter@lacity.org

Sat, Aug 29, 2020 at 4:07 PM

Michelle Carter,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Anthony Ng  
[apng1989.email@gmail.com](mailto:apng1989.email@gmail.com)  
6943 Hazeltine Ave  
[Van Nuys, California 91405](#)





Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

2 messages

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**Jonah Breslau** <info@email.actionnetwork.org>  
Reply-To: jonah.breslau@gmail.com  
To: michelle.carter@lacity.org

Thu, Aug 27, 2020 at 9:06 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Jonah Breslau  
[jonah.breslau@gmail.com](mailto:jonah.breslau@gmail.com)  
1835 1/2 Carmona Ave  
Los Angeles, California 90019

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**Liliana Hernandez** <info@email.actionnetwork.org>  
Reply-To: liligael01@icloud.com  
To: michelle.carter@lacity.org

Fri, Aug 28, 2020 at 12:16 AM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Liliana Hernandez  
[liligael01@icloud.com](mailto:liligael01@icloud.com)  
5627 Lexington av.  
La , California 90038



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**Carly Kirchen** <info@email.actionnetwork.org>

Thu, Aug 27, 2020 at 8:57 PM

Reply-To: cekirchen@gmail.com

To: michelle.carter@lacity.org

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Carly Kirchen

[cekirchen@gmail.com](mailto:cekirchen@gmail.com)

5334 Monte Vista

Los Angeles, California 90042

## Communication from Public

**Name:**

**Date Submitted:** 12/17/2019 12:46 PM

**Council File No:** 19-1533

**Comments for Public Posting:** My name is David Brust owner of 640 S. Detroit Street (through a personal trust} which is immediately adjacent to the property at 613-671 South La Brea Ave. I must oppose the granting of scpe in lieu of a full environmental review. The proposed project is more than 50% commercial in nature consisting of a large hotel and retail space which should be sufficient to disqualify it from scpe protection. Additionally, as I pointed out in my previous letter to the planning commission, the narrow alleyway is totally unsuited to a hotel and retail project which would tie up the alley with constant deliveries necessitated by such heavy commercial usage. preventing my long term tenants from accessing their garages and my garbage company from collecting the trash. Additionally serving of alcohol at bars and restaurants at the project late into the night would create a public noise and safety nuisance and shoud not be allowed



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Sherry Buch** <sherryjohn@roadrunner.com>  
Reply-To: sherryjohn@roadrunner.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 4:30 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Sherry Buch  
[sherryjohn@roadrunner.com](mailto:sherryjohn@roadrunner.com)  
2128 Canyon Drive  
[Los Angeles , California 90068](#)





Michelle Carter <michelle.carter@lacity.org>

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## La Brea Project

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Barbara Spicer <beauty-images@hotmail.com>

Mon, Oct 21, 2019 at 5:02 PM

To: "michelle.carter@lacity.org" <michelle.carter@lacity.org>

Hello, I am Barbara Spicer, owner of Beauty Images Hair Salon on [678 S Cloverdale Ave Los Angles CA 90036](#) established since 1997, I've been @ this loca on since 2010. The La Brea Project will be a Great Social Resource for Myself & the Community once the Construc on is complete. However during Construc on Cloverdale Ave is the next available street for traffic to flow, and for Clients to Park. There is also The Miracle Mile Project beginning Oct 2020, and The Metro Purple Line Extension. All these Projects will be going at the same me genera ng EXTREME INCONVEINENCE AND STRESS and POSSIBLE LOSS OF BUSINESS!! Metro has a Business Interrup on Fund that helps Businesses During Construc on when Direct Impact is near the Business. Would it be possible for the Developers of the La Brea Project & the Miracle Mile Project Partner with Metro to Help Business Owners Survive this Renaissance. Also the lot that Metro took over too Build the Purple Line Extension took away 50 parking spaces, It was a Public Parking lot, There are currently No Plans to restore those Parking Spaces. The Business Interrup on Fund should Compensate un l Construc on is over because we as Business are s ll affected by the Ini al and Con nuous Impact. Thank You Barbara Spicer 323 9311077



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Peggy Kamuf** <kamuf@usc.edu>

Thu, Jan 23, 2020 at 6:04 PM

Reply-To: kamuf@usc.edu

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Peggy Kamuf

Peggy Kamuf

[kamuf@usc.edu](mailto:kamuf@usc.edu)

N. Irving

[Los Angeles, California 90004-1510](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**Sarah Hunt** <sarah@fanthorpe.com>

Thu, Jan 23, 2020 at 6:20 PM

Reply-To: sarah@fanthorpe.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Sarah Hunt

Sarah Hunt

[sarah@fanthorpe.com](mailto:sarah@fanthorpe.com)

3701 Fredonia Drive

[Los Angeles, California 90068](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Joanne Kim** <joanne.kim@loshelznc.org>  
Reply-To: joanne.kim@loshelznc.org  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 6:25 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Joanne Kim  
[joanne.kim@loshelznc.org](mailto:joanne.kim@loshelznc.org)  
2300 N Hobart Blvd  
[Los Angeles , California 90027](#)





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Larry Williams Sr** <larowil@earthlink.net>  
Reply-To: larowil@earthlink.net  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 6:30 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Larry Williams Sr  
[larowil@earthlink.net](mailto:larowil@earthlink.net)  
5532 Costello Avenue  
Sherman Oaks, California 91401





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Carrie Isaacs** <scmgisaacs@msn.com>  
Reply-To: scmgisaacs@msn.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 6:51 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Carrie Isaacs  
[scmgisaacs@msn.com](mailto:scmgisaacs@msn.com)  
432 S Curson #2L  
Los Angeles, California 90036



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Janet Evkholm** <janeteckholm@sbcglobal.net>  
Reply-To: janeteckholm@sbcglobal.net  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 7:04 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Janet Evkholm  
[janeteckholm@sbcglobal.net](mailto:janeteckholm@sbcglobal.net)  
7533 Kimdale Lane  
LA, California 90046-1236



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Camilla Cracchiolo** <camilla-politics@mindspring.com>  
Reply-To: camilla-politics@mindspring.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 9:57 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Camilla Cracchiolo  
[camilla-politics@mindspring.com](mailto:camilla-politics@mindspring.com)  
1123 S. Norton Ave.  
[Los Angeles, California 90019](#)





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

1 message

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**Carmen Mendoza** <lalan1@msn.com>

Fri, Jan 24, 2020 at 6:05 AM

Reply-To: lalan1@msn.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Carmen Mendoza

[lalan1@msn.com](mailto:lalan1@msn.com)

24 Israel st. Greehheights subd. Nangka

Marikina city, National Capital Region 1808



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Gloria Gesas** <info@email.actionnetwork.org>  
Reply-To: glogesas@gmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 8:21 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Gloria Gesas  
[glogesas@gmail.com](mailto:glogesas@gmail.com)  
13331 Moorpark St  
Sherman Oaks, California 91423





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Suzan Fellman** <suzan@suzanfellman.com>  
Reply-To: suzan@suzanfellman.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 8:53 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Suzan Fellman  
[suzan@suzanfellman.com](mailto:suzan@suzanfellman.com)  
613 S. Citrus Avenue  
[Los Angeles, California 90036](https://www.lacity.org)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Carol Cetrone** <info@email.actionnetwork.org>  
Reply-To: perpetua99@gmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 9:00 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Carol Cetrone  
[perpetua99@gmail.com](mailto:perpetua99@gmail.com)  
427 N Commonwealth Av  
[Los Angeles , California 90004](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))**

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A Carrollman <info@email.actionnetwork.org>  
Reply-To: ajctrust@aol.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 9:47 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

A Carrollman  
[ajctrust@aol.com](mailto:ajctrust@aol.com)  
Hollywood blvd  
[Los angeles, California 90046](#)





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Brian Leatart** <studio@brianleatart.com>  
Reply-To: studio@brianleatart.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 9:53 AM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Brian Leatart  
[studio@brianleatart.com](mailto:studio@brianleatart.com)  
520 N Western Ave.  
Los Angeles, California 90004



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**K Krupinski** <info@email.actionnetwork.org>  
Reply-To: kkbuerose@hotmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 10:17 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

K Krupinski  
[kkbuerose@hotmail.com](mailto:kkbuerose@hotmail.com)  
6124 Buena Vista Ter  
Los Angeles, California 90042





City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Juan Munoz** <munoz.juan@live.com>  
Reply-To: munoz.juan@live.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 11:09 AM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Juan Munoz  
[munoz.juan@live.com](mailto:munoz.juan@live.com)  
3136 Norton Avenue  
Lynwood, California 90262



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

1 message

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**Estuardo Mazariegos** <estuardo.mazariegos@seiu-usww.org>  
Reply-To: estuardo.mazariegos@seiu-usww.org  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 11:45 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Estuardo Mazariegos  
[estuardo.mazariegos@seiu-usww.org](mailto:estuardo.mazariegos@seiu-usww.org)  
1213 w.42nd street  
Los Angeles , California 90043



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

2 messages

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**K Krupinski** <info@email.actionnetwork.org>  
Reply-To: kkbuerose@hotmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 10:17 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

K Krupinski  
[kkbuerose@hotmail.com](mailto:kkbuerose@hotmail.com)  
6124 Buena Vista Ter  
Los Angeles, California 90042

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**Christen Springer** <info@email.actionnetwork.org>  
Reply-To: violetteapot@gmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 2:08 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC



program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Christen Springer

[violetteapot@gmail.com](mailto:violetteapot@gmail.com)

3616 Marcia drive

Los Angeles , California 90026



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736))**

4 messages

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**Gloria Gesas** <info@email.actionnetwork.org>  
Reply-To: glogesas@gmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 8:21 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Gloria Gesas  
[glogesas@gmail.com](mailto:glogesas@gmail.com)  
13331 Moorpark St  
Sherman Oaks, California 91423

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**A Carrollman** <info@email.actionnetwork.org>  
Reply-To: ajctrust@aol.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 9:47 AM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.



A Carrollman  
[ajctrust@aol.com](mailto:ajctrust@aol.com)  
Hollywood blvd  
Los angeles, California 90046

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**Ginger Coyote** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [ginger.coyote@gmail.com](mailto:ginger.coyote@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Fri, Jan 24, 2020 at 3:02 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Ginger Coyote  
[ginger.coyote@gmail.com](mailto:ginger.coyote@gmail.com)  
1626 N Wilcox Ave  
Hollywood, California 90028

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**Veronica Scarpelli** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [mexitalian38@aol.com](mailto:mexitalian38@aol.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Fri, Jan 24, 2020 at 3:40 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave](#). The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

1/24/2020

City of Los Angeles Mail - Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

Veronica Scarpelli

[mexitalian38@aol.com](mailto:mexitalian38@aol.com)

4318 Stern Ave unit 308

[Sherman Oaks, California 91423](#)



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

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**Steven Luftman** <info@email.actionnetwork.org>  
Reply-To: sluftman@yahoo.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 11:29 AM

PLUM Committee Members,

This project is a serious misuse of the TOC Ordinance. The TOC ordinance is supposed to help create housing not hotels.

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Steven Luftman  
[sluftman@yahoo.com](mailto:sluftman@yahoo.com)  
1212 S Orlando Ave  
[Los Angeles, California 90035](#)



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

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**Jerry Leinwand** <info@email.actionnetwork.org>  
Reply-To: saharadark@aol.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 7:45 PM

PLUM Committee Members,

I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

Jerry Leinwand  
[saharadark@aol.com](mailto:saharadark@aol.com)  
14400 Chandler Bl.202, 202  
Sherman Oaks, California 91401



**Maria Basaldu** <info@email.actionnetwork.org>  
Reply-To: pancake\_squirrel@yahoo.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 5:03 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Maria Basaldu  
[pancake\\_squirrel@yahoo.com](mailto:pancake_squirrel@yahoo.com)  
4283 Verdugo Rd., #1  
Los Angeles, California 90065

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**filmlis@gmail.com** <info@email.actionnetwork.org>  
Reply-To: filmlis@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 5:16 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any



environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

[filmlis@gmail.com](mailto:filmlis@gmail.com)

431 Normandie Place

Los Angeles, California 90004

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**Edward Matias** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [elmatias@aol.com](mailto:elmatias@aol.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 7:26 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Edward Matias

[elmatias@aol.com](mailto:elmatias@aol.com)

1617 N Poinsettia Pl Apt 303

Los Angeles, California 90046

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**Donna Micas** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>

Reply-To: [donnamicas1@gmail.com](mailto:donnamicas1@gmail.com)

To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 7:40 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Donna Micas  
[donnamicas1@gmail.com](mailto:donnamicas1@gmail.com)  
12015 1/2 Washington Place  
Los Angeles, California 90066

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**Jeanie Chang** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [lemonlimelama@gmail.com](mailto:lemonlimelama@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 7:50 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at Wilshire & La Brea. The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Jeanie Chang  
[lemonlimelama@gmail.com](mailto:lemonlimelama@gmail.com)  
4510 Hazeltine Ave. Apt 10  
Sherman Oaks, California 91423



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**Mitch Gries** <info@email.actionnetwork.org>  
Reply-To: mitchgries@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 1:39 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Mitch Gries  
[mitchgries@gmail.com](mailto:mitchgries@gmail.com)  
7224 Hillside Ave, #24  
Los Angeles, California 90046

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**Hannah Bleier** <info@email.actionnetwork.org>  
Reply-To: hybleier@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 4:05 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Hannah Bleier  
[hybleier@gmail.com](mailto:hybleier@gmail.com)  
6225 Hillandale Dr.  
Los Angeles, California 90042

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**R kevin Baugh** <info@email.actionnetwork.org>  
Reply-To: kevin\_baugh@yahoo.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 5:20 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

R kevin Baugh  
[kevin\\_baugh@yahoo.com](mailto:kevin_baugh@yahoo.com)  
4470 W Sunset Blvd, #139  
Los Angeles, California 90027

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**Staci Steinberger** <info@email.actionnetwork.org>  
Reply-To: sasteinberger@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 5:58 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

I was also concerned to hear that this building has more hotel rooms than affordable housing units. Walking down the streets in this neighborhood, the homeless crises is impossible to escape. We need to spend our resources efficiently to build housing for the people in our community that need it. This neighborhood needs more affordable units, not more giveaways to developers.

Thank you,  
Staci

Staci Steinberger  
[sasteinberger@gmail.com](mailto:sasteinberger@gmail.com)  
637 S Burnside Ave.  
Los Angeles , California 90036

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**sjdavis60@hotmail.com** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [sjdavis60@hotmail.com](mailto:sjdavis60@hotmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 6:11 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

[sjdavis60@hotmail.com](mailto:sjdavis60@hotmail.com)  
2145 Mayview Drive  
Los Angeles, California 90027

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**Brennan Jackson** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [brennanr.jackson@gmail.com](mailto:brennanr.jackson@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 6:47 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Brennan Jackson  
[brennanr.jackson@gmail.com](mailto:brennanr.jackson@gmail.com)



630 Masselin Ave., Apt. 137  
Los Angeles, California 90036

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**Ann Muentner** <info@email.actionnetwork.org>  
Reply-To: ensigera@yahoo.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 8:06 PM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Ann Muentner  
ensigera@yahoo.com  
5719 Burnet Ave  
Sherman Oaks, California 91411

---

**Caitlin Mendoza-Price** <info@email.actionnetwork.org>  
Reply-To: caitlinkmprice@gmail.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 12:03 AM

PLUM Committee Members,

I urge the City to oppose the Wilshire / La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Caitlin Mendoza-Price  
caitlinkmprice@gmail.com

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**Ambar Capoor** <info@email.actionnetwork.org>  
Reply-To: ambarecomail@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 3:26 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Ambar Capoor  
[ambarecomail@gmail.com](mailto:ambarecomail@gmail.com)  
[10823 Whipple Street, Apt 3](#)  
NORTH HOLLYWO, California 91602

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**Anfinn Skulevold** <info@email.actionnetwork.org>  
Reply-To: anfinns@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 3:59 PM

PLUM Committee Members,



Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Anfinn Skulevold  
[anfinns@gmail.com](mailto:anfinns@gmail.com)  
1782 orchid Ave  
Los Angeles, California 90028

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**Christopher Woodard** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [itschrisreed@gmail.com](mailto:itschrisreed@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 4:29 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Christopher Woodard  
[itschrisreed@gmail.com](mailto:itschrisreed@gmail.com)  
4470 w sunset Blvd PMB 317  
Los Angeles, California 90027

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**thekristen1@gmail.com** <info@email.actionnetwork.org>  
Reply-To: thekristen1@gmail.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 6:00 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

[thekristen1@gmail.com](mailto:thekristen1@gmail.com)  
1134 N Sycamore Ave Apt 314  
[Los Angeles, California 90038](#)

---

**Hae Jung Cho** <info@email.actionnetwork.org>  
Reply-To: [hjc90026@yahoo.com](mailto:hjc90026@yahoo.com)  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 6:41 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable.



Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Hae Jung Cho

[hjc90026@yahoo.com](mailto:hjc90026@yahoo.com)

845 Crenshaw Blvd, Apt 1

[Los Angeles, California 90005](#)

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**Kristin Reeg** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [kristin8reeg@gmail.com](mailto:kristin8reeg@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 8:26 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Kristin Reeg

[kristin8reeg@gmail.com](mailto:kristin8reeg@gmail.com)

2731 Locksley Pl

[LA, California 90039](#)

---

**Emilie Hall** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [goodybug1@yahoo.com](mailto:goodybug1@yahoo.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 9:28 PM



PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Emilie Hall

[goodybug1@yahoo.com](mailto:goodybug1@yahoo.com)

4516 Avocado St, Apt E

Los Angeles, California 90027

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**Harold Shabo** <[info@email.actionnetwork.org](mailto:info@email.actionnetwork.org)>  
Reply-To: [rinconia27@gmail.com](mailto:rinconia27@gmail.com)  
To: [clerk.cps@lacity.org](mailto:clerk.cps@lacity.org)

Thu, Jan 23, 2020 at 10:16 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Harold Shabo

Harold Shabo

[rinconia27@gmail.com](mailto:rinconia27@gmail.com)

2701 Rinconia Dr  
Los Angeles, California 90068-2227

---

**Elizabeth Rosen** <info@email.actionnetwork.org>  
Reply-To: lisarosen@aol.com  
To: clerk.cps@lacity.org

Thu, Jan 23, 2020 at 10:27 PM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Elizabeth Rosen  
[lisarosen@aol.com](mailto:lisarosen@aol.com)  
451 N VISTA ST  
LOS ANGELES, California 90036

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**Sharon Lennon** <info@email.actionnetwork.org>  
Reply-To: sharonann67@aol.com  
To: clerk.cps@lacity.org

Fri, Jan 24, 2020 at 6:22 AM

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a



dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Sharon Lennon

[sharonann67@aol.com](mailto:sharonann67@aol.com)

Sunset Drive

Los Angeles, California 90027



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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Erick Porras <wridapo@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [wridapo@gmail.com](mailto:wridapo@gmail.com). Thank you for your consideration.

Sincerely,  
Erick Porras  
[wridapo@gmail.com](mailto:wridapo@gmail.com)  
919 South Wilton Place  
Los Angeles, CA 90019  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

---

**Erik Rivera** <erik@bravurainvestmentgroup.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [erik@bravurainvestmentgroup.com](mailto:erik@bravurainvestmentgroup.com). Thank you for your consideration.

Sincerely,  
Erik Rivera  
[erik@bravurainvestmentgroup.com](mailto:erik@bravurainvestmentgroup.com)  
9171 Wilshire Boulevard  
Beverly Hills, CA 90210  
United States



# FIX THE CITY

[jim@FixTheCity.org](mailto:jim@FixTheCity.org), [jamesos907@gmail.com](mailto:jamesos907@gmail.com) [Messages 213-840-0246](https://www.facebook.com/messages/213-840-0246)

February 7, 2020  
Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395 Los Angeles, California 90012  
Attention: PLUM Committee

Dear Honorable Members:

**RE: SUSTAINABLE COMMUNITIES PROJECT EXEMPTION REQUEST FOR A PROPOSED PROJECT AT 623 - 671 SOUTH LA BREA AVENUE; CASE NOS. ZA-2019-1744-CU-MCUPSPR-TOC, VTT-82618-CN & ENV-2019-1736-SCPE; COUNCIL FILE NO. 19-1533**

Fix The City wishes to draw your attention to our January 3, 2020 letter to your committee (attached) which we believe lays out deficiencies we found in ENV-2019-1736-SCPE. A CEQA determination prior to a project determination constitutes **predetermination** and **piecemeal** approval, in violation of CEQA.

In addition:

This CEQA designation cannot be granted because the project approval will violate Los Angeles City Charter Section 464(a). No changes can be made to a ballot measure unless approved by the voters. This project is seeking discretionary incentives under TOC that the voters limited to three ministerial incentives: increased density and FAR and reduced parking. Measure JJJ Section 6 does not authorize any discretionary incentives. It is limited to "herein." 2. The incentives exceed the authority of Measure JJJ. Only non-substantive changes can be made without voter approval (JJJ Section 5.A).

1. JJJ Section 6 TOC ministerial incentives for increased FAR and density only apply to DWELLING UNITS, in JJJ Section 6. Thus, the calculation of the FAR is in violation of JJJ Section 6, and the bonus is not available for luxury hotel rooms or commercial uses.
2. The "Additional Incentives" increase allowable density and intensity without providing a finding based on substantial evidence that infrastructure and public services are adequate. We incorporate by reference all of the substantial evidence already submitted to the City for the Expo TNP and 2301 Westwood Boulevard TOC project, that infrastructure and emergency services are inadequate and do not meet the city's established benchmarks for adequate service.
3. The project does not comply with the Labor Standard requirements of JJJ nor the Labor Standard Ordinance 186483 implementing JJJ. This ordinance includes TOC projects seeking other planning approvals, not just Section 5 projects.
4. JJJ only permits the base incentives unless an applicant seeks a General Plan Amendment, Zone Change or Height District Amendment and requires following the Labor requirements of JJJ Section 5e.
5. Section 6 of JJJJ is limited to three ministerial incentives and NO discretionary/additional incentives. Please read it yourselves. If discretionary incentives are required, they must be sought under JJJ Section 5 and adhere to the Labor Standard.
6. The project's incentives are calculated on the basis of Tiers, rather than the base zone and density, as required by JJJ Section 6. JJJ did not authorize Tiers.

In a recent (1/24/20) letter to your committee, Director Bertoni mentions that "multiple comment letters have been submitted to the Council File (C.F. No. 19-1533) regarding the appropriateness of the use of the SCPE for the proposed project." He goes on to list the technical qualifications for a SCPE exemption which does nothing to address the real concerns of the community regarding the impact this project will

# FIX THE CITY

have on their neighborhood. His prior letter of November 26, 2019 asks you to make a decision upon a review of the entire administrative record, including SCPE Case No. ENV-2019-1736-SCPE, and all comments received.

We also find the FAR calculations for the project violate Measure JJJ Section 6 TOC incentive for FAR and density. The ministerial **TOC** FAR and Density bonuses only apply **per dwelling unit** and NOT to hotel guest rooms or commercial uses. Therefore, there is no density or FAR available for the hotel use. Please recalculate the permitted density based on dwelling units ONLY.

We wish to add the following to the record so that we are sure that your decision as well as the Directors is based on the entirety of the record.

Fix the City opposes the 80% increase in density for non-dwelling units along with the following two DISCRETIONARY additional incentives for a qualifying Tier 4 project: (i) To permit any or all setbacks consistent with the RAS3 Zone; and (ii) To permit the reduction of the required open space by 25%.

We incorporate by reference:

- Fix The City lawsuit on the Expo line (Case # 18STCP02720)
- Fix The City lawsuit on 10400 Santa Monica Boulevard (Case # 19STCP03740)
- Fix The City lawsuit on 2301 Westwood Boulevard (Case # 20STCP00355)
- The appeal of 10757 Wilkins Avenue supported by Fix the City.
- All other documents in the record

Sincerely:



James O'Sullivan

# FIX THE CITY

[jim@FixTheCity.org](mailto:jim@FixTheCity.org), [jamesos907@gmail.com](mailto:jamesos907@gmail.com) [Messages 213-840-0246](tel:213-840-0246)

January 3, 2020

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**RE: OPPOSITION TO SUSTAINABLE COMMUNITIES PROJECT EXEMPTION REQUEST FOR A PROPOSED PROJECT AT 623 - 671 SOUTH LA BREA AVENUE; CASE NOS. ZA-2019-1744-CU-MCUP SPR-TOC & VTT-82618-CN**

This project does not qualify for this CEQA exemption.

On November 26, 2019 Planning Director Bertoni sent you a letter requesting that the "City Council consider and determine if the above proposed project qualifies for a Sustainable Communities Project Exemption (SCPE), pursuant to Public Resources Code (PRC) Section 21155.1. He further stated that PRC Section 21155.1 provides that projects are statutorily exempt from CEQA if a hearing is held by the City Council and the City Council finds, based on the **whole of the administrative record**, that the project qualifies as a transit priority project as defined by PRC Section 21155(b), and further meets all of the criteria set forth in PRC Section 21155.1 (a) and (b) and one of the criteria of subdivision (c). If the City Council finds, after conducting a public hearing, all of the above, then the project is declared a Sustainable Communities Project and shall be exempt from the California Environmental Quality Act (CEQA)."

**Fix The City wishes to add the following to the Administrative record for Council File 19-1533.**

ENV-2019-1736-SCPE makes several claims that are not based on substantial evidence and therefore cannot be relied upon by this body for a CEQA Exemption. For instance, it states that: "under PRC § 21155.1(a). The transit priority project complies with all of the following environmental criteria:

- 1) *"The transit priority project and other projects approved prior to the approval of the transit priority project but not yet built can be **adequately served by existing utilities**, and the transit priority project applicant has paid, or has committed to pay, all applicable in-lieu or development fees."*

**"Consistent.** The Project Site is located within a highly urbanized area in the City of Los Angeles and is **adequately** serviced by the LADWP (water and electricity), the Bureau of Sanitation (sewer), natural gas (Southern California Gas Company), and telecommunications (cable and internet). The Project Site is currently developed with commercial and office land uses and is **adequately** served by the existing utility infrastructure. Thus, development of the Proposed Project would not require the extension of utilities or roads to accommodate the proposed development."

This statement is incorrect in several ways and cannot be relied on for this CEQA exemption.

- a) It fails to address the following projects approved at:  
5757 Wilshire Blvd. (under construction),  
6001 Wilshire Blvd. The Motion Picture Academy (under construction),  
5905/5864 Wilshire Blvd. The new LACMA museum project (Approved)  
5891 West Olympic Blvd (approved)

# FIX THE CITY

These extremely large projects will collectively impact the existing utility infrastructure that is already showing signs of strain as recent blackouts demonstrate. Miracle Mile Outage History

- The circuits servicing Miracle Mile are 44% underground and 56% overhead.
- Number of outages in 2018 and 2019 were higher than previous years due underground cable related outages and wind/rain storms in 2019.
- Underground equipment related failures contributed to 78.7% of all 2019 outage minutes as of May 2019.
- Vegetation contributed to 11.3% of all 2019 outage minutes as of May.
- There were 6 total storms with 4 rain storms, 1 wind storm, and 1 rain/wind storm in 2019.

(July 11, 2019 LADWP briefing for the Miracle Mile Residential Association).

In addition, there are substantial demands on already inadequate Fire and EMS services due to the homeless crisis. This needs to be quantified and factored into response time analysis, just as cumulative impact analysis must include new or pending projects. The homeless crisis is an ongoing burden on all city services and a humanitarian crisis. Homeless demand for service, and brushfires caused by campfires, are an objective, substantial factor in evaluating the adequacy of current service and the impact of proposed projects.

- 2) "PUBLIC FACILITIES. ENV-2019-1736-SCPE states that the existing facilities are capable of providing **acceptable response times** for fire protection and emergency response services. Specifically, the Los Angeles Fire Department considers fire protection services for a project adequate if a project is within the 1.5 miles in this instance). The Project Site is served by LAFD Station No. 61, approximately 0.6 miles northwest of the Project Site. Therefore, fire protection response with existing facilities is therefore considered adequate, and Proposed Project impacts would not be significant."

Fix The City reminds this committee that **average response times are not the standard** for the Los Angeles Fire Department. Adequate response time is defined by LAFD using the NFPA 1710 standard (EMS within 5 minutes 90% of the time, and Fire within 5:20 minutes 90% of the time). This is the definition of adequate response time employed by LAFD, the LA County Grand Jury, and the LA City Comptroller. Unfortunately, since those studies were conducted, starting in 2012, response times have further declined.

Response time and staffing are measures of adequacy included in the Wilshire Community Plan. Planning. Whereas monitoring and evaluating are not measures of adequacy. Making changes in deployment with a larger population, more homeless, and smaller Fire Department staff and equipment, is not make fire and EMS services adequate. CEQA requires that the service is adequate, and not just the distance from a station to a project site. Likewise, providing sprinklers and fire hydrants is not a substitute for adequate response times.

In order to determine adequacy of Fire service, the Planning Department needs to provide the number of hours the first-in station is dark, along with the percentile of response times within 5 or 5:20 minutes. The NFPA 1710 response time standard is used to evaluate response time lags, by the City Comptroller, the LA County Grand Jury, and a third-party study. *All of these studies concluded, based on substantial evidence, that response times were inadequate.* LAFD's Strategic Plans also demonstrate that response times are not adequate. Again, monitoring and planning LAFD deployments is no substitute for providing adequate response times. Rather, they amount to rearranging the deck chairs on the Titanic and deny the public their right to public safety under the *California Constitution* (Article XIII, Section 35). Providing adequate public safety is the first responsibility of local government in California. Los Angeles is ignoring this mandate.

**The General Plan Framework mandates balancing development with available infrastructure and public services in order to maintain adequate infrastructure and public services.** Policy 3.3.2 and

# FIX THE CITY

GPF FEIR Sections 2.10.5 and 2.11.5 are mandatory, enforceable mitigation measures adopted by the City Council on August 9, 2001 as mandatory CEQA mitigation measures.

Anyone touched by the recent wildfires knows that our heroic first responders were amazing. What you may not know is that most of the city's fire stations were empty, leaving most neighborhoods defenseless. Visit fire stations near your home and ask them what percentage of their calls are for homeless assistance. Ask them how many days they are somewhere else, and not in your neighborhood. Then go to the Police Station and ask the same questions.

The City of Los Angeles has long abdicated its duty under the California Constitution to provide adequate public safety services. Every LA City study cited by Fix the City's testimony over time, as well a Grand Jury report, concluded that LAFD response times are dangerously inadequate. Sadly, each year, response time has worsened, not improved. Now, the burden of homelessness further taxes emergency services.

The city's benchmark (and national standard NFPA 1710) for LAFD response time as stated in the Third-Party Study, the Grand Jury Report on LAFD Response Time Lag, and the City Controller's audit of response time, for EMS is within 5 minutes 90% of the time. Most stations respond in five minutes about 50% of the time, way slower than the performance benchmark and definition of adequacy. These studies have been cited by Fix the City and ignored. **Check out your neighborhood LAFD Station on [www.FireStatLA.org](http://www.FireStatLA.org). Visit your station and ask how often it is empty and how the homeless crisis impacts their station.**

Keep in mind that the city is presenting response time as an average, whereas its benchmark is a percentile (90%). Even using averages, response time is well below the 5 minutes for EMS and 5:20 minutes for fire. The City has also failed to adopt "Standards of Coverage," which were promised several years ago. We have fewer firefighters now than a decade ago who are asked to serve a larger population and traverse through worse gridlock.

This project does not comply with the General Plan Framework mandatory mitigation Policy 3.3.2 which requires before increasing allowable density, adequate infrastructure (water, electricity, sewers, sidewalks, etc., and adequate police and fire service for current demand and can accommodate added demand.

**This project does not comply with the Wilshire Community Plan** which states. "The quality of life and stability and neighborhoods throughout the Wilshire Community Plan Area critically depend on the adequate provision of infrastructure resources (e.g. transportation, police, fire, water, sewerage, parks, etc.) commensurate with the needs of the population."

Attaching October 22, 2019 Fix The City letter regarding this project.

Sincerely:



James O'Sullivan



# FIX THE CITY

[jim@FixTheCity.org](mailto:jim@FixTheCity.org), [jamesos907@gmail.com](mailto:jamesos907@gmail.com) [Messages 213-840-0246](tel:213-840-0246)

October 22, 2019

**RE: OPPOSITION TO TOC PROJECT APPLICATION FOR 623 - 671 S. LA BREA AVENUE, LOS ANGELES CA 90036 ZA-2019-1744-CU-MCUP-SPR-TOC, VTT-82618-CN**

Dear Mr. Tovar:

Fix the City opposes the 80% increase in density for this project along with the following two (2) additional incentives for a qualifying Tier 4 project: i. To permit any or all setbacks consistent with the RAS3 Zone; and ii. To permit the reduction of the required open space by 25%. We requests that this letter be included in the record for this project, and that you address the concerns below.

The TOC Guidelines cannot be used to approve the requests for the following reasons:

1. The Guidelines were never lawfully adopted by the City Council as required by California Government Code Section 65915(d)(1)(C)(3).
2. The Guidelines exceed the authority of JJJ. Only non-substantive changes can be made without voter approval (JJJ Section 5.A).
3. The "Additional Incentives" lacked CEQA review and voter approval.
4. The "Additional Incentives" increase allowable density and intensity without providing a finding based on substantial evidence that infrastructure and public services are adequate.
5. The TOC Map is an unlawful amendment of the General Plan Land Use Element unauthorized by JJJ and requires voter approval.
6. TOC Tiers 1,2,3 and 4 are unlawful zone changes not authorized by JJJ and require voter approval.
7. JJJ only permits the base incentives unless an applicant seeks a General Plan Amendment, Zone Change or Height District Amendment and requires following the Labor requirements of JJJ Section 5e.

We incorporate by reference:

- Fix The City lawsuit on the Expo line (Case # 18STCP02720)
- Fix The City lawsuit on 10400 Santa Monica Boulevard (Case # 19STCP03740)

# FIX THE CITY

- Fix The City documentation for 2301 Westwood Blvd. (DIR-2018-6719-TOC-WDI, ENV-2018-6720-CE)

For all these reasons, we request that you deny approval of this application.

Sincerely,



James O'Sullivan, Vice President, Fix the City

Cc [Michelle.carter@lacity.org](mailto:Michelle.carter@lacity.org)

Cc [David.Ryu@lacity.org](mailto:David.Ryu@lacity.org)

cc. [emma.howard@lacity.org](mailto:emma.howard@lacity.org)

cc [rob.fisher@lacity.org](mailto:rob.fisher@lacity.org)

cc [nicholas.greif@lacity.org](mailto:nicholas.greif@lacity.org)

## Communication from Public

**Name:** James O'Sullivan  
**Date Submitted:** 01/13/2020 06:13 PM  
**Council File No:** 19-1533  
**Comments for Public Posting:** my previous comment under Fix The City did not seem to go through.

# FIX THE CITY

[jim@FixTheCity.org](mailto:jim@FixTheCity.org), [jamesos907@gmail.com](mailto:jamesos907@gmail.com) [Messages 213-840-0246](tel:213-840-0246)

January 13, 2020

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

**RE: OPPOSITION TO TOC PROJECT APPLICATION FOR 623 - 671 S. LA BREA AVENUE, LOS ANGELES CA 90036 ZA-2019-1744-CU-MCUP-SPR-TOC, VTT-82618-CN**

Dear Honorable Members:

Fix The City submits this letter to supplement its previous submission dated January 3, 2020. We wish to put into the record the following:

**SEC. 11.5.8. GENERAL PLAN REVIEW.**

A. Planning Areas. The City is hereby divided into 37 planning areas. Each planning area constitutes an area for which either a community plan, a district plan, or other portion of the Land Use Element of the General Plan has been adopted by the City. The boundaries of each planning area shall be those of the applicable adopted community or district plan, or other portion of the Land Use Element of the General Plan as they existed on enactment of this section. These boundaries may be only changed by amendment to the General Plan pursuant to the procedures set forth in Section 11.5.6 of this Code.

No amendment to a plan for any of the 37 planning areas, including reduction in the number of such areas, changes in their respective boundaries, land uses permitted within or at any particular location in any such area, or any other material change, may be made until the completion of a comprehensive assessment of such proposed changes by the Planning Department to ensure that such changes do not:

- Reduce the capacity for creation and preservation of affordable housing and access to local jobs.
- The changes must include a program to create and monitor an inventory of units within the Community Plan Area that are: subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of Lower or Very Low-Income; subject to the City Rent Stabilization Ordinance; and/or occupied by Lower-Income or Very Low-Income households.

**NO SUCH PROGRAM HAS BEEN ESTABLISHED. THIS PROGRAM IS A PREREQUISITE FOR APPROVAL OF TOC INCENTIVES.**

**The record before this Committee, is not complete.** There was a Public hearing on October 23, 2019 and the facts and contents of that hearing are not in the record. Therefore, the record is not complete.

# FIX THE CITY

This project is in violation of the labor standard ordinance **CF 16-0684-S1**. It applies to all JJJ projects including TOC.

We reserve our right to take action against this and other TOC projects under Section 7 of Measure JJJ.

Sincerely:

James O'Sullivan

Cc [Michelle.carter@lacity.org](mailto:Michelle.carter@lacity.org)

Cc [David.Ryu@lacity.org](mailto:David.Ryu@lacity.org)

cc. [emma.howard@lacity.org](mailto:emma.howard@lacity.org)

cc [rob.fisher@lacity.org](mailto:rob.fisher@lacity.org)

cc [nicholas.greif@lacity.org](mailto:nicholas.greif@lacity.org)



## Communication from Public

**Name:** Barbara Gallen, Zone 6 Rep on behalf of Zone 6 residents living on adjacent street

**Date Submitted:** 01/13/2020 04:40 PM

**Council File No:** 19-1533

**Comments for Public Posting:** ENV-2019-1736-SCPE makes a claim that is strongly contradicted by the factual conditions of the site. “Consistent. The Project Site is located within a highly urbanized area in the City of Los Angeles...The Project Site is currently developed with commercial and office land uses and is adequately served by the existing utility infrastructure. Thus, development of the Proposed Project would not require the extension of utilities or roads to accommodate the proposed development.” [Boldface added for emphasis.] In fact, the circulation plan of the Proposed Project depends heavily on using the 20 foot alley behind the project as al route for egress and access to the project which consists of a mixed use high density apartment complex PLUS a mid-sized hotel. The alley was designed 100 years ago to service 1 and 2 story commercial businesses and provide residents on the east side of Detroit with access and egress from their garages. Moreover, this alley is the ONLY means by which ALL residents on the 600 South block Detroit may access their homes by car when coming from Sixth Street—because Detroit is 1-way NB with no vehicle access from Sixth. In or around 1998 the Department of Transportation (DOT) converted Detroit to a 1-way street NB with no vehicle access from the north (Sixth Street) in response to the community’s petition to create angled parking. (Most of the structures on Detroit were 1920s – 1930s structures with minimal or no provided parking.) DOT’s decision to implement the 1-way street depended heavily on there being a viable access route to reach Detroit from Sixth St., namely the alley between the La Brea commercial structures and the residential structures on Detroit. An estimated 800+ tenants currently live on Detroit on the block behind the Proposed Project, who are highly dependent on the alley way remaining open for vehicular access to their homes at all times of day and night. As well, USPS, small delivery vehicles headed for these residents' homes, and the residents’ visitors are also dependent on this alley staying clear and not blocked. The Proposed Project includes a large hotel with multiple restaurants plus a high density residential structure, all sharing a valet service that entails two trips through the alley for each of many hundreds of vehicles that visit the Project to be parked in the garage. Notably, a hotel entails a large amount of

commercial deliveries throughout the day and night all of which involve accessing and leaving the site via the alley. These will be large trucks that will have to negotiate sharp turns into and out of the alley, and the need to queue in the alley to access the Project's loading areas when multiple deliveries are happening at the same time. Residents will be blocked throughout the day without warning by trucks queueing, arriving, and leaving. Residents will also compete with a high volume of passenger cars entering and exiting the garage through the alley. Essentially, with its circulation plan as currently proposed, the Proposed Project will commandeer the alley to use as its own private roadway at the expense of hundreds of residents on Detroit who depend on it remaining congestion-free to access their garages on the alley, and to access the entire block of Detroit, which is 1 way NB. The Proposed Project should be required to provide a circulation plan that routes the majority of its vehicular traffic via the major commercial roadway of La Brea.

## Communication from Public

**Name:** WALKER A FOLEY  
**Date Submitted:** 01/26/2020 09:11 PM  
**Council File No:** 19-1533  
**Comments for Public Posting:** PLUM Members, Please oppose the Sustainable Communities Project Exemption (SCPE) for this project.

January 20<sup>th</sup>, 2020

Hon. David Ryu  
200 N Spring St, Room 425  
Los Angeles, CA 90012  
Cc:  
Leyla Campos, Legislative Assistant  
Michelle Carter, Planner  
c/o PLUM Committee Members  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012  
[michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)  
[clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

Dear Councilmember Ryu and Honorable Members of the PLUM Committee:

On behalf of Food & Water Action, we write to urge you to oppose the Sustainable Communities Project Exemption (SCPE) for the 639 S. La Brea hotel/condo project. In the midst of a climate crisis, projects in the City of Los Angeles should do their utmost to reduce projected greenhouse gas emissions, energy, and water use. The 639 S. La Brea hotel/condo project is far from this standard.

The proposed 639 S. La Brea Project does not fit the requirements necessary for a SCPE, fundamentally relying on speculative mitigations to justify the abbreviated environmental review process. SCPEs require consistency with SCAG Regional Transportation Plan/Sustainable Community Strategies. However, the SCPE does not discuss any of the goals listed in the 2016 Sustainable Community Strategy. It does not identify any strategies (including for example, parking cash out, transit passes and other mechanisms to encourage use of sustainable transportation) the project will employ to comply with the 2016 RTP/SCS. Neither is there any modeling of the project's greenhouse gas emissions to verify it will meet RTP/SCS' goals of reducing GHG emissions by 18% from 2005 levels by 2035 or any

discussion of its compliance with the California Air Resources Board's target reduction of GHG emissions by 19% by 2035. These standards are reflected in the draft 2020 SCAG RTP/SCS per capita targets and similarly left unaddressed in this SCPE.

Additionally, SCPE's are required to prove that water use per capita will be 25 percent more efficient than the average household use in the region. However, the baseline used in the SCPE is based on the 2016 Plumbing Code rather than the 2019 Plumbing Code, effectively overestimating the effective reductions. Similarly, for the required 15% reduction in energy use, the SCPE uses the old Title 24 standards from 2016 and cites only fairly generic measures to justify its projection reduction in energy use.

For the reasons above, the SCPE is fundamentally flawed. We urge the PLUM Committee to require a thorough environmental analysis of this project that meets the standards set in SB 375.

Sincerely,

Walker Foley

Senior Organizer

Food & Water Action

[wfoley@fwwatch.org](mailto:wfoley@fwwatch.org)

323-843-8448



## Communication from Public

**Name:** Hannah Bleier

**Date Submitted:** 01/25/2020 06:25 AM

**Council File No:** 19-1533

**Comments for Public Posting:** It is both unethical and ludicrous that, at a time when so many homeless people are living on the streets of L.A. that there is a typhoid epidemic, this project is being considered. According to Los Angeles Homeless Services Authority, approximately 50,000 to 60,000 persons may be found homeless on any given night in Los Angeles County, more than 44,000 of them on the streets. Youth, from minors through age 24, make up 8,915 of the county's homeless population. Los Angeles doesn't need another huge project to benefit the rich at the expense of everyone else. We need low-income housing.



City Clerk Council and Public Services <clerk.cps@lacity.org>

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## CF #19-1533: No to Wilshire / La Brea

1 message

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**Janet Eisner** <info@email.actionnetwork.org>

Sat, Jan 25, 2020 at 10:26 AM

Reply-To: janeteisner@aol.com

To: clerk.cps@lacity.org

PLUM Committee Members,

I urge the City to oppose the [639 S. La Brea](#) Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Janet Eisner

[janeteisner@aol.com](mailto:janeteisner@aol.com)

2000 n highland ave

La, California 90068



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

1 message

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**Jane Demian** <info@email.actionnetwork.org>

Sat, Jan 25, 2020 at 7:33 AM

Reply-To: jane.demian1@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Jane Demian

[jane.demian1@gmail.com](mailto:jane.demian1@gmail.com)

2132 Ridgeview Avenue

Los Angeles, California 90041



City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Don't Rush Environmental Review: 623-671 S. La Brea (CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)**

2 messages

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**Regina Jones** <info@email.actionnetwork.org>  
Reply-To: reginajone@aol.com  
To: clerk.cps@lacity.org

Sat, Jan 25, 2020 at 5:48 AM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Regina Jones  
[reginajone@aol.com](mailto:reginajone@aol.com)  
1230 S Van Ness Ave  
Los Angeles, California 90019

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**Rachael Rose Luckey** <info@email.actionnetwork.org>  
Reply-To: rachaelroseluckey@gmail.com  
To: clerk.cps@lacity.org

Sat, Jan 25, 2020 at 3:05 PM

PLUM Committee Members,

I am writing with concern about the proposed hotel/housing project at [639 S. La Brea Ave](#). The project's environmental review is being rushed ahead of approvals for the actual project, denying our community the ability to ensure the project will really be sustainable and mitigate its effects on traffic, energy, climate change, and water use. Additionally, the project misuses the TOC



program that was intended to create more housing, including more affordable housing. This is self-evident by other TOC projects in the City, which either propose housing exclusively, or contain only a small portion of retail use (e.g., minor local-serving retail on the ground floor). Here, however, the project includes an 8-story, 125-room luxury hotel on land adjacent to the future Metro stop, which would be better used to provide housing—as intended under the clear purpose of the City's TOC program. I urge that the PLUM Committee to halt approvals of any environmental review until the City has reviewed the underlying project and ensure our affordable housing programs create actual housing, not luxury hotels.

Rachael Rose Luckey

[rachaelroseluckey@gmail.com](mailto:rachaelroseluckey@gmail.com)

130 N. Westmoreland Ave #204

Los Angeles, California 90004





City Clerk Council and Public Services &lt;clerk.cps@lacity.org&gt;

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**Comment on Council File: 19-1533 / ZA-2019-1744**

1 message

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**cloid.hammers@gmail.com** <info@email.actionnetwork.org>

Sat, Jan 25, 2020 at 9:57 PM

Reply-To: cloid.hammers@gmail.com

To: clerk.cps@lacity.org

PLUM Committee Members,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

[cloid.hammers@gmail.com](mailto:cloid.hammers@gmail.com)

244 7 vermont ave

[los angeles, California 90027](#)



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

---

Jason Hill <jasesparkles@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [jasesparkles@gmail.com](mailto:jasesparkles@gmail.com). Thank you for your consideration.

Sincerely,  
Jason Hill  
[jasesparkles@gmail.com](mailto:jasesparkles@gmail.com)  
1530 North Poinsettia Place  
Los Angeles, CA 90046  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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John Peter Kaytrosh <jpkaytrosh@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [jpkaytrosh@gmail.com](mailto:jpkaytrosh@gmail.com). Thank you for your consideration.

Sincerely,  
John Peter Kaytrosh  
[jpkaytrosh@gmail.com](mailto:jpkaytrosh@gmail.com)  
512 North Sycamore Avenue  
Los Angeles, CA 90036  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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Johnny Bryann <jbwater06@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [jbwater06@gmail.com](mailto:jbwater06@gmail.com). Thank you for your consideration.

Sincerely,  
Johnny Bryann  
[jbwater06@gmail.com](mailto:jbwater06@gmail.com)  
United States



Michelle Carter <michelle.carter@lacity.org>

---

## CF #19-1533: No to Wilshire / La Brea

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**Kenneth White** <info@email.actionnetwork.org>  
Reply-To: fortunelli@aol.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 5:22 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Kenneth White  
[fortunelli@aol.com](mailto:fortunelli@aol.com)  
839 so. Gramercy pl #4  
LA, California 90005





Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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**Kristin Morris** <kristin.aka.kmo@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

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CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [kristin.aka.kmo@gmail.com](mailto:kristin.aka.kmo@gmail.com). Thank you for your consideration.

Sincerely,  
Kristin Morris  
[kristin.aka.kmo@gmail.com](mailto:kristin.aka.kmo@gmail.com)  
Glendale, CA 91205  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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Lauren Wrenn <thenameisjeje@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:40 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [thenameisjeje@gmail.com](mailto:thenameisjeje@gmail.com). Thank you for your consideration.

Sincerely,  
Lauren Wrenn  
[thenameisjeje@gmail.com](mailto:thenameisjeje@gmail.com)  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

---

Marc Anthony <kwdealmaker@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [kwdealmaker@gmail.com](mailto:kwdealmaker@gmail.com). Thank you for your consideration.

Sincerely,  
Marc Anthony  
[kwdealmaker@gmail.com](mailto:kwdealmaker@gmail.com)  
301 North Canon Drive  
Beverly Hills, CA 90210  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

---

Melissa Brody <brodymel@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [brodymel@gmail.com](mailto:brodymel@gmail.com). Thank you for your consideration.

Sincerely,  
Melissa Brody  
[brodymel@gmail.com](mailto:brodymel@gmail.com)  
[1529 South Dunsmuir Avenue](#)  
[Los Angeles, CA 90019](#)  
[United States](#)



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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Michael Wilson <michaeljwilson21@hotmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [michaeljwilson21@hotmail.com](mailto:michaeljwilson21@hotmail.com). Thank you for your consideration.

Sincerely,  
Michael Wilson  
[michaeljwilson21@hotmail.com](mailto:michaeljwilson21@hotmail.com)  
6213 Newcastle Avenue  
Los Angeles, CA 91316  
United States





Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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Mike Janas <mikejanas@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [mikejanas@gmail.com](mailto:mikejanas@gmail.com). Thank you for your consideration.

Sincerely,  
Mike Janas  
[mikejanas@gmail.com](mailto:mikejanas@gmail.com)  
346 Hauser Boulevard  
Los Angeles, CA 90036  
United States



Michelle Carter <michelle.carter@lacity.org>

---

## Letter of Support for 623-671 South La Brea Ave.

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**Paul Moore** <paulmooreusc@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [paulmooreusc@gmail.com](mailto:paulmooreusc@gmail.com). Thank you for your consideration.

Sincerely,  
Paul Moore  
[paulmooreusc@gmail.com](mailto:paulmooreusc@gmail.com)  
7250 Franklin Avenue  
Los Angeles, CA 90046  
United States



Michelle Carter <michelle.carter@lacity.org>

---

## Letter of Support for 623-671 South La Brea Ave.

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**Ramon livingston** <ramonliviv@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [ramonliviv@gmail.com](mailto:ramonliviv@gmail.com). Thank you for your consideration.

Sincerely,  
Ramon livingston  
[ramonliviv@gmail.com](mailto:ramonliviv@gmail.com)  
121 Arlington Drive  
Pasadena, CA 91105  
United States



Michelle Carter <michelle.carter@lacity.org>

---

## Letter of Support for 623-671 South La Brea Ave.

---

**Robert Bloom** <robertbloom27@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [robertbloom27@gmail.com](mailto:robertbloom27@gmail.com). Thank you for your consideration.

Sincerely,  
Robert Bloom  
[robertbloom27@gmail.com](mailto:robertbloom27@gmail.com)  
United States



Michelle Carter <michelle.carter@lacity.org>

---

## Letter of Support for 623-671 South La Brea Ave.

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**Robert Philips** <robert.philips@painelake.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [robert.philips@painelake.com](mailto:robert.philips@painelake.com). Thank you for your consideration.

Sincerely,  
Robert Philips  
[robert.philips@painelake.com](mailto:robert.philips@painelake.com)  
4045 Vineland Avenue  
Studio City, CA 91604  
United States





Michelle Carter <michelle.carter@lacity.org>

---

## CF #19-1533: No to Wilshire / La Brea

---

**Ronald Modro** <info@email.actionnetwork.org>  
Reply-To: ron.modro@gmail.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 4:01 PM

Michelle Carter,

I urge the City to oppose the 639 S. La Brea Project's environmental review. During a climate crisis caused by rising greenhouse gas (GHG) emissions, the City should ensure projects are doing everything feasible to ensure projects are as water/energy/GHG-efficient as possible. We deserve a more thorough environmental review.

Thank you,

Ronald Modro  
[ron.modro@gmail.com](mailto:ron.modro@gmail.com)  
14687 Round Valley Dr.  
Sherman Oaks, California 91403



Michelle Carter <michelle.carter@lacity.org>

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## Comment on Council File: 19-1533 / ZA-2019-1744

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**Ryan Sawyer** <info@email.actionnetwork.org>  
Reply-To: r.sawyer585@yahoo.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 7:19 PM

Michelle Carter,

Los Angeles voters have demonstrated time and time again that they want more affordable housing. Please stand with them and stop the CGI Strategies project proposed for [623-671 S. La Brea Ave](#) which misuses the Transit Oriented Communities Program to create a project with more hotel rooms than actual housing. Approving the project in its current form would create a dangerous precedent that would encourage more luxury hotel and commercial development at the expense of the affordable housing we need. Additionally, the City is rushing the environmental review process ahead of approvals for the project itself, denying community members the ability to ensure the mitigations proposed will really make the project sustainable. Please ensure adequate environmental review is done on the project and ensure our affordable housing programs are used to create housing, not more luxury hotels.

Regards,

Ryan Sawyer  
[r.sawyer585@yahoo.com](mailto:r.sawyer585@yahoo.com)  
4321 Ventura Canyon Ave., Apt. 2  
[Sherman Oaks, California 91423](#)



Michelle Carter <michelle.carter@lacity.org>

---

## Letter of Support for 623-671 South La Brea Ave.

---

Sandra Madera <smadera76@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:40 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [smadera76@gmail.com](mailto:smadera76@gmail.com). Thank you for your consideration.

Sincerely,  
Sandra Madera  
[smadera76@gmail.com](mailto:smadera76@gmail.com)  
1122 West Kensington Road  
Los Angeles, CA 90026  
United States



Michelle Carter <michelle.carter@lacity.org>

---

## Letter of Support for 623-671 South La Brea Ave.

---

Steve Edelson <stevenedelson@ail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:42 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

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I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [stevenedelson@ail.com](mailto:stevenedelson@ail.com). Thank you for your consideration.

Sincerely,  
Steve Edelson  
[stevenedelson@ail.com](mailto:stevenedelson@ail.com)  
2635 North Commonwealth Avenue  
Los Angeles, CA 90027  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

---

**Tyler Lindberg** <t.lindberg92@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles](#).

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CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [t.lindberg92@gmail.com](mailto:t.lindberg92@gmail.com). Thank you for your consideration.

Sincerely,  
Tyler Lindberg  
[t.lindberg92@gmail.com](mailto:t.lindberg92@gmail.com)  
400 South Occidental Boulevard  
Los Angeles, CA 90057  
United States



## Communication from Public

**Name:** Jamie Hall  
**Date Submitted:** 02/05/2020 09:52 AM  
**Council File No:** 19-1533  
**Comments for Public Posting:** Please see the attached supplemental comment letter.

# Channel Law Group, LLP

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8383 Wilshire Blvd.  
Suite 750  
Beverly Hills, CA 90211

Phone: (310) 347-0050  
Fax: (323) 723-3960  
www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III  
JAMIE T. HALL \*  
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

---

\*ALSO Admitted in Texas

February 5, 2020

## VIA ELECTRONIC MAIL

Leyla Campos, Legislative Assistant  
Michelle Carter, Planner  
c/o PLUM Committee Members  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012  
[michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)  
[clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

**RE: Supplemental SCPE Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; Council File No. 19-1533;**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following supplemental comments regarding the Sustainable Communities Project Exemption ("SCPE") for the eight-story, 201,123 square foot ("SF") mixed-use Bliss project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, the Council cannot approve or finally "determine" the Bliss Project's SCPE exemption now before the actual Bliss Project's land use entitlements<sup>1</sup> (which are still pending a decision before the Zoning Administrator ("ZA") who held a public hearing on October 23, 2019) are considered and approved ("Project Entitlements"). Doing so violates the California

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<sup>1</sup> City 10/23/19 Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively "Entitlements"]), <http://bit.ly/2uE7LEK>.

Environmental Quality Act (“CEQA”).<sup>2</sup>

The SCPE rules of Pub. Res. Code Sections 21155.1 and 21155.2 obviously envision that the legislative body will decide and approve the SCPE concurrently along with the underlying land use project entitlement approvals – not beforehand with nonsensical split-decisionmaking as is occurring here in violation of CEQA’s longstanding informed decisionmaking rules.

*The bottom line is the Bliss SCPE cannot be approved or final until the City approves the underlying Bliss Project Entitlements. The City Attorney must concede or clarify this point.*

If the City wants to change its existing land use entitlement approval to allow the City Council to simultaneously consider SCPEs along with the Project Entitlements as the initial “lead agency” decisionmaker (supplanting the ZA), so be it. It has had 10 years since the passage of SB 375 to do so. But absent that, the current plan for Bliss’ SCPE violates CEQA.

### **The Council Cannot Hear Only The Bliss SCPE, It Must Also Simultaneously Consider the Bliss Project Entitlements**

The Planning Department transmittals for the PLUM agenda<sup>3</sup> for Bliss’ SCPE indicates the Council is being asked to make a “determination” on the Bliss SCPE exemption under CEQA<sup>4</sup> – but not the Bliss Project Entitlements. We assume the plan is that Council will finalize the Bliss SCPE and then send it down to the Zoning Administrator who then will rely on it (presumably once Council makes its “determination” the City will argue the ZA cannot change or modify the SCPE) in deciding the Bliss Project Entitlements.

This plan violates CEQA. *If the Council is going to approve or “determine” the Bliss SCEA, it must also consider the Bliss Project Entitlement approvals at the same time.* Having Council decide the Bliss SCPE without the accompanying Bliss Project Entitlements, and then the ZA later deciding the Project Entitlements relying on an already approved or final SCPE (that the ZA cannot change) violates CEQA.

CEQA is violated when the authority to approve or disapprove the project is separated from the responsibility to complete the environmental review. *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”); *Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 360 (CEQA violated where the City Council did not make both decisions. Rather, it considered only the mitigated negative declaration.) As explained in *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731: “[f]or 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

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<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. (“CEQA Guidelines”).

<sup>3</sup> [http://clkrep.lacity.org/onlinedocs/2019/19-1533\\_rpt\\_PLAN\\_12-02-2019.pdf](http://clkrep.lacity.org/onlinedocs/2019/19-1533_rpt_PLAN_12-02-2019.pdf)

<sup>4</sup> The PLUM agenda itself does not indicate if a determination or decision is actually proposed for the Bliss SCEA. [https://ens.lacity.org/clk/committeeagend/clkcommitteeagend26137634\\_01142020.html](https://ens.lacity.org/clk/committeeagend/clkcommitteeagend26137634_01142020.html)

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.”

The City’s apparent plan of having Council “determine” the Bliss SCPE, and then having the ZA later decide the Bliss Project Entitlements relying on the already approved, final SCPE violates these exact same CEQA split decisionmaking principles. *If the Council is going to approve or “determine” the Bliss SCEA, it must also consider at the same time the Bliss Project Entitlements approvals.* Conversely, if the ZA is going to approve the Bliss Project Entitlements, she must be able to “determine” the CEQA compliance and make any appropriate changes to the CEQA document as necessary – it is unlawful for her as the initial Bliss Project Entitlements decisionmaker to be required to rely on an already decided SCPE that improperly was approved before the Bliss Project Entitlements. To the extent complying with these rules will require a new clarifying City ordinance or approval process for projects needing land use entitlements and SCPEs and SCEAs, so be it. But the current plan for Bliss’ SCPE violates CEQA.

### **Council Cannot Finalize the SCPE Before the Project Entitlements Are Actually Approved**

It is well established that an agency cannot approve a CEQA document or trigger the statute of limitations by filing a NOE or NOD for a project before it approves the project itself. *Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption filed before the underlying project actually is approved.) “Requiring project approval before filing a notice of exemption and triggering the challenge period comports with general principles underlying CEQA. A contrary conclusion would be tantamount to requiring opponents to bring challenges before a project is finally approved, lest they be barred by the statute of limitations. It would also thwart attempts to resolve disputes over a project.” *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 963, fn. 16. “It is not the purpose of CEQA to foment prophylactic litigation.” *Id.*

*This means Council cannot finalize or finally “decide” the Bliss Project SCPE or SCEA – or trigger any CEQA statute of limitations – before the Project Entitlements are actually approved by the ZA. The bottom line is the Bliss SCPE are not final until and if the ZA approves the Bliss Project Entitlements relying on the SCPE. The City Attorney must concede or clarify this point.*

### **SB 375 Envisions the SCPE Approval And the Project Land Use Entitlement Approvals Are to Be Heard Together**

The procedures in SB 375 – PRC Sections 21155.1 and 21155.2 – for approving a project with a SCEA or SCPE require the lead agency to conduct a public hearing and adopt findings. Section 21155.2(b)(6) requires that the public hearing be conducted by the legislative body, with the exception that the public hearing may be conducted by a Planning Commission if “local ordinances allow a direct appeal of approval of a document prepared under [CEQA] subject to a fee not to exceed five hundred dollars (\$500).”

PRC Sections 21155.1 and 21155.2(b) obviously envision that the legislative body will be deciding and approving the SCPE or SCEA concurrently along with the underlying land use project approvals – not beforehand with nonsensical split-decisionmaking as is occurring here in violation of CEQA’s longstanding informed decisionmaking rules identified above.

For example, Sections 21155.1 and 21155.2 require findings that “any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the transit priority project, that the “developer provides sufficient legal commitments” on affordable housing and that “changes or alterations have been required in or incorporated into the project.” How can these findings and commitments be made unless the actual project approvals with the actual land use entitlements approval conditions are also accompanying the SCPE or SCEA? The entitlements and SCPE are supposed to be heard together – consistent with CEQA’s decisionmaking rules.

As the City Council motion<sup>5</sup> that led to the new CEQA Appeal Ordinance notes: “Inasmuch as many types of land use approvals that could qualify as a transit priority project may be eligible for use of a SCEA would not be considered by the City Council as the initial decisionmaker or on appeal, it is inefficient to require a City Council hearing on the SCEA prior to SCEA adoption and project approval.” That is exactly right.

If the City wants to change its existing land use approval to allow the Council to simultaneously consider SCPEs and SCEAs along with the Project Entitlements as the initial “lead agency” decisionmaker (instead of the ZA), it should pursue that option. It has had ten years since SB 375 to do so. But absent that, the current plan for Bliss’ SCPE appears to violate CEQA.

**CEQA Findings Cannot Be Made Without Addressing Local 11’s SCPE comments, which is unaddressed in DCP’s Jan. 24 Letter**

The Department of City Planning (“DCP”) letter dated January 24, 2020 does not address Local 11’s prior comments concerning the adequacy of the Project’s SCPE. Admittedly, a Sustainable Communities Project (“SCP”) exempted from CEQA must comply with all criteria listed under PRC Section 21155.1 subdivision (a) and (b) (*see* DCP Letter, p. 2). In short, Local 11’s prior comments identified specific performance-based criteria contained in SCAG’s RTP/SCS and Program EIR that the Project’s SCPE ignores; numerous flaws in the Project’s energy and water-efficiency reports; and asked the City to seek clarification from SCAG whether hotel uses were analyzed as residential uses under its RTP/SCS and, thus, the Project’s 125-rooms and 121-residential units should collectively be subject to the applicable 200 residential unit limit—all of which is relevant to the SCP findings here. *See* PRC § 21155.1 subs., (a)(8), (b)(2), and (b)(5).

Neither the Project’s SCPE, nor DCP’s letter addresses these issues and, thus, there remain data/analytical gaps showing the Project qualifies as a SCP exempted from CEQA or that the City’s analysis is staying in step with evolving scientific knowledge and state regulatory schemes. *See e.g., Center for Biological Diversity v. Cal. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204, 227-230; *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 518-519; *Cleveland National Forest Foundation v. San*

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<sup>5</sup> [http://clkrep.lacity.org/onlinedocs/2018/18-0066\\_mot\\_01-23-2018.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0066_mot_01-23-2018.pdf)



*Diego Assn. of Governments* (2017) 17 Cal.App.5th 413, 444. In sum, absent addressing Local 11's concerns, the City lacks substantial evidence to support its CEQA findings here.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is written in a cursive style with a large initial "J" and "H".

Jamie T. Hall

## Communication from Public

**Name:** Jamie Hall  
**Date Submitted:** 01/24/2020 08:55 AM  
**Council File No:** 19-1533  
**Comments for Public Posting:** Dear Clerk: Please see the attached letter for the above referenced project.

# Channel Law Group, LLP

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January 24, 2020

## VIA ELECTRONIC MAIL

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**RE: Revised SCPE Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; Council File No. 19-1533**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following revised comments<sup>1</sup> regarding the Sustainable Communities Project Exemption ("SCPE") for the eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, Local 11 is concerned with the Project's compliance with the California Environmental Quality Act ("CEQA");<sup>2</sup> specifically the SCPE's lack of analysis demonstrating that the Project is genuinely consistent with the Southern California Association of Government's ("SCAG") 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy ("2016 RTP/SCS"), or other requirements for projects seeking CEQA streamlining review. For example, the SCPE fails to provide any modeling of greenhouse gas emissions ("GHG")—a departure from the less-

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

demanding review of Sustainable Communities Environmental Assessments (“SCEA(s)”) performed by the City.<sup>3</sup> Nor does the SCPE confirm whether the Project will achieve the necessary per capita GHG emission reductions mandated under SB 375, which is fundamental to the 2016 RTP/SCS.

The comments contained in this comment letter supplement and incorporate by this reference Local 11’s previous written comments dated October 30, 2019 regarding the Applicant’s improper use of the City’s Transit Oriented Communities (“TOC”) incentives for this hotel Project (attached hereto as Exhibit A). As fully explained therein<sup>4</sup>, no hotel project has ever been approved using the TOC incentives, and the only other hotel project seeking to use TOC incentives (other than the Project here), has since been terminated.<sup>5</sup>

So too, Local 11 objects to the City’s consideration or possible approval of the Project’s CEQA environmental document under a SCPE now without also considering or acting on the Project’s requested entitlements, which are still pending a decision before the Zoning Administrator who held a public hearing on October 23, 2019 and still has not issued a Letter of Determination.<sup>6</sup> It is well-established that you cannot approve a CEQA document for a project before you approve the project itself.<sup>7</sup> Additionally, CEQA’s basic purpose of informing agency decision-makers can be served only if the environmental document is reviewed and considered by the persons responsible for determining whether to approve or disapprove the project.<sup>8</sup>

Local 11 respectfully urges the Planning Land Use Management (“PLUM”) Committee to stay all action on the SCPE until the issues discussed herein, as well as the land use and TOC issues raised in our previous written comment (*see* Exhibit A), are addressed in a CEQA-compliant SCPE. So too, Local 11 asks that the City consult with SCAG and request necessary written documentation relevant to the Project’s hotel component’s purported compliance with the 2016 RTP/SCS.

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<sup>3</sup> SCPEs and SCEAs must show the project is consistent with applicable policies and incorporate applicable performance standards/criteria under the applicable sustainable communities strategy. *See e.g.*, Pub. Res. Code §§ 21155(a), 21155.1(b)(5), 21155.4. So too, SCPEs are intended to be more demanding and rigorous than SCEAs.<sup>3</sup> Hence, a project failing to satisfy SCEA requirements would equally fail SCPE requirements.

<sup>4</sup> CEQA documents including a SCPE are supposed to identify and analyze land use inconsistencies. *See* CEQA Guidelines § 15125(d); *see also Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-379; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land use policies). As set forth in our October 2019 letter, this Project is riddled with undisclosed land use inconsistencies that also improperly are not identified or analyzed in this SCPE document.

<sup>5</sup> City (12/10/19) Termination Letter RE: ZA-2018-3409/EAF-2018-3410, <http://bit.ly/2QOBDa1>.

<sup>6</sup> City (10/23/19) Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively “Entitlements”]), <http://bit.ly/2uE7LEK>.

<sup>7</sup> *See Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption [“NOE”] filed before the underlying project actually is approved).

<sup>8</sup> *See Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 354; *see also POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731 (“... to serve CEQA’s basic purpose of informing governmental decision makers about environmental issues, to the text of the note 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.”); CEQA Guidelines § 15022(a)(9) (requires the City to adopt implementing procedures for “[r]eviewing and considering environmental documents by the person or decision making body who will approve or disapprove a project.”).

## **FAILURE TO ESTIMATE PROJECT’S GHG EMISSIONS OR PROVIDE CALCEMOD MODELING**

Here, the SCPE fails to quantify the Project’s GHG emissions or provide any modeling data from CalEEMod, which is contrary to all SCEAs performed by the City still posted online.<sup>9, 10</sup> Failure to do so not only conflicts with past City practices, but also likely may conflict with CEQA Guidelines § 1564.4(a) to make a good-faith effort to calculate or estimate the amount of GHG emissions resulting from a project.

To the extent the SCPE attempts to avoid consideration of project-specific GHG emission analysis by referring to Pub. Res. Code § 21159.28 – that section only provide that the analysis need not discuss “project specific or cumulative impacts from *cars and light-duty truck trips* generated by the project on global warming or the regional transportation network.” Emphasis added. As made clear, only GHG emissions from cars and light-duty trucks need not be considered. This does not eliminate the need to analyze GHG emissions from other sources (e.g., construction, area, energy, water, waste, stationary equipment) for this Project.

## **FAILURE TO COMPARE PROJECT AGAINST SCAG’S GHG PERFORMANCE-BASED GOALS UNDER SB 375**

Here, the Project’s SCPE fails to discuss whether or not the Project is genuinely consistent with SCAG’s 2016 RTP/SCS regarding the reduction in GHG emissions from auto and light-duty vehicles. SB 375 was signed into law in September 2008 to enhance the state’s ability to reach AB 32 goals by directing the California Air Resources Board (“CARB”) to develop regional GHG emission reduction targets to be achieved from passenger vehicles (i.e., autos and light-duty trucks) for 2020 and 2035. In September 2010, CARB adopted regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035, assigning SCAG the targets of an eight percent reduction by 2020 and a 13 percent reduction by 2035.

This goal is reflected in SCAG’s current 2016 RTP/SCS,<sup>11</sup> which the 2016 RTP/SCS Program EIR (“PEIR”) determined that the per capita emission in pounds per day (“lbs/day”) for each SCAG region resident was 23.8 lbs/day in 2005, and that the 2016 RTP/SCS plan would achieve a per capita emission of 21.4 lbs/day in 2020 (i.e., a reduction of eight percent from 2005 levels) and 19.5 lbs in 2035 (i.e., a reduction of 18 percent from 2005 levels) (*see excerpt following page*).<sup>12</sup>

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<sup>9</sup> See e.g., 3600 Wilshire Project (Dec. 2019) SCEA, p. B-96 – B-98, <http://bit.ly/2t59V01> and Appendix C (<http://bit.ly/36SGaOC>); 340 S. Hill St. Equity Residential Mixed-Use Project (Sep. 2019) SCEA, p. V-100 – V-106, <http://bit.ly/2tdOQ3m> and Appendix E (<http://bit.ly/35USXyN>); Thatcher Yard Project (Sep. 2019) SCEA, p. V-57 – V-58, <http://bit.ly/2tdnCdb> and Appendix D (<http://bit.ly/2TmvZ0C>).

<sup>10</sup> Notwithstanding being listed on City website, multiple project SCEA hyperlinks do not open including the Soul Project, Olympic and Hill Projects, Weingart Projects, and Montecito II Senior Housing Project. *See* City (2020) SCEA, <http://bit.ly/387t9Rr>.

<sup>11</sup> SCAG (Apr. 2016) 2016 RTP/SCS, p. 8, 15, 153, 166, <http://bit.ly/2sG4VyH>.

<sup>12</sup> SCAG (11/24/15) 2016 RTP/SCS Draft PEIR, p. 3.8-37 – 3.8-38, <http://bit.ly/2FogAVl>.



**TABLE 3.8.4-3  
SB 375 ANALYSIS**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)	2040 (Plan)
Resident population (per 1,000)	17,161	19,060	21,475	22,116
CO <sub>2</sub> emissions (per 1,000 tons)	204.0*	203.6**	206.0**	203.0**
Per capita emissions (pounds/day)	23.8	21.4	19.5	18.7
% difference from Plan (2020) to Baseline (2005)				-8%*
% difference from Plan (2035) to Baseline (2005)				-18%***
% difference from Plan (2040) to Baseline (2005)				-22%***

**NOTE:**

\* Based on EMFAC2007

\*\* Based on EMFAC2014

\*\*\*Included off-model adjustments for 2035 and 2040

**SOURCE:**

SCAG modeling, 2015

Southern California Association of Governments. 5 November 2015. *Item No. 1 Staff Report: 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) – Proposed Major Components*. Available at: <http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

However, in March 2018, CARB adopted updated targets requiring a 19 percent decrease in GHG emissions for the SCAG region by 2035. This goal is reflected in SCAG’s Draft 2020 RTP/SCS per capita targets,<sup>13</sup> which the 2020 RTP/SCS Draft PEIR updates to per capita emissions of 21.3 lbs/day in 2020 and 18.8 lbs/day in 2035 (*see* excerpt below).<sup>14</sup>

**Table 3.8-10  
SB 375 Analysis**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)
Resident population (per 1,000)	17,161	19,194	21,110
CO <sub>2</sub> emissions (per 1,000 tons)	204.0 <sup>a/</sup>	204.5 <sup>b/</sup>	198.6 <sup>b/</sup>
Per capita emissions (pounds/day)	23.8	21.3	18.8
% difference from Plan (2020) to Baseline (2005)			-8%
% difference from Plan (2035) to Baseline (2005)			-19% <sup>c/</sup>

**Note:**

<sup>a/</sup> Based on EMFAC2007

<sup>b/</sup> Based on EMFAC2014 and SCAG modeling, 2019.

<sup>c/</sup> Includes off-model adjustments for 2035 and 2045

Source: SCAG modeling, 2019.

<http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

Here, the SCPE fails to discuss whether the Project will meet any of the targets identified in the 2016 or 2020 RTP/SCS targets, which is a fundamental requirement under SB 375 and the RTP/SCS.<sup>15</sup> Instead, the SCPE provides an abbreviated consistency analysis of generic goals, policies, and principles listed in the 2016 RTP/SCS; such as: nine generic goals (three of which are admittedly inapplicable), eight generic guiding principles (admittedly none of which are applicable), nine generic land use principles (six of which are admittedly inapplicable), and four generic benefits (one which is admittedly inapplicable) (*see* SCPE pp. 40-46).

<sup>13</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, p. 9, 48, 138, <http://bit.ly/2ZTBEwq>.

<sup>14</sup> SCAG (Nov. 2019) 2020 RTP/SCS Draft PEIR, p. 3.8-73 – 3.8-74, <http://bit.ly/30OPctF>.

<sup>15</sup> SCAG (Apr. 2016) 2016 RTP/SCS, pp. 8, 153 (“The Plan would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040—compared with 2005 levels. This meets or exceeds the state’s mandated reductions, which are eight percent by 2020 and 13 percent by 2035.”), <http://bit.ly/2sG4VyH>.

In addition to the claim of exceeding Title 24 and water efficiency standards (which we question in the below section), the thrust of the SCPE's analysis is that the mixed-use project is infill and near transit and, thus, consistent with the RTP/SCS. Yet, the SCPE fails to compare the Project against any of the actual strategies that flush out and achieve the aforementioned generic goals/policies/principles under the RTP/SCS.<sup>16</sup>

For example, the Project is admittedly overparked by 43 spaces (*see* SCPE, p. 22), which is contrary to parking strategies embraced by SCAG's 2016 RTP/SCS,<sup>17</sup> as well as strategies advanced by the City<sup>18</sup> and California Air Pollution Control Officers Association ("CAPCOA").<sup>19</sup>

Moreover, the SCPE fails to consider whether the Project will meet the 2016 or 2020 RTP/SCS GHG emission reduction targets required under SB 375 discussed above. Nor does the SCPE show that the Project will achieve a 7.4 percent reduction in vehicles miles traveled ("VMT") per capita (regionally) as anticipated under the 2016 RTP/SCS, or consistent with the downward trajectory of VMT per capita (specific to Los Angeles County) anticipated to go from 21.5 VMT in 2012 to 18.4 VMT by 2040.<sup>20</sup> Nor does the SCPE compare the Project against any of the performance-based measures/outcomes also listed in the 2016 RTP/SCS (e.g., Location Efficiency, Mobility And Accessibility, Safety And Health, Environmental Quality, Environmental Justice, etc.).<sup>21</sup>

In sum, the 2016 RTP/SCS's generic goals principles, policies, and benefits are only effectuated via specific strategies achieving tangible performance-based goals/outcomes. Unfortunately, the SCPE's abbreviated consistency evaluation ignores these specific tangible strategies and performance-based standards.

#### **FAILURE TO JUSTIFY WATER EFFICIENCY CALCULATIONS**

To use a SCPE, a project must be 25 percent more water-efficient than the average household use in the region. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCPE claims the Project is 73 percent more water-efficient than the regional average (*see* SCPE, p. 37; *see also* Water Use Reduction Report ["H2O Report"],<sup>22</sup> p. 9). First, however, the SCPE utilizes 2016 Plumbing Code assumptions rather than the 2019 Plumbing Code but fails to discuss why or if this may cause overestimation of water reductions.

Second, the H2O Report assumes only one daily use of dishwasher and clothes washer (*see* H2O Report, p. 4) without justification that it will not be higher. This assumption must correlate to other assumptions of the report, such as the data from the Metropolitan Water District ("MWD") or SCAG.

Third, the H2O Report generically describes the Project's proposed restaurant use as retail without any reference to its intended use as a restaurant, which has a distinctly different water

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<sup>16</sup> *Ibid.*, pp. 75-84 (such as combating gentrification and incorporating neighborhood electric vehicle).

<sup>17</sup> *Ibid.*, pp. 25, 33, 58, 78, 86.

<sup>18</sup> City (10/24/19) Recommendation Report, <http://bit.ly/2tRHYZA>.

<sup>19</sup> CAPCOA (Aug. 2010) Quantifying Greenhouse Gas Mitigation Measures, pp. 61-62, 207-209, <http://bit.ly/2QN4R8i>.

<sup>20</sup> *Supra* fn. 12, pp. 153-155.

<sup>21</sup> *Supra* fn. 12, pp. 156-174.

<sup>22</sup> OED (Apr. 2019) Total Water use Reduction Report, <http://bit.ly/2RcEvwr>.

consumption characteristics than just generic retail (e.g., constant dishwashing). Yet, the report is silent if these unique restaurant-related water consumption operations were accounted for.

Fourth, the H2O Report uses a 130 gallons per day (“GPD”) per capita in 2017 based on MWD source (*id.*)<sup>23</sup> but does not explain why it did not use data from SCAG given this is a SCAG-related SCPE.

Fifth, the H2O Report utilizes occupancy rates that seem artificially high, which skews the Report’s baseline levels. The Report establishes a 210,340 GPD baseline by multiplying the 130 GPD to the purported Full-Time Equivalent (“FTE”) occupancy of 1,618 occupants (*see* SCPE, pp. 9-10). Yet, this occupancy level seems too high. For example, the H2O Report claims the 121 dwelling units and 125 hotel rooms will be occupied by 1,505 occupants, equivalent to 6.11 occupants per unit/room. This exceeds 2019 data from the Department of Finance (“DOF”) that shows the average person per household for Los Angeles is 2.83 persons per household, as well as exceeding the rates at nearby cities of Beverly Hills and West Hollywood (2.32 and 1.55 persons per household, respectively).<sup>24</sup> Similarly, the H2O Report’s 6.11 occupants per unit/room also exceeds the 1.5 persons per hotel room<sup>25</sup> and 80 percent hotel occupancy rate<sup>26</sup> used by the City and cited by other sources. Hence, the 121-dwelling units would reasonably accommodate 343 residents (based on 2.83 average people per household), and 150 FTE hotel patrons (based on 80 percent occupancy rate and 1.5 persons per room), for a total of 493 persons—roughly a third of the proposed 1,505 occupancy used in the H2O Report for the Project’s residential/hotel component. As a result, this error alone would reduce baseline levels by 131,560 GPD<sup>27</sup> to 78,780 GPD,<sup>28</sup> which means that the Project’s 56,686 GPD of purported water use (*see* H2O Report, p. 9) would be roughly only 28 percent more water-efficient (assuming no other errors in its analysis).

Sixth, the H2O Report claims the retail portion will have 822 visitors and 50 employees for a 13,037-SF restaurant/retail without any reference to a traffic study, LEED calculator, or other sources to justify these assumptions. Nor is it explain where the weighted factors come from or correctly applied. If improperly used, these occupancy levels and weighted factors can overestimate the Project’s FTE occupancy, which ultimately artificially inflates the baseline level (as demonstrated above).

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<sup>23</sup> MWD (Feb. 2019) Achievements in Conservation, Recycling and Groundwater Recharge, p. 17, <http://bit.ly/3a5IBQJ>.

<sup>24</sup> DOF (May 2019) E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2019, <http://bit.ly/37xumBc>.

<sup>25</sup> *See e.g.*, Lizard Hotel Project (Jan. 2017) Draft EIR, PDF p. 24 (Tbl. IV.E-7, table note “b”), <http://bit.ly/2MWiErS>; Colorado Waterwise (undated) Water Savings Analysis for St. Regis Resort, pp. 2 (assuming “assume that the average occupancy is 1.5 guests per room and there is an occupancy rate of 80% . . .”), <http://bit.ly/2ZTEZeW>; American Hotel & Lodging Association (2019) Green Guidelines: Water-Efficient Guest Bathrooms Webpage (showing water savings from example of “a typical 300-room hotel with an average 72% occupancy rate and average 1.5 guests per room.”), <http://bit.ly/2QuQ03j>.

<sup>26</sup> *See e.g.*, Atlas Hospitality Group (7/27/18) Does Southern California Need 472 More Hotels? (Vacancy rates in first five months of 2018 ranged from 78.5 to 81.8 percent for hotels in counties of Los Angeles and Orange, and Inland Empire), <http://bit.ly/2FpTyNY>; City of Los Angeles (2017) Hotel Market Study, p. 3, 7, <http://bit.ly/2QqneRj>; City of Los Angeles (2017) 2017 Annual Report, p. 6, <http://bit.ly/2Nfr9yD>; Visit Anaheim (Aug. 2017) Anaheim and Orange County Hotels, PDF p. 2 (Average occupancy rate for Orange County 80.60 percent), <http://bit.ly/35wF8Gd>.

<sup>27</sup> Calculated: [(1,505 purported occupants) – (493 reasonably expected residents and hotel patrons)] x (130 GPD).

<sup>28</sup> Calculated: (210,340 GPD purported baseline) – (131,560 GPD overestimated).

Seventh, the H20 Report overestimates baseline consumption by including 130 GPD for every retail and hotel occupant. Hotels patrons and retail occupants typical do not wash their clothes or dishes in hotels and restaurants like the Project here. Hence, the report overestimates the baseline levels that make the Project only *appear* to be more water-efficient.

In sum, the H20 Report overestimates the baseline consumption without justification and is not conducting an apples-to-apples analysis. These issues must be resolved to ensure the Project's claimed water efficiency is not overstated.

#### **FAILURE TO JUSTIFY TITLE 24 CALCULATIONS**

To use a SCPE, a project must be 15 percent more energy-efficient than required under Title 24. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCPE claims that the Project is 15.4 percent more efficient than otherwise required under Title 24 (*see* SCPE, p. 35; *see also* SCPE Title 24 Energy Performance Report [“T24 Report”],<sup>29</sup> p. 3). First, however, the SCPE uses *old* Title 24 (from 2016) as a baseline (*see* T24 Report, p. 4) and not the *new* Title 24 (from 2019). To the extent the new Title 24 (2019) is more energy-efficient than prior versions, the use of old Title 24 (2016) artificially inflates the baseline and, thus, overestimates the Project's energy efficiency.

Second, the “energy efficiency measures” cited appear to be fairly generic measures (*id.* at 9), and we question whether they are already included in Title 24 (2019). If these measures are already included in Title 24 (2019), the Project should not get credit for doing what is already required. Nor, should mandatory requirements be included as part of the necessary 15 percent reduction from Title 24.

Third, the T24 Report uses gross square footage that differs from the use square footage used in the SCPE (*compare id.* at p. 5 *with* SCPE, p. 9), and uses occupancy levels that seem artificially high (*see* T24 Report, p. 5). For example, the analysis assumes roughly 7.2 occupants for every residential unit, 5.03 occupants for every hotel room, and 14.9 SF for every retail patron, which is substantially higher compared to other rates, which can ultimately skew the baseline assumptions (as demonstrated in the above section).

In sum, these issues should be explained and justified to ensure the claimed 15-plus percent reduction from Title 24 required for the SCPE is not overestimated.

#### **PROJECT MAY NOT QUALIFY FOR EXEMPTION OR STREAMLINE CEQA REVIEW**

To use a SCPE, a project must be limited to no more than 200 residential units. *See* Pub. Res. Code § 21155.1(b)(2). Here, the Project contains 121 residential units and 125 hotel rooms for a total of 246 units. Given the residential nature of hotels, which have similar GHG inducing operations as dwelling units (e.g., mobile emissions, water use, building energy needs, etc.), the Project's hotel units could be considered residential units for SCPE purposes. For example, the SCPE's H20 Report calculates the purported 629 hotel occupants as residential (*see* H20 Report, pp. 2-3), which is further indicia that the hotel units should be considered residential for SCPE analysis purposes. This must be verified with SCAG to determine if SCAG's SCPE/SB 375 analysis accounted for hotels as a residential use or an entirely separate use category subject to different assumptions and performance standards. If SCAG considered hotels as separate and distinct from residential uses, then the City should request the specific data and performance

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<sup>29</sup> OED (Apr. 2019) Title 24 Energy Performance Report, <http://bit.ly/2Rg09Qn>.

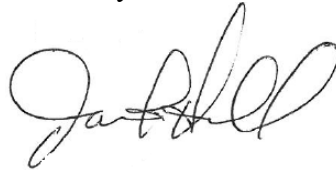
metrics applicable to hotels used by SCAG in its 2016 RTP/SCS. Otherwise, the 246-dwelling unit/hotel rooms for the entire Project may very well exceed this 200-unit threshold.

Finally, to use a SCPE, a project must be adequately served by existing utilities. *See* Pub. Res. Code § 21155.1(a)(1). Here, public comments have questioned whether there is adequate utility service given cumulative projects in the area.<sup>30</sup> This, too, should be clarified with substantial evidence.

## CONCLUSION

As discussed above, the Project's SCPE is inadequate and does not meet the level of analysis provided in other less-demanding SCEA projects reviewed by the City. Local 11 respectfully urges the City to hold action on the SCPE until a CEQA-compliant SCPE is revised and circulated for public review. So too, Local 11 asks the City to request from SCAG the necessary written data and documentation to demonstrate that this hotel Project is consistent with assumptions and performance-based measures outlined in the 2016 RTP/SCS, as SCAG may do upon request.<sup>31</sup>

Sincerely,



Jamie T. Hall

Attachment:

Exhibit A: Local 11 Comments on La Brea Bliss Project Dated October 30, 2019

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<sup>30</sup> Fix the City (1/3/20) Comment Letter, <http://bit.ly/2Tr3puW>.

<sup>31</sup> SCAG (Apr. 2016) 2016 RTP/SCS, SCS Background Documentation, p. 59 (“SCAG staff may provide a *lead agency at the time of its request* readily available data and documentation to help support its finding upon request.” Emphasis added), <http://bit.ly/2RaLYfy>.



# **Exhibit A**

# Channel Law Group, LLP

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\*ALSO Admitted in Texas

October 30, 2019

## VIA ELECTRONIC MAIL

Michelle Carter  
Los Angeles City Planning Department  
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Los Angeles, CA 90012  
michelle.carter@lacity.org

**Re: Comments on La Brea Bliss Project (623-671 South La Brea Avenue)  
DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736  
Zoning Administrator Hearing 10/23/19 at 9:30 a.m**

Dear Ms. Carter:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the proposed eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant"). In short, Local 11 is concerned with the Project's compliance with the Los Angeles Municipal Code ("LAMC" or "Code") and the California Environmental Quality Act ("CEQA"),<sup>2</sup> and requests the City disapproves the Project's requested subdivision, land use entitlements, and environmental review under a Sustainable Communities Project CEQA Exemption ("SCPE") (collectively "Project Approvals").

Of great concern is this Project's unprecedented misuse of the City's Transit Oriented Communities ("TOC") incentives to provide hotel uses. Specifically, the Applicant improperly shuffles floor area ratios and densities between the residential and hotel uses at the Site, misusing the City's TOC density incentives to produce inadequate housing plans – while using the extra density to give itself a free hotel. This is a gross abuse of the TOC incentives and means that the Project apports more than one-third of its total allowed floor area to non-residential uses—at

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

the expense of desperately needed housing. An extra 14 to 48 affordable units must be provided (depending on level of affordability). We have exhaustively researched this issue, as set forth below, and have found no approved or pending TOC incentive project in the City with an even remotely similar imbalance between the residential and non-residential uses. *The City's TOC incentives are to be used to incentive housing, not boutique hotels!* Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). *This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.*

Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of the Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>3</sup> Local 11 therefore respectfully urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units). If not, the City should reject this Project altogether.

Moreover, the Applicant here has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. Given this track record, and the entire TOC-derived planning for this Project, Local 11 urges the City to impose enforceable Conditions of Approval that restricts the Project's residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy.

Finally, in violation of CEQA and the Brown Act the agenda for the October 23, 2019 Zoning Administrator hearing does not reference CEQA, and the City has published no CEQA compliance document for the Project. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed CEQA compliance document, adopting that CEQA document for the Project, and agendizing this all under CEQA. Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## I. STANDING OF LOCAL 11

Local 11 represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona. Members of Local 11, including hundreds who live or work in the City of Los Angeles at or near the Project Site, join together to fight for improved living standards and working conditions. Local 11's members have a direct interest in seeing that the City's land-use laws are being followed, that the City satisfies its affordable housing obligations, and complies with the State's environmental laws. So too unions have standing to litigate land use and environmental claims. *See Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

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<sup>3</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

## II. PROJECT BACKGROUND

Based on the Project application materials (“Project Application”)<sup>4</sup> and entitlement building plans (“Project Plans”),<sup>5</sup> the Project Site includes 12 continuous, C2-1 zoned lots totaling 47,323-SF of lot area (used by Applicant to calculate FAR density) or 51,866 SF including half-width of adjacent alley (used by Applicant to calculate residential and hotel density). *See* Project Application, PDF pp. 10, 12; Project Plans, PDF p. 3, 6. The Project entails the construction of an eight-story, 201,123-SF mixed-use structure including 121 residential units (14 set aside for Extremely Low Income Households), a 125-room hotel (57,948 SF), and 13,037 SF of commercial/retail/restaurant uses, resulting in a development totaling 4.25:1 floor-area-ratio (“FAR”) and advertised by the Applicant as “luxury” residential.<sup>6</sup> *See* Project Application, PDF pp. 12-14. The requested Project Approvals include:

- Vesting Tentative Tract Map for the merger of 12 lots and the creation of five (5) condominium lots (“VTT”),
- Tier 4 TOC incentives to allow an increase in density, FAR, and additional incentives (“TOC Incentives”),
- Master Conditional Use Permit to allow the sale and dispensing of alcoholic beverages on Site (“MCUP”),
- Conditional Use to permit a hotel within 500 feet of a residential zone (“CUP”), and
- Site Plan Review for a development project resulting in an increase of 50 or more residential units and/or guestrooms (“SPR”) (collectively “Entitlements”).

Below is a Project rendering (Fig. 1) and Project components and respective square footage (Fig. 2) from the Applicant’s March 2019 application. *See* Project Application, PDF p. 12; *see also* Project Plans, PDF pp. 2, 4.

**FIGURE 1: PROJECT RENDERING**

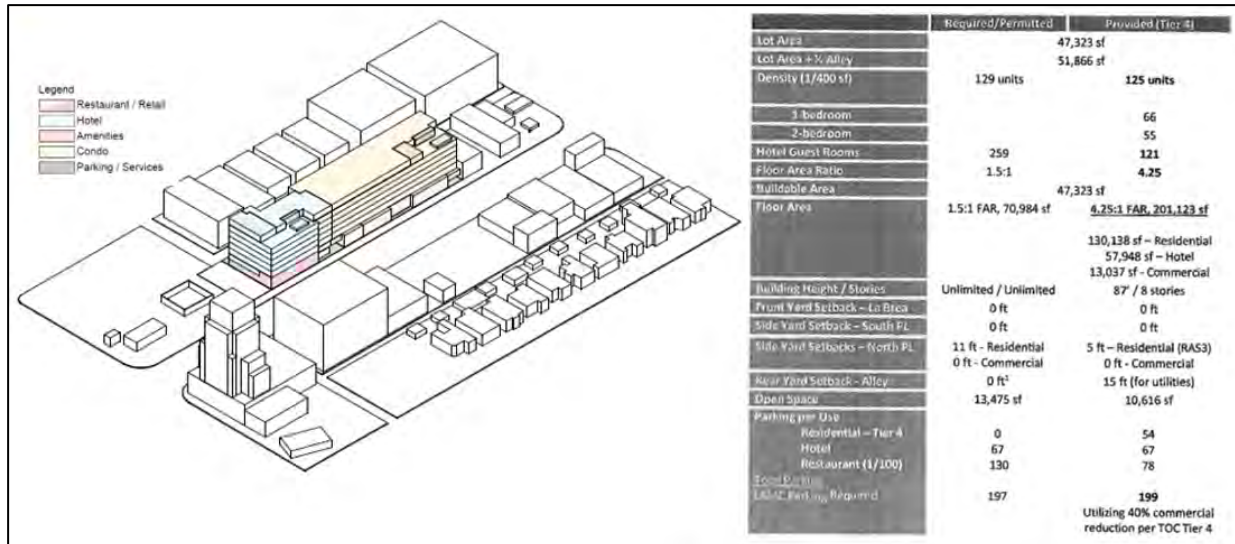


<sup>4</sup> Project Application (250 pages dated March 2019, including Expedited Processing application, proposed findings, EAF application, TOC Referral form, VTT application, etc.), <http://bit.ly/32Eomo8>.

<sup>5</sup> Project Plans (32 pages dated March 19, 2019), <http://bit.ly/35V3hbd>.

<sup>6</sup> CGI Strategies (2019) La Brea Project Webpage, <https://cgistrategies.com/project/la-brea-project/>.

**FIGURE 2: PROJECT COMPONENTS AND PROPOSED SQUARE FOOTAGE**

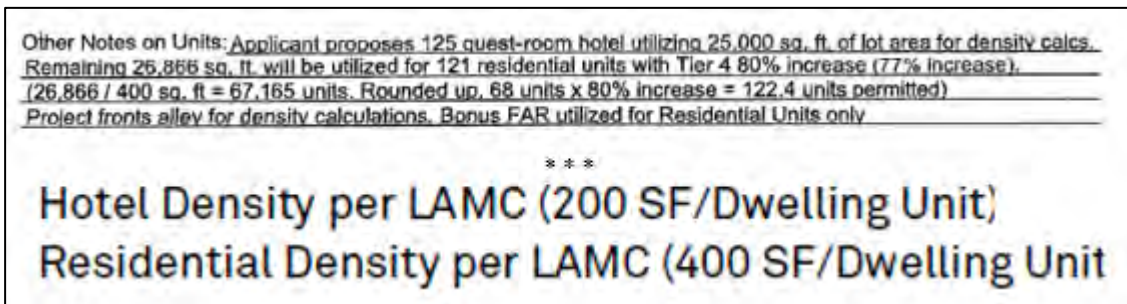


**III. APPLICANT’S DENSITY CALCULATIONS ARE UNTETHERED TO SITE CONDITIONS AND VIOLATE THE CODE**

To reverse engineer the Applicant’s ultimate goal of getting a free hotel, the Project calculates its hotel guest room and base housing density by utilizing arbitrary lot size values. Here, the Applicant calculates its base residential and hotel density by allocating different Site area (i.e., lot area plus half-width alley totaling 51,866 SF) to the Project’s proposed residential and hotel uses. As depicted in the below figures, the Project Application allocates 26,866-SF of Site area for a base residential density of 68 (400 per dwelling unit, rounded up); and 25,000-SF of Site area for a base hotel density of 125 (200 SF per hotel room) (see Fig. 3 below). See Project Application, PDF p. 92; Project Plans, PDF p. 3.

However, when calculating its by-right non-residential FAR, the Applicant utilizes the entire Project Site (not including the half-width alley totaling 47,323 SF), for total of 70,985 SF or 1.5:1 FAR (see Fig. 4 on following page). See Project Application, PDF p. 12; Project Plans, PDF p. 3. As explained below, this shuffling of lot area and density/FAR calculations is neither tethered to the actual proposed building plans nor complies with the Code.

**FIGURE 3: APPLICANT'S DENSITY CALCULATION**





**FIGURE 4: APPLICANT'S NON-RESIDENTIAL FAR CALCULATION**

Buildable Area		47,323 sf
Floor Area	1.5:1 FAR, 70,984 sf	<u>4.25:1 FAR, 201,123 sf</u>
		130,138 sf – Residential
		57,948 sf – Hotel
		13,037 sf - Commercial
	***	
Proposed Non-Residential FAR		1.5 : 1
Proposed Net Hotel Floor Area		57,948 SF
Proposed Net Commercial Floor Area		13,037 SF

**A. BY-RIGHT FAR CALCULATIONS FOR NON-RESIDENTIAL USE VIOLATE THE CODE**

Under the Code, “[n]o required lot which is provided for a dwelling unit, guest room, specific use or total floor area within a building shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building.” LAMC § 12.21.C.1(j), emphasis added. As mentioned above, the Applicant allocated 26,866-SF and 25,000-SF of Site area for the Project’s base residential density and hotel density (respectively), or roughly 52 and 48 percent (respectively) of the Site’s lot area and half-alley square footage. Consistent with LAMC § 12.21.C.1(j), the Project’s hotel FAR component is tied to its allocated lot area, approximately 22,810-SF of lot area (i.e., equivalent to 48 percent of the Site’s total 47,323-SF lot area). As such, the Project’s non-residential floor area should be limited to 34,215-SF.<sup>7</sup>

Here, however, the Applicant disregards this unambiguous Code provision and utilizes the entire 47,323-SF Site area (including the area provided for residential dwelling units) to calculate its hotel floor area rights of 70,985 SF. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

**B. LOT AREA ALLOCATIONS ARE UNTETHERED TO THE PROJECT’S SITE PLANS**

As depicted in the below figures, the Project Plans show the entire mixed-use structure is 400 feet long (see Figs. 5 through 7 on following page), spanning ten of the contiguous lots (i.e., lots 38 through 47) (see Fig. 6), with the hotel component covering roughly one-third of the floor plan (i.e., lots 45-47, roughly 130’-9” along La Brea and 104’-11” deep) (see Fig. 7). See Project Plans, PDF pp. 3-6, 11. As such, the lot area allocated to the Project’s hotel component should be approximately 13,718-SF of lot area<sup>8</sup> (not 25,000 SF), providing by-right floor area rights of 20,578 SF<sup>9</sup> (not 70,985 SF), and hotel density of 69 guest rooms<sup>10</sup> (not 125 rooms). Here, however, the Applicant is shuffling the lot area to maximize its hotel density untethered to its own Project Plans. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

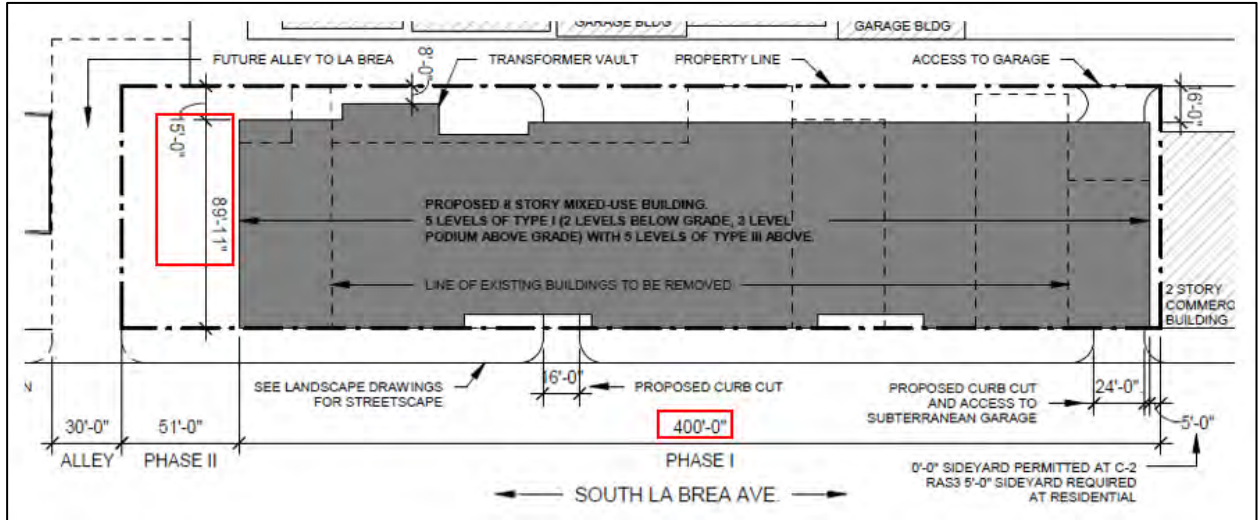
<sup>7</sup> Calculated: (22,810 lot area) x (1.5:1 FAR) = (34,215.33 SF).

<sup>8</sup> Calculated: (130’-9”) x (104’-11”) = (13,717.8 SF of lot area).

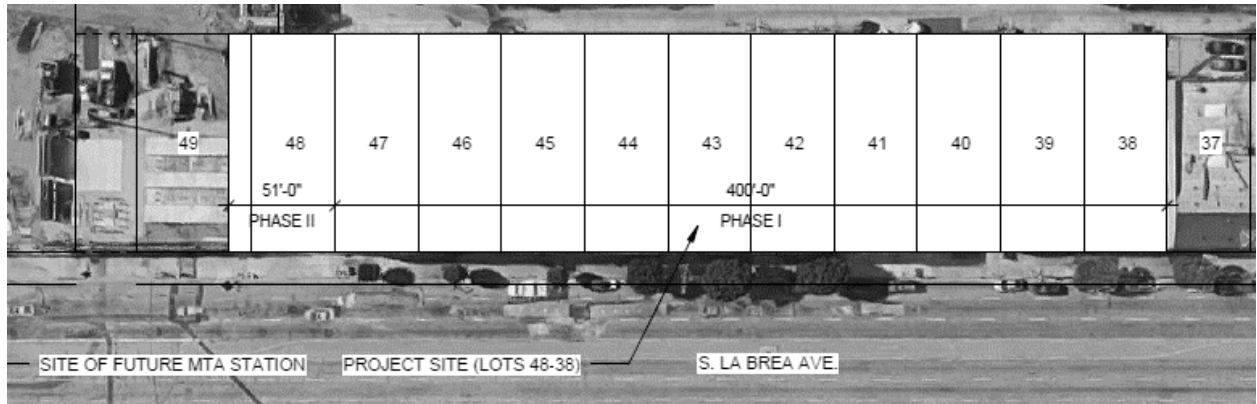
<sup>9</sup> Calculated: (13,717.8 SF of lot area) x (1.5:1 FAR) = (20,576.7 SF).

<sup>10</sup> Calculated: (13,717.8 SF of lot area) / (200 SF per guest room) = (68.5 guest rooms).

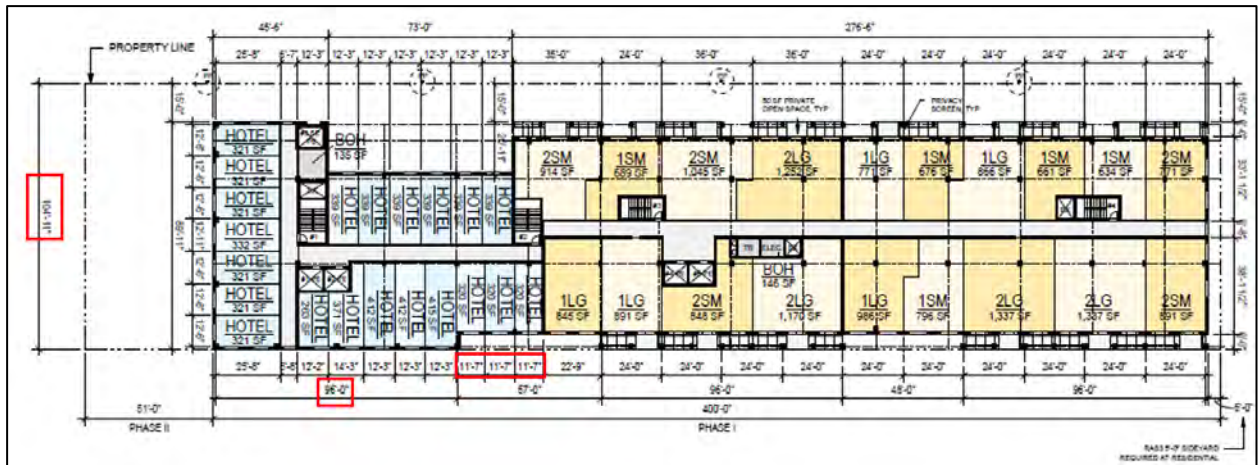
**FIGURE 5: PROPOSED MIXED USE STRUCTURE**



**FIGURE 6: PROJECT LOT COVERAGE**



**FIGURE 7: PROJECT FLOOR PLANS**



## C. SUMMARY

The Applicant's three-card-monte shuffling of the lot area is neither allowed under the Code, nor tethered to reality. It is an elaborate hustle to confuse the City in granting the Site additional density on the false narrative that the Project is just another TOC housing project, which as explained below, could not be further from the truth. As a result, the Applicant gets a bigger, free hotel by misusing the City's TOC incentives (as discussed in great detail below).

## IV. THIS IS AN UNPRECEDENTED TOC PROJECT

In November 2016, City voters approved Measure JJJ by a nearly 30-point margin, which led to the adoption of the TOC incentive program in 2017 (codified at LAMC § 12.22.A.31 *et seq.*). Under the TOC Guidelines, residential projects within a one-half mile of a major transit stop could seek additional incentives, such as increased residential density and FAR from its base zoning if it met various affordable housing requirements.<sup>11</sup> According to the City's most recent housing report, the TOC Guidelines have resulted in the proposal of 3,863 affordable units since 2017.<sup>12</sup> The fundamental purpose of the TOC Guidelines and program is to provide density/FAR incentives to produce housing.

Here, however, the Applicant abuses the TOC Guidelines by utilizing the TOC incentives to produce inadequate housing while using the extra density to give itself a free hotel. This is an obvious and gross misuse of the TOC incentives. With by-right 1.5:1 FAR (70,985 SF), the Applicant allocates all of its by-right square footage to non-residential uses (i.e., 125-room hotel, commercial, retail, restaurant uses), tacks on 130,138-SF (2.75:1 FAR) of residential uses (i.e., 121-room apartment room) for a total of 4.25:1 FAR mixed-use project, in exchange for a meager 14 affordable units. This was not the purpose of the TOC program and Applicant's clever jiggery of the TOC incentives runs counter to every TOC project approved or pending City approval (as discussed below). This is an unprecedented misuse of the TOC incentives and means that the Project has substantially less housing (market-rate and affordable) than it is supposed to – an extra 14 to 48 affordable units must be provided (depending on level of affordability). *The TOC incentives are to be used for housing, not boutique hotels!*

### A. TYPICAL TOC PROJECTS ARE EXCLUSIVELY RESIDENTIAL

Upon reviewing more than 300 TOC projects, it is clearly evident that TOC incentives are used for projects primarily serving residential purposes. For example, as listed in Table 1 on the following page, 240 TOC projects have been approved by the City (111 projects)<sup>13</sup> or pending City approval (129 projects) that exclusively serve residential uses (e.g., market-rate housing, affordable housing, permanent-supportive housing). Here, a by-right project would allow for a 70,985-SF, 1.5:1 FAR (based on 47,323-SF lot area), and up to 129 residential units (based on 51,866-SF lot area plus half-alley). *If this was a typical Tier 4 TOC project, the Project would be allowed 201,123-SF, 4.25:1 FAR (based on 47,323-SF lot area) used exclusively for residential*

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<sup>11</sup> See City (2/26/18) Technical Clarifications to the TOC Guidelines, <http://bit.ly/2BxvaYL>; see also TOC Guidelines FAQ (5/5/18), <http://bit.ly/2N8llps>.

<sup>12</sup> See City (Jun. 2019) Housing Progress Report, PDF p. 3 (noting 2,945 and 918 affordable units via discretionary cases and by-right permits, respectively, since October 2017), <http://bit.ly/2o4hRvl>.

<sup>13</sup> Per DCP's description on the City's Case Summary & Documents website when searching individual projects. See <https://planning.lacity.org/pdiscaseinfo/search/encoded/>.

*uses, and permitting up to 233 residential units* with either 26 Extremely Low Income, 35 Very Low Income, or 59 Low Income units (based on 51,866-SF lot area plus half-alley). Here, however, this mixed-use Project is not providing an entirely residential project, provides only 125 apartment units, and because Applicant wants a hotel use, improperly forgoes as much as 108 residential units (much of which would be affordable).

**TABLE 1: TYPICAL TOC PROJECTS INCLUDING EXCLUSIVELY RESIDENTIAL USES**

<b>111 TOC Projects Approved by the City</b>				
DIR-2017-4421	DIR-2018-2736	DIR-2018-4296	DIR-2018-5919	DIR-2019-0761
DIR-2017-4551	DIR-2018-2808	DIR-2018-4319	DIR-2018-6162	DIR-2019-0764
DIR-2017-4561	DIR-2018-2831	DIR-2018-4336	DIR-2018-6186	DIR-2019-0840
DIR-2017-4807	DIR-2018-2887	DIR-2018-4508	DIR-2018-6218	DIR-2019-0855
DIR-2018-0894	DIR-2018-2918	DIR-2018-4525	DIR-2018-6244	DIR-2019-0883
DIR-2018-0901	DIR-2018-2943	DIR-2018-4649	DIR-2018-6497	DIR-2019-0898
DIR-2018-1122	DIR-2018-3005	DIR-2018-4655	DIR-2018-6560	DIR-2019-1008
DIR-2018-1257	DIR-2018-3038	DIR-2018-4682	DIR-2018-6630	DIR-2019-1021
DIR-2018-1277	DIR-2018-3069	DIR-2018-4752	DIR-2018-6671	DIR-2019-1053
DIR-2018-1393	DIR-2018-3110	DIR-2018-4793	DIR-2018-6719	DIR-2019-1157
DIR-2018-1581	DIR-2018-3274	DIR-2018-4928	DIR-2018-6866	DIR-2019-1445
DIR-2018-1603	DIR-2018-3378	DIR-2018-4954	DIR-2018-6904	DIR-2019-1517
DIR-2018-1626	DIR-2018-3411	DIR-2018-4983	DIR-2018-6956	DIR-2019-1675
DIR-2018-1656	DIR-2018-3460	DIR-2018-4999	DIR-2018-6996	DIR-2019-1753
DIR-2018-1677	DIR-2018-3471	DIR-2018-5175	DIR-2018-7067	DIR-2019-1855
DIR-2018-1868	DIR-2018-3524	DIR-2018-5204	DIR-2018-7575	DIR-2019-1971
DIR-2018-2029	DIR-2018-3645	DIR-2018-5208	DIR-2018-7647	DIR-2019-2356
DIR-2018-2234	DIR-2018-3691	DIR-2018-5473	DIR-2019-0038	DIR-2019-2947
DIR-2018-2503	DIR-2018-3839	DIR-2018-5480	DIR-2019-0091	DIR-2019-2966
DIR-2018-2589	DIR-2018-3888	DIR-2018-5510	DIR-2019-0366	
DIR-2018-2628	DIR-2018-3931	DIR-2018-5515	DIR-2019-0399	
DIR-2018-2653	DIR-2018-3952	DIR-2018-5647	DIR-2019-0575	
DIR-2018-2732	DIR-2018-4135	DIR-2018-5664	DIR-2019-0757	
<b>129 TOC Projects Pending City Approval</b>				
APCC-2019-2047	DIR-2018-7606	DIR-2019-2603	DIR-2019-3768	DIR-2019-5220
DIR-2018-2957	DIR-2019-1006	DIR-2019-2657	DIR-2019-3912	DIR-2019-5235
DIR-2018-3391	DIR-2019-1103	DIR-2019-2700	DIR-2019-4023	DIR-2019-5248
DIR-2018-3536	DIR-2019-1113	DIR-2019-2731	DIR-2019-4049	DIR-2019-5267
DIR-2018-3609	DIR-2019-1200	DIR-2019-0274	DIR-2019-4075	DIR-2019-0530
DIR-2018-4052	DIR-2019-1224	DIR-2019-0277	DIR-2019-0409	DIR-2019-5351
DIR-2018-4817	DIR-2019-1244	DIR-2019-2789	DIR-2019-4090	DIR-2019-5356
DIR-2018-5101	DIR-2019-1323	DIR-2019-2893	DIR-2019-4091	DIR-2019-5420
DIR-2018-5355	DIR-2019-1672	DIR-2019-2908	DIR-2019-4185	DIR-2019-5422
DIR-2018-5859	DIR-2019-1679	DIR-2019-2938	DIR-2019-4221	DIR-2019-5516
DIR-2018-5870	DIR-2019-1693	DIR-2019-0304	DIR-2019-4395	DIR-2019-0553
DIR-2018-5925	DIR-2019-1794	DIR-2019-3138	DIR-2019-4425	DIR-2019-5659
DIR-2018-6175	DIR-2019-1919	DIR-2019-3143	DIR-2019-4577	DIR-2019-5702
DIR-2018-6344	DIR-2019-1955	DIR-2019-3158	DIR-2019-4705	DIR-2019-5704
DIR-2018-6392	DIR-2019-2017	DIR-2019-3204	DIR-2019-4723	DIR-2019-5733
DIR-2018-6634	DIR-2019-2128	DIR-2019-3222	DIR-2019-4725	DIR-2019-5741



DIR-2018-6861	DIR-2019-2145	DIR-2019-0324	DIR-2019-4728	DIR-2019-5859
DIR-2018-6987	DIR-2019-2171	DIR-2019-3294	DIR-2019-4821	DIR-2019-5957
DIR-2018-7019	DIR-2019-2262	DIR-2019-3377	DIR-2019-4911	DIR-2019-0739
DIR-2018-7148	DIR-2019-2266	DIR-2019-3500	DIR-2019-4920	DIR-2019-0750
DIR-2018-7191	DIR-2019-2271	DIR-2019-3502	DIR-2019-5001	DIR-2019-0790
DIR-2018-7340	DIR-2019-2291	DIR-2019-3530	DIR-2019-5051	DIR-2019-0805
DIR-2018-7363	DIR-2019-2323	DIR-2019-3555	DIR-2019-5086	DIR-2019-0848
DIR-2018-7376	DIR-2019-2427	DIR-2019-3588	DIR-2019-5137	DIR-2019-0929
DIR-2018-7431	DIR-2019-2480	DIR-2019-3727	DIR-2019-5170	DIR-2019-0970
DIR-2018-7554	DIR-2019-2570	DIR-2019-3760	DIR-2019-5213	

**B. UNLIKE HERE, THE FEW MIXED-USE TOC PROJECTS TYPICALLY HAVE EXTREMELY LIMITED NON-RESIDENTIAL USES**

So too, the Project is an outlier for even the 57 mixed-use TOC projects approved by the City (28 projects)<sup>14</sup> or pending City approval (29 projects).<sup>15</sup> For example, based on City documents (e.g., Letters of Determination [“LOD”], Case Summary & Document website [“CS&D”], etc.), we were able to discern in 30 of the 57 mixed-use TOC projects the total floor area of the proposed projects including the portion allocated for non-residential uses (e.g., retail, commercial, restaurant, office, etc.). As shown in Table 2 below and the following pages, these rare mixed-use TOC projects on average allocate a mere 6.38 percent of the entire proposed project square footage to non-residential uses. *If this was a typical rare mixed-use TOC project, the Project would include only 6.38 percent of its proposed floor area to non-residential uses* (i.e., 12,832-SF of hotel/retail uses), with the remaining 188,291 SF allocated to residential uses *permitting up to approximately 181 apartment units*<sup>16</sup> (i.e., 58,153 SF and 56 apartment units more than proposed). Here, however, this Project is allocating 35.29 of the entire proposed square footage to non-residential uses (hotel and commercial/retail)—more than five times the average rare mixed-use TOC project.

**TABLE 2: MIXED-USE TOC PROJECTS NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Lot Size (SF)	Total Project (SF)	Non-Residential		Source
			(SF)	Percent of Total SF	
DIR-2019-2593[a]	28,687*	107,012	1,089	1.02%	City (2019) CS&D, <a href="http://bit.ly/2MWPIEH">http://bit.ly/2MWPIEH</a> .

<sup>14</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-1136; DIR-2018-1500; DIR-2018-3014; DIR-2018-3021; DIR-2018-4743; DIR-2018-4864; DIR-2018-4879; DIR-2018-5303; DIR-2018-5415; DIR-2018-5417; DIR-2018-5601; DIR-2018-5887; DIR-2018-5945; DIR-2018-6274; DIR-2018-6322; DIR-2018-6425; DIR-2018-6691; DIR-2018-7342; DIR-2018-7374; DIR-2018-7382; DIR-2018-7690; DIR-2019-104; DIR-2019-1101; DIR-2019-1394; DIR-2019-1957; DIR-2019-2453; DIR-2019-2593; DIR-2019-3287.

<sup>15</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-3172; DIR-2018-5014; DIR-2018-5079; DIR-2018-6684; DIR-2019-1133; DIR-2019-1254; DIR-2019-1321; DIR-2019-1558; DIR-2019-1663; DIR-2019-2051; DIR-2019-2131; DIR-2019-2431; DIR-2019-2482; DIR-2019-2727; DIR-2019-2765; DIR-2019-3146; DIR-2019-337; DIR-2019-3680; DIR-2019-3936; DIR-2019-3991; DIR-2019-4573; DIR-2019-5140; DIR-2019-5394; DIR-2019-5590; DIR-2019-5645; DIR-2019-6048; DIR-2019-647; DIR-2019-909; ZA-2018-3985.

<sup>16</sup> Based on the Applicant’s average 1,042-SF apartment unit calculated based on the following: (130,138-SF residential uses) / (125 apartment units) = (1,041.1 SF/unit). *See* Project Application, PDF p. 12.



DIR-2019-3287[a]	46,009	117,106	1,700	1.45%	City (8/1/19) LOD, PDF pp. 2, 8, 11, <a href="http://bit.ly/32xArLT">http://bit.ly/32xArLT</a> .
DIR-2018-6691[a]	7,500	28,071	426	1.52%	City (5/2/19) LOD, PDF pp. 2, 7-8, <a href="http://bit.ly/32uSWk8">http://bit.ly/32uSWk8</a> .
DIR-2018-3021[a]	16,704	62,640	1,145	1.83%	City (12/17/18) LOD, PDF pp. 7-8, <a href="http://bit.ly/32wQBoR">http://bit.ly/32wQBoR</a> .
DIR-2018-1136[a]	51,303	180,334	3,600	2.00%	City (11/1/18) LOD, PDF p. 7, <a href="http://bit.ly/2oWREj6">http://bit.ly/2oWREj6</a> .
DIR-2018-7374[a]	7,210	11,559	240	2.08%	City (5/21/19) LOD, PDF pp. 6-7, <a href="http://bit.ly/33NyJ9c">http://bit.ly/33NyJ9c</a> .
DIR-2018-1500[a]	41,440	110,558	2,346	2.12%	City (7/23/18) LOD, PDF pp. 2, 7, <a href="http://bit.ly/2Mxzw8I">http://bit.ly/2Mxzw8I</a> .
DIR-2018-3014[a]	7,350	27,501	645	2.35%	City (12/12/18) LOD, PDF p. 5, <a href="http://bit.ly/33LGXP7">http://bit.ly/33LGXP7</a> ; see also Floor Plan, PDF p. 1, <a href="http://bit.ly/2pG2wSp">http://bit.ly/2pG2wSp</a> .
DIR-2018-6274[a]	10,733	28,333	671	2.37%	City (4/29/19) LOD, PDF pp. 3, 7, 11, <a href="http://bit.ly/2BpxYqZ">http://bit.ly/2BpxYqZ</a> .
DIR-2018-4743[a]	20,913	95,260	2,499	2.62%	City (5/9/19) LOD, PDF p. 6, <a href="http://bit.ly/32xkRzR">http://bit.ly/32xkRzR</a> .
DIR-2018-6322[a]	36,371	136,189	3,600	2.64%	City (1/23/19) LOD, PDF p. 6, <a href="http://bit.ly/2o1tsfl">http://bit.ly/2o1tsfl</a> .
DIR-2018-5014[b]	21,274*	93,467	2,500	2.67%	City (9/18/19) Hearing Notice, PDF p. 1, <a href="http://bit.ly/2BunfLK">http://bit.ly/2BunfLK</a> .
DIR-2018-5945[a]	53,504	200,640	7,843	3.91%	City (2/27/19) LOD, PDF p. 6, <a href="http://bit.ly/31yHeDw">http://bit.ly/31yHeDw</a> .
DIR-2018-5417[a]	11,708	23,455	1,000	4.26%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2qqJksh">http://bit.ly/2qqJksh</a> .
DIR-2018-5601[a]	16,940	55,055	2,395	4.35%	City (12/10/18) LOD, PDF p. 6, <a href="http://bit.ly/2Bva79m">http://bit.ly/2Bva79m</a> .
DIR-2019-1394[a]	22,824	51,623	2,491	4.83%	City (7/5/19) LOD, PDF pp. 7, 11, <a href="http://bit.ly/2PeBvR9">http://bit.ly/2PeBvR9</a> .
DIR-2018-6425[a]	45,792*	171,634	8,561	4.99%	City (2/1/19) Notice of Exemption, PDF p. 1, <a href="http://bit.ly/35PD6Td">http://bit.ly/35PD6Td</a> .
DIR-2018-7342[a]	14,863	50,985	2,640	5.18%	City (4/10/19) LOD, PDF p. 7, <a href="http://bit.ly/2pG3Lkx">http://bit.ly/2pG3Lkx</a> .
DIR-2019-2727[b]	21,547*	65,140	3,640	5.59%	City (2019) CS&D, <a href="http://bit.ly/2VWZ2Ho">http://bit.ly/2VWZ2Ho</a> ; see also Office of Historic Resources (10/2/19) Updated Agenda, PDF p. 2, <a href="http://bit.ly/35R6hFl">http://bit.ly/35R6hFl</a> .
DIR-2018-4864[a]	60,810	209,157	12,175	5.82%	City (4/19/19) LOD, PDF pp. 2, 7-8, 19, <a href="http://bit.ly/2VXcb3e">http://bit.ly/2VXcb3e</a> .
DIR-2018-5415[a]	24,357	51,630	3,175	6.15%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2Myb6vE">http://bit.ly/2Myb6vE</a> ; see also City (2019) CS&D, <a href="http://bit.ly/35SqESI">http://bit.ly/35SqESI</a> .

ZA-2018-3985[b]	51,236	222,944	15,307	6.87%	City (5/15/19) SCEA, PDF p. 1, 6-7, <a href="http://bit.ly/32zLcNQ">http://bit.ly/32zLcNQ</a> .
DIR-2018-7690[a]	36,423	137,951	10,114	7.33%	City (7/25/19) LOD, PDF p. 7, <a href="http://bit.ly/2pFu6Q4">http://bit.ly/2pFu6Q4</a> .
DIR-2019-0104[a]	16,379*	60,940	5,689	9.34%	City (2019) CS&D, <a href="http://bit.ly/2BtAhJr">http://bit.ly/2BtAhJr</a> .
DIR-2019-2453[a]	22,379	62,678	6,500	10.37%	City (6/27/19) LOD, PDF p. 8, <a href="http://bit.ly/2W45Djl">http://bit.ly/2W45Djl</a> .
DIR-2019-1957[a]	27,496	75,571	9,048	11.97%	City (8/14/19) LOD, PDF p. 8, <a href="http://bit.ly/31vqYDm">http://bit.ly/31vqYDm</a> .
DIR-2019-1663[b]	11,634*	44,566	5,861	13.15%	City (2019) CS&D, <a href="http://bit.ly/2P4aK1v">http://bit.ly/2P4aK1v</a> .
DIR-2018-7382[a]	12,867	44,116	6,479	14.69%	City (8/1/19) LOD, PDF pp. 7, 13-14, <a href="http://bit.ly/31svBhr">http://bit.ly/31svBhr</a> .
DIR-2018-4879[a]	12,000	22,566	5,325	23.60%	City (3/5/19) LOD, PDF p. 6, <a href="http://bit.ly/33SJo2J">http://bit.ly/33SJo2J</a> .
DIR-2018-5303[a]	12,544	44,081	10,774	24.44%	City (5/16/16) LOD, PDF pp. 7, 13, <a href="http://bit.ly/32y0lPA">http://bit.ly/32y0lPA</a> .
<b>Average</b>				<b>6.38%</b>	
<b>Project</b>	47,323	201,123	70,985	<b>35.29%</b>	
<b>Notes:</b>					
*: Lot area determined via ZIMAS for all lots listing case number.					
[a]: Approved by the City.					
[b]: Pending City Approval.					

**C. OUTLIER MIXED-USE TOC PROJECTS NEVER MAX OUT THEIR BY-RIGHT FAR ON NON-RESIDENTIAL USES, WHICH THE PROJECT PROPOSES HERE**

As the above table demonstrates, the vast majority of the above-listed projects allocate less than ten percent of the entire proposed project square footage to non-residential uses. Even in outlier cases (six in total) where a rare mixed-use TOC project allocates 10 percent or more to non-residential uses, those projects allocate only a small portion of their by-right FAR to non-residential uses. As shown in Table 3 on the following page, those six mixed-use TOC projects included relatively small lot sizes (average 16,487 SF) with relatively small by-right floor area rights (average 27,369 SF), and where applicants proposed only a small fraction to be used for non-residential uses—amounting to less than 30 percent of their respective by-right floor area rights (on average). *If this was a typical outlier case of a rare mixed-use TOC project, the Project would include only 30 percent of its by-right floor area rights to non-residential uses* (i.e., 21,296 -SF of hotel/retail uses), with the remaining 179,827 SF allocated to residential uses *permitting up to approximately 173 apartment units*<sup>17</sup> (i.e., 49,689 SF and 48 apartment units more than proposed). Here, however, this Project includes a substantially larger lot area (2.8 times larger than average) and allocates 100 percent of its by-right floor area rights for non-residential uses— more than three times the average for outliers in rare mixed-use TOC projects.

<sup>17</sup> *Ibid.*

**TABLE 3: OUTLIER, MIXED-USE TOC PROJECTS USE OF BY-RIGHT FAR**

DCP Case Number	Lot		By Right		Proposed Non-Res	
	Size (SF)	Zoning	FAR[c]	SF	SF	Percentage of By-Right
DIR-2019-2453[a][d]	22,379	Mix	1.93:1	43,132	6,500	15%
DIR-2019-1957[a][e]	27,496	[Q]C2-1VL	1.5:1	41,244	9,048	22%
DIR-2019-1663[b][f]	11,634*	C2-1	1.5:1	17,451	5,861	34%
DIR-2018-7382[a][g]	12,867	C2-1VL	1.5:1	19,300	6,479	34%
DIR-2018-4879[a][h]	12,000	C4-1XL	1.5:1	18,000	5,325	30%
DIR-2018-5303[a][i]	12,544	[Q]C2-1-O	2.0:1	25,088	10,774	43%
<b>Average</b>	16,487					<b>29%</b>
<b>Project</b>	47,323	C2-1	1.5:1	70,985	70,985	<b>100%</b>

**Notes:**

- \*: Lot area determined via ZIMAS for all lots listing case number.
- [a]: Approved by the City.
- [b]: Pending City Approval.
- [c]: See 2013-2021 Housing Element, Appendix E, Generalized Summary of Zoning Regulations, p. E-6 (Height Districts), <http://bit.ly/2W0y1TG>.
- [d]: According to ZIMAS, project comprised of three lots including: two lots totaling 16,004.5 SF, zoned C2-1, permitted 1.5:1 FAR by right; and one, 6,375-SF lot zoned RD2-1 permitted 3:1 FAR by right. See also City (6/27/19) LOD, PDF pp. 8, 13-14, <http://bit.ly/2W45Djl>.
- [e]: See City (8/14/19) LOD, PDF pp. 8, 10, 16, 20, <http://bit.ly/31vqYDm>.
- [f]: See City (2019) CS&D, <http://bit.ly/2P4aK1v>.
- [g]: See City (8/1/19) LOD, PDF pp. 7-8, 13-14, <http://bit.ly/31svBhr>.
- [h]: See City (3/5/19) LOD, PDF pp. 2, 6, <http://bit.ly/33SJo2J>.
- [i]: See City (5/16/16) LOD, PDF pp. 7, 13, <http://bit.ly/32y0IPA>.

**D. MIXED-USE TOC PROJECTS PRODUCE WAY MORE RESIDENTIAL UNITS PER NON-RESIDENTIAL SQUARE FOOTAGE THAN THIS PROJECT**

As previously mentioned, City documents disclosed proposed floor area for only 30 of the 57 rare mixed-use TOC projects approved and/or pending City approval. However, City documents disclose proposed total residential units for 17 other rare mixed-use TOC projects (mostly pending City approval). As shown in Table 4 on the following page, on average, these rare mixed-use TOC projects allocate approximately 74.2 SF of non-residential uses for every residential unit proposed. *If this was a typical rare mixed-use TOC project, the Project would produce one residential unit for every 74.2 SF of non-residential uses* (i.e., 9,275 SF of hotel/retail uses), with the remaining 191,848 SF allocated to the 125 apartment units, *resulting in substantially larger units (i.e., appx. 1,535 SF on average) capable of providing more beds to house larger families*. Here, however, this Project is proposing much smaller apartment units (i.e., 1,042 SF on average)<sup>18</sup> because it produces one apartment unit for every 587 SF of non-residential uses—more than seven times the average for these rare mixed-use TOC projects.

<sup>18</sup> *Ibid.*

**TABLE 4: MIXED-USE TOC PROJECTS HOUSING UNITS V. NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Total Res. Units (Units Affordable)	Non-Res (SF)	Non-Res SF per Res Unit (SF/unit)	Source
DIR-2019-1558[b]	119 (11)	2,000	16.8	City (2019) CS&D, <a href="http://bit.ly/2o8P4Gw">http://bit.ly/2o8P4Gw</a> .
DIR-2019-3680[b]	99 (TBD)	2,000	20.2	City (2019) CS&D, <a href="http://bit.ly/2MYymCa">http://bit.ly/2MYymCa</a> .
DIR-2019-2482[b]	64 (6)	1,395	21.8	City (2019) CS&D, <a href="http://bit.ly/2o4TWWl">http://bit.ly/2o4TWWl</a> .
DIR-2019-1101[a]	57 (TBD)	1,600	28.1	City (2019) CS&D, <a href="http://bit.ly/35UBffW">http://bit.ly/35UBffW</a> .
DIR-2019-337[b]	177 (TBD)	5,500	31.1	City (2019) CS&D, <a href="http://bit.ly/31yG771">http://bit.ly/31yG771</a> .
DIR-2019-6048[b]	486 (66)	16,395	33.7	City (2019) CS&D, <a href="http://bit.ly/2P6c2Ju">http://bit.ly/2P6c2Ju</a> .
DIR-2019-2051[b]	119 (TBD)	4,800	40.3	City (2019) CS&D, <a href="http://bit.ly/2W1S97y">http://bit.ly/2W1S97y</a> .
DIR-2019-3936[b]	371 (56)	15,726	42.4	City (2019) CS&D, <a href="http://bit.ly/2NcDUcr">http://bit.ly/2NcDUcr</a> .
DIR-2018-3172[b]	80 (8)	4,117	51.5	City (2019) CS&D, <a href="http://bit.ly/33RVbOq">http://bit.ly/33RVbOq</a> .
DIR-2019-0909[b]	58 (TBD)	3,245	55.9	City (2019) CS&D, <a href="http://bit.ly/32A2qKS">http://bit.ly/32A2qKS</a> .
DIR-2018-6684[b]	130 (13)	10,053	77.3	City (2019) CS&D, <a href="http://bit.ly/2qxuh09">http://bit.ly/2qxuh09</a> .
DIR-2018-5079[b]	73 (16)	6,481	88.8	City (2019) CS&D, <a href="http://bit.ly/35V2tmo">http://bit.ly/35V2tmo</a> .
DIR-2019-5394[b]	60 (6)	5,900	98.3	City (2019) CS&D, <a href="http://bit.ly/35XHoYT">http://bit.ly/35XHoYT</a> .
DIR-2019-2765[b]	67 (7)	8,450	126.1	City (2019) CS&D, <a href="http://bit.ly/2MCKH4N">http://bit.ly/2MCKH4N</a> .
DIR-2019-1321[b]	55 (6)	7,379	134.2	City (2019) CS&D, <a href="http://bit.ly/2VYyYvs">http://bit.ly/2VYyYvs</a> .
DIR-2019-0647[b]	33 (3)	4,895	148.3	City (2019) CS&D, <a href="http://bit.ly/2JaJqLh">http://bit.ly/2JaJqLh</a> .
DIR-2019-4573[b]	67 (7)	16,500	246.3	City (2019) CS&D, <a href="http://bit.ly/31vi20N">http://bit.ly/31vi20N</a> .
<b>Average</b>			<b>74.2</b>	
<b>Project</b>	121 (14)	70,985	<b>586.7</b>	
<b>Notes:</b>				
[a]: Approved by the City.				
[b]: Pending City Approval.				

**E. HOTEL TOC PROJECTS ARE UNCHARTERED TERRITORY THAT MUST UNDERGO THE STRICTEST SCRUTINY**

Upon the review of more than 300 TOC projects, we were able to identify only two TOC projects pending City approval that include hotel uses, this Project and a ten-story, 108,625-SF mixed-use TOC project including 110-guest room, 45-residential units, and 6,212-SF ground floor commercial/restaurant uses located at 6075 W. Pico Boulevard (DCP Case No. ZA-2018-3409) (“Pico Hotel”). Based on their respective DCP applications, both of these projects are linked to the same expediter (i.e., Three6ity), play the same three-card-monte shuffling of lot area to calculate hotel/residential density, and max-out (or nearly max-out) the project site’s by-right floor area on non-residential uses like the hotel (see Tbl. 5 on following page). Please stop this practice now in its tracks.

/ / /



**TABLE 5: HOTEL TOC PROJECTS**

La Brea Bliss Project[a]	Pico Hotel Project[b]																																																																																																																																																																																	
<p><b>Agent/Representative name:</b> Dana Savigas, AICP  <b>Company/Firm:</b> Treadwell  <b>Address:</b> 11872 N. Winthelton Boulevard  <b>City:</b> Glendale, CA  <b>Telephone:</b> (310) 204-3500</p>	<p><b>Agent/Representative name:</b> Dana Savigas, AICP  <b>Company/Firm:</b> Treadwell  <b>Address:</b> 4989 Channing Ave  <b>City:</b> Glendale, CA  <b>Telephone:</b> (310) 204-3500</p>																																																																																																																																																																																	
<p><b>Unif/Special Number:</b> _____  <b>State, CA:</b> _____  <b>Zip:</b> 90230  <b>E-mail:</b> Dana@EKK&amp;S@aol.com</p>	<p><b>Unif/Special Number:</b> _____  <b>State, CA:</b> _____  <b>Zip:</b> 90230  <b>E-mail:</b> dana@treadwell.net / dvala@treadwell.net</p>																																																																																																																																																																																	
<p><b>Lot Area Density Calculations</b></p>																																																																																																																																																																																		
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<p><b>Notes:</b></p> <p>[a] Project Application Materials, PDF pp. 4, 12, 92, 109</p> <p>[b] Pico Hotel Application Materials, PDF pp. 2, 4, 18, 45</p> <p>[c] Based on its 47,323-SF, 1.5:1 FAR Site, the Project's existing by-right floor area is 70,984.5 SF, which the Project uses 100 percent for non-residential uses (e.g., hotel, commercial, restaurant, retail). Based on its 29,511-SF, 1.5:1 FAR site, the Pico Hotel project's existing by-right floor area is 44,266.5 SF, which the project uses more than 95 percent for non-residential uses (e.g., hotel, commercial, restaurant).</p>																																																																																																																																																																																		

Both of these cases set a dangerous precedent that departs from all the TOC projects and the intent of the TOC incentives. Unlike the above-mentioned 240 of 300 TOC projects (80 percent) that produce exclusively residential units, here these projects are rare mixed-use projects (discussed *supra* section IV.A). As shown in Table 6 below, these projects also depart from the above-mentioned 57 few mixed-use projects (19 percent of the 300 TOC projects reviewed). Unlike the 30 mixed-use projects that allocate an average 6.38 percent of its total proposed development on non-residential uses (discussed *supra* section IV.B), these projects allocate 35 to 39 percent of its total proposed development on non-residential uses. Unlike the six outlier mixed-use projects (allocating more than 10 percent to non-residential uses) that utilize an average 29 percent of its by-right floor area rights to non-residential uses (discussed *supra* section IV.C), these projects allocate 95 to 100 percent of its by-right floor area rights to non-residential uses. Unlike the 17 mixed-use projects that on average produce one residential unit for every 74.2-SF of non-residential uses (on average) (discussed *supra* section IV.D), here these projects produce one residential unit for every 587 to 938-SF of non-residential uses.

**TABLE 6: HOTEL TOC PROJECT DEPARTURE FROM EVEN RARE, MIXED-USE TOC PROJECTS**

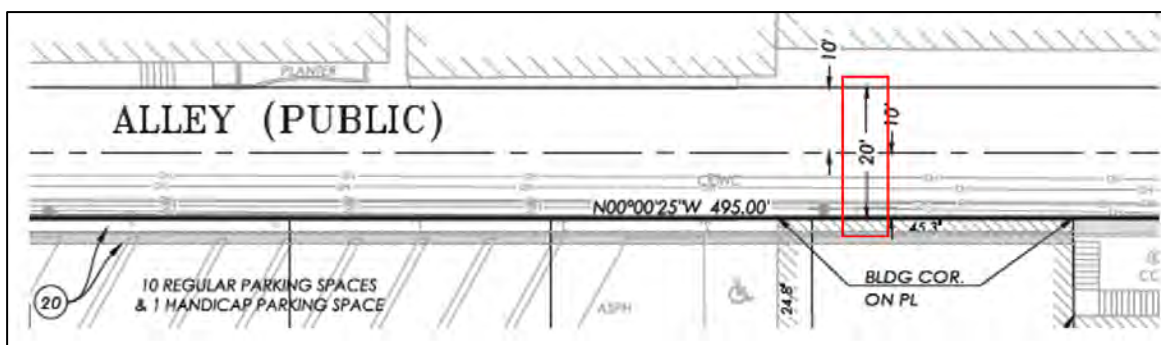
	La Brea Bliss Project	Pico Hotel	Average
<b>Rare Mixed-Use TOC Projects (Allocating &lt; 10 % to Non-Res. Uses)</b>			
<i>Total Proposed Project (SF)</i>	201,123	110,625	
<i>Non-Res. Portion of Project (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of Total Proposed SF</i>	<b>35.29%</b>	<b>38.16%</b>	<b>6.38%</b>
<b>Outlier, Rare Mixed-Use TOC Projects (Allocating ≥ 10 % to Non-Res. Uses)</b>			
<i>Lot Size</i>	47,323	29,511	
<i>By Right (SF)</i>	70,985	44,267	
<i>Non-Res (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of By Right SF</i>	<b>100%</b>	<b>95.36%</b>	<b>29.00%</b>
<b>Rare Mixed-Use TOC Projects</b>			
<i>Total Res. Units (Units Affordable)</i>	121 (14)	45 (5)	
<i>Non-Res. (SF)</i>	70,985	42,211	
<i>Non-Res SF per Res. Unit (SF/unit)</i>	<b>586.7</b>	<b>938.0</b>	<b>74.2</b>

Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). As previously discussed (*supra* section III), the Applicant seeks to build 70,985-SF hotel/commercial/restaurant space essentially concentrated on one-third of the Project Site (i.e., approximately 13,718 SF), resulting in 5.17:1 FAR that exceeds the Site’s by-right 1.5:1 FAR. Even if you use the Applicant’s own 25,000 lot area plus half-alley, the Project’s non-residential uses would be 2.83:1 FAR, which also exceeds the Site’s 1.5:1 by-right FAR. The only way the Applicant can build this hotel component is to spread the non-residential uses across the entire 12 lots, or seek a Zone Change and General Plan Amendment (subject to Measure JJJ). Instead, the Applicant seeks a TOC FAR bonus under the guise of being a housing project—it is not. As discussed above, non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant’s reverse engineering of the FAR numbers, which comes at the expense of producing housing.

## F. STAFF REPORT INCONSISTENCIES MUST BE RESOLVED

The Project’s inconsistencies with the applicable TOC Guidelines we set forth above are premised on the information disclosed in the Project’s Application. However, the Staff Report references several significant changes and/or discrepancies. For example, the Staff Report (p. 3) references a “15-foot public alley,” while the Project Plans (PDF p. 7) show a 20-foot alley (see Fig. 8 below). Additionally, the Staff Report (pp. 1-3, 17, 19) references a request for 13,641-SF of retail/commercial uses, while the Project Application (p. 108) shows a request for 13,037-SF of commercial/retail uses (see Fig. 9 below). Also, the Project Plans repeatedly references a “phase 2” of the Project (PDF pp. 3, 5-6, 8-14; see e.g., Fig. 10 below), but the Project Application and Staff Report makes no reference to any other phases. Finally, the Staff Report (p. 6) references a “Remainder Parcel” to be included in the entire subdivision, while the Project Plans make’s no references to any “remainder” parcel.

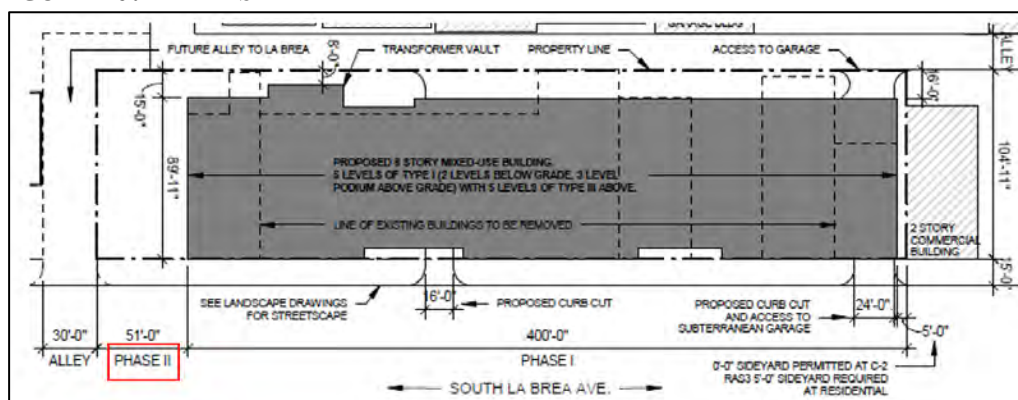
**FIGURE 8: PUBLIC ALLEY**



**FIGURE 9: PROPOSED COMMERCIAL SQUARE FOOTAGE**

<b>2. PROJECT DESCRIPTION</b>
Present Use <u>Commercial</u>
Proposed Use <u>Mixed-Use</u>
Project Name (if applicable) <u>La Brea</u>
Describe in detail the characteristics, scope and/or operation of the proposed project <u>TOC Tier 4 mixed-use project with 121 residential units, 125 guest-rooms, 13,037 sq. ft. of commercial space, 199 parking spaces in two sub-levels. Total project square footage of 201,123 sq. ft. with 4.25:1 FAR.</u>

**FIGURE 10: PHASE II**





All of these inconsistencies directly affect the Project's residential and non-residential unit/FAR density calculations, which must be resolved in light of the issues raised above. For instance, the Project's density calculations could be worse if the alley square footage is less than anticipated by the Applicant, if the increase commercial square footage comes at the expense of residential square footage, if Phase II includes additional floor area, or if the remainder parcel is not appropriately accounted for in the density/FAR calculations. These inconsistencies must be confronted and resolved.

#### **G. SUMMARY ON THE PROJECT'S PROPOSED TOC MISUSE**

No matter how the Applicant and its representatives wish to spin the narrative or jiggle the numbers, the Project is not your typically TOC project. It seeks increased density not genuinely tied to creating housing, much less affordable housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>19</sup>

For these reasons, Local 11 urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units).<sup>20</sup>

#### **V. PROJECT IS INCONSISTENT WITH APPLICABLE LAND USE POLICIES**

Here, the proposed eight-story, 4.25:1 FAR Project exceeds the Sites 1.5:1 FAR limitation under the General Plan land use designation. So too, the eight-story Project is incompatible with the adjacent properties ranging from two- to five-story tall, as raised by the public (see Staff Report, p. 2). So too, the Project exceeds the General Plan Framework Elements' Mixed Boulevard density and heights (i.e., 1.5:1 to 4.0:1, and three- six-story).<sup>21</sup> The inconsistency with the General Plan and Framework is the subject of a recently filed lawsuit<sup>22</sup> and should give the City further pause before approving this pseudo-TOC Project. Furthermore, notwithstanding the paltry 14 affordable units proposed by the Applicant, the Project's abuse of the TOC program resulting in the loss potential for desperately needed market-rate and affordable housing units conflicts with numerous affordable housing goals, policies, and objectives (see Tbl. 7 on following page).

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<sup>19</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

<sup>20</sup> See TOC Guidelines, *supra* fn 10, p. 7.

<sup>21</sup> General Plan Framework, PDF p. 40 (identifying the Site as a Mixed Use Boulevard), <http://bit.ly/2Pa4zch>.

<sup>22</sup> *Fix the City, Inc. v. City of Los Angeles, et al.* (LASC Case No. 19STCP03740), pp. 2, (alleging, inter alia, the TOC Guidelines provides density bonus via non-legislative actions and circumvents Measure JJJ requirements), <http://bit.ly/2qDklIX>.

**TABLE 7: INCONSISTENCIES WITH APPLICABLE LAND USE PLANS**

<b>City Housing Element 2013-2021 Goals and Policies<sup>23</sup></b>
Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.
Policy 1.1.1: Expand affordable homeownership opportunities and support current homeowners in retaining their homeowner status.
Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.
Policy Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.
Policy Objective 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed-use development, Transit Oriented Districts and designated Centers.
Policy Objective 2.5.2: Foster the development of new affordable housing units Citywide and within each planning area.
<b>General Plan Framework Element</b>
<b>Chapter 4: Housing<sup>24</sup></b>
Policy 4.2.1 states the City should “offer incentives to include housing for very low- and low-income households in mixed-use developments[,]”
<b>Chapter 7: Economic Development<sup>25</sup></b>
Objective 7.9 states the City should seek to “[e]nsure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range[,]” and Policy 7.9.1 states that the City should promote “the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure ....” <sup>26</sup>
<b>Wilshire Community Plan<sup>27</sup></b>
<b>Residential Issues</b>
Need to preserve the existing character of residential neighborhoods while accommodating more affordable housing and child care facilities
<b>Commercial Issues</b>
New commercial development needs to be compatible with existing buildings in terms of architectural design, bulk and building heights.
<b>Purpose of Plan</b>
Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
<b>Objectives &amp; Policies</b>
Objective 1-3: To foster residential development which can accommodate a full range of incomes.
Policy 9-1.1: Preserve the existing affordable housing stock through rehabilitation and develop new affordable housing options.

<sup>23</sup> [https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement\\_20140321\\_HR.pdf](https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement_20140321_HR.pdf).

<sup>24</sup> General Plan Framework, Ch. 4, Housing, <https://planning.lacity.org/cwd/framwk/chapters/04/04.htm>.

<sup>25</sup> General Plan Framework, Ch. 7, Economic Development, <http://bit.ly/2N2aZrb>.

<sup>26</sup> See also e.g., General Plan Framework Element Goals 4a, 7G, Objective 4.1, Policies 4.1.2, 4.1.6, and Implementation Policy P29; General Plan Housing Element Goal 1, Objectives 1.1, 2.5, and Policies 1.1.1, 1.1.2, 1.1.3, 1.1.7, 1.2.5, 2.5.1; General Plan Health and Wellness Element Policies 1.2, 1.3, 1.6, 1.7, and Guiding Principal 22; Central City Community Plan Objectives 1-3.

<sup>27</sup> Wilshire Community Plan, <http://bit.ly/2N4FDA9>.



## VI. WHERE IS THE LINKAGE FEE?

Here, the Staff Report makes no mention of the Project's compliance with the City's Affordable Housing Linkage Fee ("AHLF").<sup>28</sup> The Project case was filed on March 22, 2019. In accordance with the AHLF Ordinance, the Project is subject to two-thirds of its AHLF fee.<sup>29</sup> Here, according to ZIMAS, the Site is located in the High Non-Residential Market Area and Medium-High Residential Market Area.<sup>30</sup> Thus, the Project's 70,985-SF non-residential uses (i.e., hotel, commercial, retail, restaurant) is subject to the High Non-Residential Market Area rate of \$5 per SF (\$354,925 full fee), reduced to two-thirds of the full fee (\$236,616.66).<sup>31</sup> Because this Project is not entirely a multi-family project and forgoes Measure JJJ-compliant Zone Change/General Plan Amendment, the Project's residential component does not fall within the AHLF fee exemption.<sup>32</sup> Due to Applicant's abuse of the TOC program previously discussed, the City should forego any of the *discretionary*<sup>33</sup> deductions and/or credits provided under the AHLF, with the exception of exempting approximately 14,588 SF of residential floor area of restricted affordable housing units (based on the Project's proposed 14 restricted affordable housing at an average units size of 1,042 SF). Thus, the remaining 115,550-SF of residential floor area is subject to the Medium-High Residential Market Area rate of \$12 per SF (\$1,386,600 full fee), reduced to two-thirds of the full fee (\$924,400).<sup>34</sup>

Subject to adjustment for inflation (which begins July 1, 2019),<sup>35</sup> the Project appears to be subject to a total AHLF fee of approximately \$1.161 million. However, the Staff Report makes no mention of the Project's compliance with its AHLF fee obligations or any exemptions, deductions, or credits proposed.

## VII. APPLICANT'S RECORD OF CONVERTING RESIDENTIAL PROPERTIES/PROJECTS INTO DE FACTO HOTELS MUST BE ADDRESSED WITH ENFORCEABLE CONDITIONS

Here, the Applicant La Brea Bliss, LLC is proposing the Project on behalf of Gidi Cohen (Project Application, PDF p. 4), who is the founder and CEO of CGI Strategies.<sup>36</sup> CGI Strategies has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. For example, CGI Strategies originally proposed to converting the rent-stabilized Villa Carlotta into a standard hotel, when Councilmember Ryu made it clear it would not support the conversion,<sup>37</sup> CGI Strategies turned the property into an extended stay hotel allowing stays as short as 31 days.<sup>38</sup> Similarly, CGI Strategies purchased a rent-stabilized building in Westwood (888 Hilgard Ave.) and did the same thing—renting out units for as short as 31 days.<sup>39</sup> So too, at its Koreatown Kodo project, which was approved by the City as a "60-

<sup>28</sup> City (7/16/18) RE: AHLF Implementation Memo, <http://bit.ly/2W5CRyE>.

<sup>29</sup> *Ibid.*, p. 2 (plans submitted on or after December 20, 2018 are subject to two-thirds of full fee amount).

<sup>30</sup> *See also Ibid.*, PDF pp. 5-6.

<sup>31</sup> *Ibid.*, p. 2 (\$5 per SF fee includes "hotels").

<sup>32</sup> *Ibid.*, p. 3.

<sup>33</sup> *Ibid.*, p. 3 (AHLF guidance states projects "*may* be eligible" for some deductions/credits. Emphasis added).

<sup>34</sup> *Ibid.*, p. 2 (\$12 per SF fee for residential uses including multifamily with six or more units).

<sup>35</sup> *Ibid.*, p. 3.

<sup>36</sup> <https://cgistrategies.com/about-us/our-team/>.

<sup>37</sup> [http://davidryu.lacity.org/statement\\_villa\\_carlotta](http://davidryu.lacity.org/statement_villa_carlotta).

<sup>38</sup> <https://la.curbed.com/2018/6/1/17362856/villa-carlotta-hollywood-hotel-rent-control>.

<sup>39</sup> <https://cgistrategies.com/project/888hilgard/>.

unit multi-family” “residential building” project to serve the Wilshire Community Plan’s “need to provide a diverse mix of housing,”<sup>40</sup> is marketed by CGI Strategies as offering “boutique hotel-style” amenities and also offer short/long term stays.<sup>41</sup> In each case, CGI Strategies either removed housing or promised housing, but delivered de facto hotel uses.

Given CGI Strategies’ track record, Local 11 urges the City to impose enforceable Conditions of Approval (“COA”) that restricts the Project’s residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy. Similar restrictions have been incorporated into other projects approved by the City, which run with the land.<sup>42</sup> So too, the COA should prevent the Applicant from offering any initial lease for less than one year, nor allow tenants to sublet or assign their units or any portion thereof for less than 30 days, and ensure residential units are leased only to actual individuals and families (rather than corporations or other business entities) to ensure this housing remains for long-term residents—not tourists or short-term corporate visitors. Other cities have taken and/or considered these safeguards to ensure project’s approved as residential housing, are actually used for genuine housing purposes.<sup>43</sup>

### VIII. BROWN ACT AND CEQA VIOLATIONS

Here, the agenda for the Zoning Administrator hearing<sup>44</sup> indicates the City is considering the discretionary approvals for the Project’s subdivision and land use entitlements, which is admittedly contingent on the City’s approval of the Project’s ) and the legislative approval of the Projects environmental review under the requested SCPE (Staff Report, pp. 17-20). In fact, the Staff Report states (pp. 4, 16) that City Planning has already “determined that the project is exempt from CEQA as a Sustainable Communities Project (“SCP”) pursuant to [Pub. Res. Code § 21155.1].”

CEQA is necessary here to ensure that the City address the concerns raised herein, as well as ensure the Project does not pose any significant CEQA impacts (e.g., noise impacts to adjacent neighbors due rooftop lounge/pool deck with alcohol service that may or may not include live entertainment with amplified music; hazard impacts due to the Site being within a methane zone, or how the Project will achieve equivalent LEED-Certified to avoid GHG impacts).

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<sup>40</sup> See LOD (8/19/14) DCP Case No. DIR-2014-0601-SPR, pp. 1, 10, <http://bit.ly/2PgGTTT>.

<sup>41</sup> <https://www.multiphasingnews.com/post/cgi-strategies-debuts-la-short-and-long-term-housing/>; see also

<sup>42</sup> See LOD (4/5/18) DCP Case No. CPC-2015-4611, p. Q1 (“The use and development of the 231 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.”), <http://bit.ly/32Bld8w>; see also LOD (2/27/98) DCP Case No. ZA-97-0945-CUZ-ZAI, p. 3 (restriction on conversions “shall run with the land and shall be binding on any subsequent owners, heirs or assigns.”)

<sup>43</sup> See e.g., City of Santa Monica (8/9/18) Rent Control Board Memo, p. 2 (discussing potential steps for the City of Santa Monica to address “a new threat to the rental housing supply ... as an increasing number of landlords have begun to rent to corporate entities who use rent-controlled units for other than the provision of long-term, permanent housing, or themselves rent units to short-term visitors ... Although these practices effect less of a wholesale loss of units than does the demolition of an entire apartment building, the loss is nonetheless real.”), <http://bit.ly/31zjrUg>; see also City of West Hollywood (10/21/19) Item 3A Staff Report, p. (proposing zoning text amendment that would require all dwelling units to have an initial lease term of one year, including apartments units rented), <http://bit.ly/2W6740U>.

<sup>44</sup> Project Hearing Notice, <http://bit.ly/2oVv0b8>.

However, in violation of CEQA and the Brown Act, the agenda does not reference CEQA and the City has not published any SCPE documentation showing the Project's consistency with various criteria and policies under the 2016-2040 RTP/SCS and implementation of all feasible mitigation measures. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed SCPE and staff report concerning the Project's land use entitlements, adopting that CEQA compliance for the Project, and agendizing this all under CEQA. *Azusa Land Reclamation v. Main San Gabriel Watermaster* (1997) 52 Cal.App.4th 1165, 1190 (land use approvals are discretionary action that must include CEQA compliance); *San Joaquin Raptor Rescue Center v. County of Merced* (2013) 216 Cal.App.4th 1167 (Brown Act requires that agenda must identify CEQA). Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## **IX. CITY CANNOT MAKE CODE-REQUIRED LAND USE FINDINGS**

The Project requests approval of various land use entitlements and the environmental clearances which the City *must* make numerous discretionary land use and CEQA findings, including but not limited to those listed below:

- That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;
- That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties; and
- That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.
- That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- That the proposed use will not adversely affect the welfare of the pertinent community. *See* LAMC §§ 12.24.E, 12.24.W.1(a), 16.05.F.

Because the City fails to provide a staff report regarding the Project's entitlements (much less a staff report that addresses the issues raised herein), or any documentation showing the Project is properly exempt from CEQA, the City cannot make to above-listed, Code-required land use findings. Absent substantial evidence addressing the substantial issues with this Project, particularly its inconsistency with the City's TOC program, Local 11 respectfully requests that the City decline any action on the Project Approvals.

## X. CONCLUSION

In summary, Local 11 appreciates the opportunity to comment on the Project's Approvals. However, as proposed, the Project is inconsistent with the City's TOC incentive program and must include more affordable housing units—such as applying the on-site restricted affordable housing unit percentage to the Project's entire hotel and residential components. Otherwise, the City should reject the discretionary land use approvals requested by the Applicant.

The City's TOC incentives are to be used to incentivize housing, not boutique hotels! Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.

The issues raised herein constitute substantial evidence that the Project is not consistent with applicable land use plans, policies, and other zoning regulations. Again, this is not a by-right project; you have the discretion to reject the Project and demand more for the residents of Council District 4. *You have the discretion, so please use it.*

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being the most prominent part.

Jamie T. Hall

## Communication from Public

**Name:** Staci Steinberger

**Date Submitted:** 01/24/2020 11:40 AM

**Council File No:** 19-1533

**Comments for Public Posting:** I am concerned to hear that this building has more hotel rooms than affordable housing units. Walking down the streets in this neighborhood, the homeless crises is impossible to escape. We need to spend our resources efficiently to build housing for the people in our community that need it. This neighborhood needs more affordable units, not more giveaways to developers. It sets a bad precedent to use resources that should be going to affordable housing on projects of this nature.



## Communication from Public

**Name:** A Carrollman

**Date Submitted:** 01/24/2020 12:07 PM

**Council File No:** 19-1533

**Comments for Public Posting:** Michelle Carter, I write deeply concerned about the luxury hotel and condo project proposed for Wilshire La Brea. The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law. A Carrollman ajctrust@aol.com Hollywood blvd Los angeles, California 90046

## Communication from Public

**Name:** Maya Barron

**Date Submitted:** 01/14/2020 02:10 PM

**Council File No:** 19-1533

**Comments for Public Posting:** As property owners and/or residents living less than half a mile from the project, we object to the project for all the reasons stated in the record. We ask that this letter be placed in the administrative record for the project and the council file. Maya Kobayashi Barron (owner and resident) Matthew Jones (resident) Katherine T. Kobayashi (owner) Harold S. Barron (owner)  
Address: 600 S. Ridgeley Dr. Unit 202, Los Angeles, CA 90036

## Communication from Public

**Name:** Jamie Hall

**Date Submitted:** 01/14/2020 09:17 AM

**Council File No:** 19-1533

**Comments for Public Posting:** Dear Honorable Planning Land Use Management Committee:  
This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively “Local 11”) to provide the City of Los Angeles (“City”) the following comments regarding the Sustainable Communities Exemption Assessment (“SCEA”) for the eight-story, 201,123 square foot (“SF”) mixed-use project including 121 residential units and 125 guest rooms (“Project”) on a 12-lot site at 623-671 South La Brea Avenue (“Site”) proposed by La Brea Bliss, LLC on behalf of CGI Strategies (“Applicant”).  
Regards, Jamie T. Hall Channel Law Group, LLP 8383 Wilshire Blvd., Suite 750 Beverly Hills, CA 90211

# Channel Law Group, LLP

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8383 Wilshire Blvd.  
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Beverly Hills, CA 90211

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JULIAN K. QUATTLEBAUM, III  
JAMIE T. HALL \*  
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Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

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\*ALSO Admitted in Texas

January 14, 2020

## VIA ELECTRONIC MAIL

Leyla Campos, Legislative Assistant  
Michelle Carter, Planner  
c/o PLUM Committee Members  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
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[michelle.carter@lacity.org](mailto:michelle.carter@lacity.org)  
[clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org)

**RE: SCEA Comments on La Brea Bliss Project (623-671 South La Brea Avenue); DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736; PLUM Hearing January 14, 2020 at 2:30 P.M.**

Dear Honorable Planning Land Use Management Committee:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the Sustainable Communities Exemption Assessment ("SCEA") for the eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant").

In short, Local 11 is concerned with the Project's compliance with the California Environmental Quality Act ("CEQA");<sup>2</sup> specifically the SCEA's lack of analysis demonstrating that the Project is genuinely consistent with the Southern California Association of Government's ("SCAG") 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy ("2016 RTP/SCS"), or other requirements for projects seeking CEQA streamlining review. For example, the SCEA fails to provide any modeling of greenhouse gas emissions ("GHG")—a departure from other

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

City SCEAs. Nor does the SCEA confirm whether the Project will achieve the necessary per capita GHG emission reductions mandated under SB 375.

The comments contained in this comment letter supplement and incorporate by this reference Local 11's previous written comments dated October 30, 2019 regarding the Applicant's improper use of the City's Transit Oriented Communities ("TOC") incentives for this hotel Project (attached hereto as Exhibit A). As fully explained therein<sup>3</sup>, no hotel project has ever been approved using the TOC incentives, and the only other hotel project seeking to use TOC incentives (other than the Project here), has since been terminated.<sup>4</sup>

So too, Local 11 objects to the City's consideration or possible approval of the Project's CEQA environmental document under a SCEA now without also considering or acting on the Project's requested entitlements, which are still pending a decision before the Zoning Administrator who held a public hearing on October 23, 2019 and still has not issued a Letter of Determination.<sup>5</sup> It is well-established that you cannot approve a CEQA document for a project before you approve the project itself.<sup>6</sup> Additionally, CEQA's basic purpose of informing agency decision-makers can be served only if the environmental document is reviewed and considered by the persons responsible for determining whether to approve or disapprove the project.<sup>7</sup>

Local 11 respectfully urges the Planning Land Use Management ("PLUM") Committee to stay all action on the SCEA until the issues discussed herein, as well as the land use and TOC issues raised in our previous written comment (*see* Exhibit A), are addressed in a CEQA-compliant SCEA. So too, Local 11 asks that the City consult with SCAG and request necessary written documentation relevant to the Project's hotel component's purported compliance with the 2016 RTP/SCS.

#### **FAILURE TO ESTIMATE PROJECT'S GHG EMISSIONS OR PROVIDE CALEEMOD MODELING**

Here, the SCEA fails to quantify the Project's GHG emissions or provide any modeling data from CalEEMod, which is contrary to all other SCEAs performed by the City still posted

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<sup>3</sup> CEQA documents including a SCEA are supposed to identify and analyze land use inconsistencies. *See* CEQA Guidelines § 15125(d); *see also* *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-379; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land use policies). As set forth in our October 2019 letter, this Project is riddled with undisclosed land use inconsistencies that also improperly are not identified or analyzed in this SCEA document.

<sup>4</sup> City (12/10/19) Termination Letter RE: ZA-2018-3409/EAF-2018-3410, <http://bit.ly/2QOBDa1>.

<sup>5</sup> City (10/23/19) Hearing Notice for ZA-2019-1744, VTT-82618 (seeking approval of Vesting Tentative Tract Map, TOC Incentives, Master Conditional Use Permit, Conditional Use Permit, and Site Plan Approval [collectively "Entitlements"]), <http://bit.ly/2uE7LEK>.

<sup>6</sup> *See Coalition for Clean Air v. City of Visalia* (2012) 209 Cal.App.4th 408, 423-425, fn. 18 (CEQA document cannot be approved and Notice of Exemption ["NOE"] filed before the underlying project actually is approved).

<sup>7</sup> *See Citizens for the Restoration of L Street v. City of Fresno* (2014) 229 Cal.App.4th 340, 354; *see also POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 731 ("... to serve CEQA's basic purpose of informing governmental decision makers about environmental issues, to the text of the note 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."); CEQA Guidelines § 15022(a)(9) (requires the City to adopt implementing procedures for "[r]eviewing and considering environmental documents by the person or decision making body who will approve or disapprove a project.").



online.<sup>8,9</sup> Failure to do so not only conflicts with past City practices, but also likely may conflict with CEQA Guidelines § 1564.4(a) to make a good-faith effort to calculate or estimate the amount of GHG emissions resulting from a project.

To the extent the SCEA attempts to avoid consideration of project-specific GHG emission analysis by referring to Pub. Res. Code § 21155.2 and Pub. Res. Code § 21159.28 – those sections only provide that the analysis need not discuss “project specific or cumulative impacts from *cars and light-duty truck trips* generated by the project on global warming or the regional transportation network.” Emphasis added. As made clear, only GHG emissions from cars and light-duty trucks need not be considered. This does not eliminate the need to analyze GHG emissions from other sources (e.g., construction, area, energy, water, waste, stationary equipment) for this Project.

### **FAILURE TO COMPARE PROJECT AGAINST SCAG’S GHG PERFORMANCE-BASED GOALS UNDER SB 375**

Here, the Project’s SCEA fails to discuss whether or not the Project is genuinely consistent with SCAG’s 2016 RTP/SCS regarding the reduction in GHG emissions from auto and light-duty vehicles. SB 375 was signed into law in September 2008 to enhance the state’s ability to reach AB 32 goals by directing the California Air Resources Board (“CARB”) to develop regional GHG emission reduction targets to be achieved from passenger vehicles (i.e., autos and light-duty trucks) for 2020 and 2035. In September 2010, CARB adopted regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035, assigning SCAG the targets of an eight percent reduction by 2020 and a 13 percent reduction by 2035.

This goal is reflected in SCAG’s current 2016 RTP/SCS,<sup>10</sup> which the 2016 RTP/SCS Program EIR (“PEIR”) determined that the per capita emission in pounds per day (“lbs/day”) for each SCAG region resident was 23.8 lbs/day in 2005, and that the 2016 RTP/SCS plan would achieve a per capita emission of 21.4 lbs/day in 2020 (i.e., a reduction of eight percent from 2005 levels) and 19.5 lbs in 2035 (i.e., a reduction of 18 percent from 2005 levels) (*see* excerpt following page).<sup>11</sup>

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<sup>8</sup> See e.g., 3600 Wilshire Project (Dec. 2019) SCEA, p. B-96 – B-98, <http://bit.ly/2t59V01> and Appendix C (<http://bit.ly/36SGaOC>); 340 S. Hill St. Equity Residential Mixed-Use Project (Sep. 2019) SCEA, p. V-100 – V-106, <http://bit.ly/2tdOQ3m> and Appendix E (<http://bit.ly/35USXyN>); Thatcher Yard Project (Sep. 2019) SCEA, p. V-57 – V-58, <http://bit.ly/2tdnCdb> and Appendix D (<http://bit.ly/2TmvZ0C>).

<sup>9</sup> Notwithstanding being listed on City website, multiple project SCEA hyperlinks do not open including the Soul Project, Olympic and Hill Projects, Weingart Projects, and Montecito II Senior Housing Project. *See* City (2020) SCEA, <http://bit.ly/387t9Rr>.

<sup>10</sup> SCAG (Apr. 2016) 2016 RTP/SCS, p. 8, 15, 153, 166, <http://bit.ly/2sG4VyH>.

<sup>11</sup> SCAG (11/24/15) 2016 RTP/SCS Draft PEIR, p. 3.8-37 – 3.8-38, <http://bit.ly/2FogAVl>.

**TABLE 3.8.4-3  
SB 375 ANALYSIS**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)	2040 (Plan)
Resident population (per 1,000)	17,161	19,060	21,475	22,116
CO <sub>2</sub> emissions (per 1,000 tons)	204.0*	203.6**	206.0**	203.0**
Per capita emissions (pounds/day)	23.8	21.4	19.5	18.7
% difference from Plan (2020) to Baseline (2005)				-8%*
% difference from Plan (2035) to Baseline (2005)				-18%***
% difference from Plan (2040) to Baseline (2005)				-22%***

**NOTE:**

\* Based on EMFAC2007

\*\* Based on EMFAC2014

\*\*\*Included off-model adjustments for 2035 and 2040

**SOURCE:**

SCAG modeling, 2015

Southern California Association of Governments. 5 November 2015. *Item No. 1 Staff Report: 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) – Proposed Major Components*. Available at: <http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

However, in March 2018, CARB adopted updated targets requiring a 19 percent decrease in GHG emissions for the SCAG region by 2035. This goal is reflected in SCAG’s Draft 2020 RTP/SCS per capita targets,<sup>12</sup> which the 2020 RTP/SCS Draft PEIR updates to per capita emissions of 21.3 lbs/day in 2020 and 18.8 lbs/day in 2035 (*see* excerpt below).<sup>13</sup>

**Table 3.8-10  
SB 375 Analysis**

	2005 (Baseline)	2020 (Plan)	2035 (Plan)
Resident population (per 1,000)	17,161	19,194	21,110
CO <sub>2</sub> emissions (per 1,000 tons)	204.0 <sup>a/</sup>	204.5 <sup>b/</sup>	198.6 <sup>b/</sup>
Per capita emissions (pounds/day)	23.8	21.3	18.8
% difference from Plan (2020) to Baseline (2005)			-8%
% difference from Plan (2035) to Baseline (2005)			-19% <sup>c/</sup>

**Note:**

<sup>a/</sup> Based on EMFAC2007

<sup>b/</sup> Based on EMFAC2014 and SCAG modeling, 2019.

<sup>c/</sup> Includes off-model adjustments for 2035 and 2045

Source: SCAG modeling, 2019.

<http://www.scag.ca.gov/committees/CommitteeDocLibrary/jointRCPC110515fullagn.pdf>

Here, the SCEA fails to discuss whether the Project will meet any of the targets identified in the 2016 or 2020 RTP/SCS targets, which is a fundamental requirement under SB 375 and the RTP/SCS.<sup>14</sup> Instead, the SCEA provides an abbreviated consistency analysis of generic goals, policies, and principles listed in the 2016 RTP/SCS; such as: nine generic goals (three of which are admittedly inapplicable), eight generic guiding principles (admittedly none of which are applicable), nine generic land use principles (six of which are admittedly inapplicable), and four generic benefits (one which is admittedly inapplicable) (*see* SCEA pp. 40-46).

<sup>12</sup> SCAG (11/7/19) Draft 2020 RTP/SCS, p. 9, 48, 138, <http://bit.ly/2ZTBEwq>.

<sup>13</sup> SCAG (Nov. 2019) 2020 RTP/SCS Draft PEIR, p. 3.8-73 – 3.8-74, <http://bit.ly/2ZTBEwq>.

<sup>14</sup> SCAG (Apr. 2016) 2016 RTP/SCS, pp. 8, 153 (“The Plan would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040—compared with 2005 levels. This meets or exceeds the state’s mandated reductions, which are eight percent by 2020 and 13 percent by 2035.”), <http://bit.ly/2sG4VyH>.

In addition to the claim of exceeding Title 24 and water efficiency standards (which we question in the below section), the thrust of the SCEA's analysis is that the mixed-use project is infill and near transit and, thus, consistent with the RTP/SCS. Yet, the SCEA fails to compare the Project against any of the actual strategies that flush out and achieve the aforementioned generic goals/policies/principles under the RTP/SCS.<sup>15</sup>

For example, the Project is admittedly overparked by 43 spaces (*see* SCEA, p. 22), which is contrary to parking strategies embraced by SCAG's 2016 RTP/SCS,<sup>16</sup> as well as strategies advanced by the City<sup>17</sup> and California Air Pollution Control Officers Association ("CAPCOA").<sup>18</sup>

Moreover, the SCEA fails to consider whether the Project will meet the 2016 or 2020 RTP/SCS GHG emission reduction targets required under SB 375 discussed above. Nor does the SCEA show that the Project will achieve a 7.4 percent reduction in vehicles miles traveled ("VMT") per capita (regionally) as anticipated under the 2016 RTP/SCS, or consistent with the downward trajectory of VMT per capita (specific to Los Angeles County) anticipated to go from 21.5 VMT in 2012 to 18.4 VMT by 2040.<sup>19</sup> Nor does the SCEA compare the Project against any of the performance-based measures/outcomes also listed in the 2016 RTP/SCS (e.g., Location Efficiency, Mobility And Accessibility, Safety And Health, Environmental Quality, Environmental Justice, etc.).<sup>20</sup>

In sum, the 2016 RTP/SCS's generic goals principles, policies, and benefits are only effectuated via specific strategies achieving tangible performance-based goals/outcomes. Unfortunately, the SCEA's abbreviated consistency evaluation ignores these specific tangible strategies and performance-based standards.

#### **FAILURE TO JUSTIFY WATER EFFICIENCY CALCULATIONS**

To use a SCEA, a project must be 25 percent more water-efficient than the average household use in the region. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCEA claims the Project is 73 percent more water-efficient than the regional average (*see* SCEA, p. 37; *see also* Water Use Reduction Report ["H2O Report"],<sup>21</sup> p. 9). First, however, the SCEA utilizes 2016 Plumbing Code assumptions rather than the 2019 Plumbing Code but fails to discuss why or if this may cause overestimation of water reductions.

Second, the H2O Report assumes only one daily use of dishwasher and clothes washer (*see* H2O Report, p. 4) without justification that it will not be higher. This assumption must correlate to other assumptions of the report, such as the MWD or SCAG data.

Third, the H2O Report generically describes the Project's proposed restaurant use as retail without any reference to its intended use as a restaurant, which has a distinctly different water consumption characteristics than just generic retail (e.g., constant dishwashing). Yet, the report is

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<sup>15</sup> *Ibid.*, pp. 75-84 (such as combating gentrification and incorporating neighborhood electric vehicle).

<sup>16</sup> *Ibid.*, pp. 25, 33, 58, 78, 86.

<sup>17</sup> City (10/24/19) Recommendation Report, <http://bit.ly/2tRHYZA>.

<sup>18</sup> CAPCOA (Aug. 2010) Quantifying Greenhouse Gas Mitigation Measures, pp. 61-62, 207-209, <http://bit.ly/2QN4R8i>.

<sup>19</sup> *Supra* fn. 12, pp. 153-155.

<sup>20</sup> *Supra* fn. 12, pp. 156-174.

<sup>21</sup> OED (Apr. 2019) Total Water use Reduction Report, <http://bit.ly/2RcEvwr>.

silent if these unique restaurant-related water consumption operations were accounted for.

Fourth, the H2O Report uses a 130 gallons per day (“GPD”) per capita in 2017 based on Metropolitan Water District (“MWD”) source (*id.*)<sup>22</sup> but does not explain why it did not use data from SCAG given this is a SCAG-related SCEA.

Fifth, the H2O Report utilizes occupancy rates that seem artificially high, which skews the Report’s baseline levels. The Report establishes a 210,340 GPD baseline by multiplying the 130 GPD to the purported Full-Time Equivalent (“FTE”) occupancy of 1,618 occupants (*see* SCEA, pp. 9-10). Yet, this occupancy level seems too high. For example, the H2O Report claims the 121 dwelling units and 125 hotel rooms will be occupied by 1,505 occupants, equivalent to 6.11 occupants per unit/room. This exceeds 2019 data from the Department of Finance (“DOF”) that shows the average person per household for Los Angeles is 2.83 persons per household, as well as exceeding the rates at nearby cities of Beverly Hills and West Hollywood (2.32 and 1.55 persons per household, respectively).<sup>23</sup> Similarly, the H2O Report’s 6.11 occupants per unit/room also exceeds the 1.5 persons per hotel room<sup>24</sup> and 80 percent hotel occupancy rate<sup>25</sup> used by the City and cited by other sources. Hence, the 121-dwelling units would reasonably accommodate 343 residents (based on 2.83 average people per household), and 150 FTE hotel patrons (based on 80 percent occupancy rate and 1.5 persons per room), for a total of 493 persons—roughly a third of the proposed 1,505 occupancy used in the H2O Report for the Project’s residential/hotel component. As a result, this error alone would reduce baseline levels by 131,560 GPD<sup>26</sup> to 78,780 GPD,<sup>27</sup> which means that the Project’s 56,686 GPD of purported water use (*see* H2O Report, p. 9) would be roughly only 28 percent more water-efficient (assuming no other errors in its analysis).

Sixth, the H2O Report claims the retail portion will have 822 visitors and 50 employees for a 13,037-SF restaurant/retail without any reference to a traffic study, LEED calculator, or other sources to justify these assumptions. Nor is it explain where the weighted factors come from or correctly applied. If improperly used, these occupancy levels and weighted factors can overestimate the Project’s FTE occupancy, which ultimately artificially inflates the baseline level (as demonstrated above).

Seventh, the H2O Report overestimates baseline consumption by including 130 GPD for every

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<sup>22</sup> MWD (Feb. 2019) Achievements in Conservation, Recycling and Groundwater Recharge, p. 17, <http://bit.ly/3a5IBQJ>.

<sup>23</sup> DOF (May 2019) E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2019, <http://bit.ly/37xumBc>.

<sup>24</sup> *See e.g.*, Lizard Hotel Project (Jan. 2017) Draft EIR, PDF p. 24 (Tbl. IV.E-7, table note “b”), <http://bit.ly/2MWiErS>; Colorado Waterwise (undated) Water Savings Analysis for St. Regis Resort, pp. 2 (assuming “assume that the average occupancy is 1.5 guests per room and there is an occupancy rate of 80% . . .”), <http://bit.ly/2ZTEZeW>; American Hotel & Lodging Association (2019) Green Guidelines: Water-Efficient Guest Bathrooms Webpage (showing water savings from example of “a typical 300-room hotel with an average 72% occupancy rate and average 1.5 guests per room.”), <http://bit.ly/2QuQ03j>.

<sup>25</sup> *See e.g.*, Atlas Hospitality Group (7/27/18) Does Southern California Need 472 More Hotels? (Vacancy rates in first five months of 2018 ranged from 78.5 to 81.8 percent for hotels in counties of Los Angeles and Orange, and Inland Empire), <http://bit.ly/2FpTyNY>; City of Los Angeles (2017) Hotel Market Study, p. 3, 7, <http://bit.ly/2QqneRj>; City of Los Angeles (2017) 2017 Annual Report, p. 6, <http://bit.ly/2Nfr9yD>; Visit Anaheim (Aug. 2017) Anaheim and Orange County Hotels, PDF p. 2 (Average occupancy rate for Orange County 80.60 percent), <http://bit.ly/35wF8Gd>.

<sup>26</sup> Calculated: [(1,505 purported occupants) – (493 reasonably expected residents and hotel patrons)] x (130 GPD).

<sup>27</sup> Calculated: (210,340 GPD purported baseline) – (131,560 GPD overestimated).

retail and hotel occupant. Hotels patrons and retail occupants typical do not wash their clothes or dishes in hotels and restaurants like the Project here. Hence, the report overestimates the baseline levels that make the Project appear to be more water-efficient.

In sum, the H20 Report overestimates the baseline consumption without justification and is not conducting an apples-to-apples analysis. These issues must be resolved to ensure the Project's claimed water efficiency is not overstated.

### **FAILURE TO JUSTIFY TITLE 24 CALCULATIONS**

To use a SCEA, a project must be 15 percent more energy-efficient than required under Title 24. *See* Pub. Res. Code § 21155.1(a)(8). Here, the SCEA claims that the Project is 15.4 percent more efficient than otherwise required under Title 24 (*see* SCEA, p. 35; *see also* SCEA Title 24 Energy Performance Report ["T24 Report"],<sup>28</sup> p. 3). First, however, the SCEA uses old Title 24 (from 2016) as a baseline (*see* T24 Report, p. 4) and not the new Title 24 (from 2019). To the extent the new Title 24 (2019) is more energy-efficient than prior versions, the use of old Title 24 (2016) artificially inflates the baseline and, thus, overestimates the Project's energy efficiency.

Second, the "energy efficiency measures" cited appear to be fairly generic measures (*id.* at 9), and we question whether they are already included in Title 24 (2019). If these measures are already included in Title 24 (2019), the Project should not get credit for doing what is already required. Nor, should mandatory requirements be included as part of the necessary 15 percent reduction from Title 24.

Third, the T24 Report uses gross square footage that differs from the use square footage used in the SCEA (*compare id.* at p. 5 *with* SCEA, p. 9), and uses occupancy levels that seem artificially high (*see* T24 Report, p. 5). For example, the analysis assumes roughly 7.2 occupants for every residential unit, 5.03 occupants for every hotel room, and 14.9 SF for every retail patron, which is substantially higher compared to other rates, which can ultimately skew the baseline assumptions (as demonstrated in the above section).

In sum, these issues should be explained and justified to ensure the claimed 15-plus percent reduction from Title 24 required for the SCEA is not overestimated.

### **PROJECT MAY NOT QUALIFY FOR SCEA STREAMLINE REVIEW**

To use a SCEA, a project must be limited to no more than 200 residential units. *Id.*, subd. (b)(2). Here, the Project contains 121 residential units and 125 hotel rooms for a total of 246 units. Given the residential nature of hotels, which have similar GHG inducing operations as dwelling units (e.g., mobile emissions, water use, building energy needs, etc.), the Project's hotel units could be considered residential units for SCEA purposes. For example, the SCEA's H20 Report calculates the purported 629 hotel occupants as residential (*see* H20 Report, pp. 2-3), which is further indicia that the hotel units should be considered residential for SCEA analysis purposes. This must be verified with SCAG to determine if SCAG's SCEA/SB 375 analysis accounted for hotels as a residential use or an entirely separate use category subject to different assumptions and performance standards. If SCAG considered hotels as separate and distinct from residential uses, then the City should request the specific data and performance metrics applicable to hotels

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<sup>28</sup> OED (Apr. 2019) Title 24 Energy Performance Report, <http://bit.ly/2Rg09Qn>.



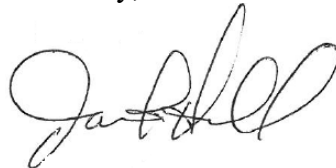
used by SCAG in its 2016 RTP/SCS. Otherwise, the 246-dwelling unit/hotel rooms for the entire Project may very well exceed this 200-unit threshold.

Finally, to use a SCEA, a project must be adequately served by existing utilities. *See* Pub. Res. Code § 21155.1(a)(1). Here, public comments have questioned whether there is adequate utility service given cumulative projects in the area.<sup>29</sup> This, too, should be clarified with substantial evidence.

## CONCLUSION

As discussed above, the Project's SCEA is inadequate and does not meet the level of analysis provided in other SCEA projects reviewed by the City. Local 11 respectfully urges the City to hold action on the SCEA until a CEQA-compliant SCEA is revised and circulated for public review. So too, Local 11 asks the City to request from SCAG the necessary written data and documentation to demonstrate that this hotel Project is consistent with assumptions and performance-based measures outlined in the 2016 RTP/SCS, as SCAG may do upon request.<sup>30</sup>

Sincerely,

A handwritten signature in black ink, appearing to read 'Jamie T. Hall', written in a cursive style.

Jamie T. Hall

Attachment:

Exhibit A: Local 11 Comments on La Brea Bliss Project Dated October 30, 2019

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<sup>29</sup> Fix the City (1/3/20) Comment Letter, <http://bit.ly/2Tr3puW>.

<sup>30</sup> SCAG (Apr. 2016) 2016 RTP/SCS, SCS Background Documentation, p. 59 (“SCAG staff may provide a *lead agency at the time of its request* readily available data and documentation to help support its finding upon request.” Emphasis added), <http://bit.ly/2RaLYfy>.

# **Exhibit A**

# Channel Law Group, LLP

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\*ALSO Admitted in Texas

October 30, 2019

## VIA ELECTRONIC MAIL

Michelle Carter  
Los Angeles City Planning Department  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012  
michelle.carter@lacity.org

**Re: Comments on La Brea Bliss Project (623-671 South La Brea Avenue)  
DCP Case Nos. ZA-2019-1744, VTT-82618, ENV-2019-1736  
Zoning Administrator Hearing 10/23/19 at 9:30 a.m**

Dear Ms. Carter:

This Office respectfully writes on behalf of UNITE HERE Local 11 and its members (collectively "Local 11") to provide the City of Los Angeles ("City") the following comments<sup>1</sup> regarding the proposed eight-story, 201,123 square foot ("SF") mixed-use project including 121 residential units and 125 guest rooms ("Project") on a 12-lot site at 623-671 South La Brea Avenue ("Site") proposed by La Brea Bliss, LLC on behalf of CGI Strategies ("Applicant"). In short, Local 11 is concerned with the Project's compliance with the Los Angeles Municipal Code ("LAMC" or "Code") and the California Environmental Quality Act ("CEQA"),<sup>2</sup> and requests the City disapproves the Project's requested subdivision, land use entitlements, and environmental review under a Sustainable Communities Project CEQA Exemption ("SCPE") (collectively "Project Approvals").

Of great concern is this Project's unprecedented misuse of the City's Transit Oriented Communities ("TOC") incentives to provide hotel uses. Specifically, the Applicant improperly shuffles floor area ratios and densities between the residential and hotel uses at the Site, misusing the City's TOC density incentives to produce inadequate housing plans – while using the extra density to give itself a free hotel. This is a gross abuse of the TOC incentives and means that the Project apports more than one-third of its total allowed floor area to non-residential uses—at

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<sup>1</sup> Please note that pages cited herein are either to the page's stated pagination (referenced herein as "p. ##") or the page's location in the referenced PDF document (referenced herein as "PDF p. ##").

<sup>2</sup> Inclusive of State CEQA Guidelines, 14 Cal. Code Regs. § 1500 et seq. ("CEQA Guidelines").

the expense of desperately needed housing. An extra 14 to 48 affordable units must be provided (depending on level of affordability). We have exhaustively researched this issue, as set forth below, and have found no approved or pending TOC incentive project in the City with an even remotely similar imbalance between the residential and non-residential uses. *The City's TOC incentives are to be used to incentive housing, not boutique hotels!* Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). *This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.*

Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of the Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>3</sup> Local 11 therefore respectfully urges the City to require the Applicant to assess the Project's on-site restricted affordable unit obligations to the Project's entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units). If not, the City should reject this Project altogether.

Moreover, the Applicant here has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. Given this track record, and the entire TOC-derived planning for this Project, Local 11 urges the City to impose enforceable Conditions of Approval that restricts the Project's residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy.

Finally, in violation of CEQA and the Brown Act the agenda for the October 23, 2019 Zoning Administrator hearing does not reference CEQA, and the City has published no CEQA compliance document for the Project. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed CEQA compliance document, adopting that CEQA document for the Project, and agendizing this all under CEQA. Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## I. STANDING OF LOCAL 11

Local 11 represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona. Members of Local 11, including hundreds who live or work in the City of Los Angeles at or near the Project Site, join together to fight for improved living standards and working conditions. Local 11's members have a direct interest in seeing that the City's land-use laws are being followed, that the City satisfies its affordable housing obligations, and complies with the State's environmental laws. So too unions have standing to litigate land use and environmental claims. *See Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

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<sup>3</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 ("Residents are not opposed to increased density, provided the *increased density is for affordable housing.*" Emphasis added), <http://bit.ly/2BA0uWM>.

## II. PROJECT BACKGROUND

Based on the Project application materials (“Project Application”)<sup>4</sup> and entitlement building plans (“Project Plans”),<sup>5</sup> the Project Site includes 12 continuous, C2-1 zoned lots totaling 47,323-SF of lot area (used by Applicant to calculate FAR density) or 51,866 SF including half-width of adjacent alley (used by Applicant to calculate residential and hotel density). *See* Project Application, PDF pp. 10, 12; Project Plans, PDF p. 3, 6. The Project entails the construction of an eight-story, 201,123-SF mixed-use structure including 121 residential units (14 set aside for Extremely Low Income Households), a 125-room hotel (57,948 SF), and 13,037 SF of commercial/retail/restaurant uses, resulting in a development totaling 4.25:1 floor-area-ratio (“FAR”) and advertised by the Applicant as “luxury” residential.<sup>6</sup> *See* Project Application, PDF pp. 12-14. The requested Project Approvals include:

- Vesting Tentative Tract Map for the merger of 12 lots and the creation of five (5) condominium lots (“VTT”),
- Tier 4 TOC incentives to allow an increase in density, FAR, and additional incentives (“TOC Incentives”),
- Master Conditional Use Permit to allow the sale and dispensing of alcoholic beverages on Site (“MCUP”),
- Conditional Use to permit a hotel within 500 feet of a residential zone (“CUP”), and
- Site Plan Review for a development project resulting in an increase of 50 or more residential units and/or guestrooms (“SPR”) (collectively “Entitlements”).

Below is a Project rendering (Fig. 1) and Project components and respective square footage (Fig. 2) from the Applicant’s March 2019 application. *See* Project Application, PDF p. 12; *see also* Project Plans, PDF pp. 2, 4.

**FIGURE 1: PROJECT RENDERING**



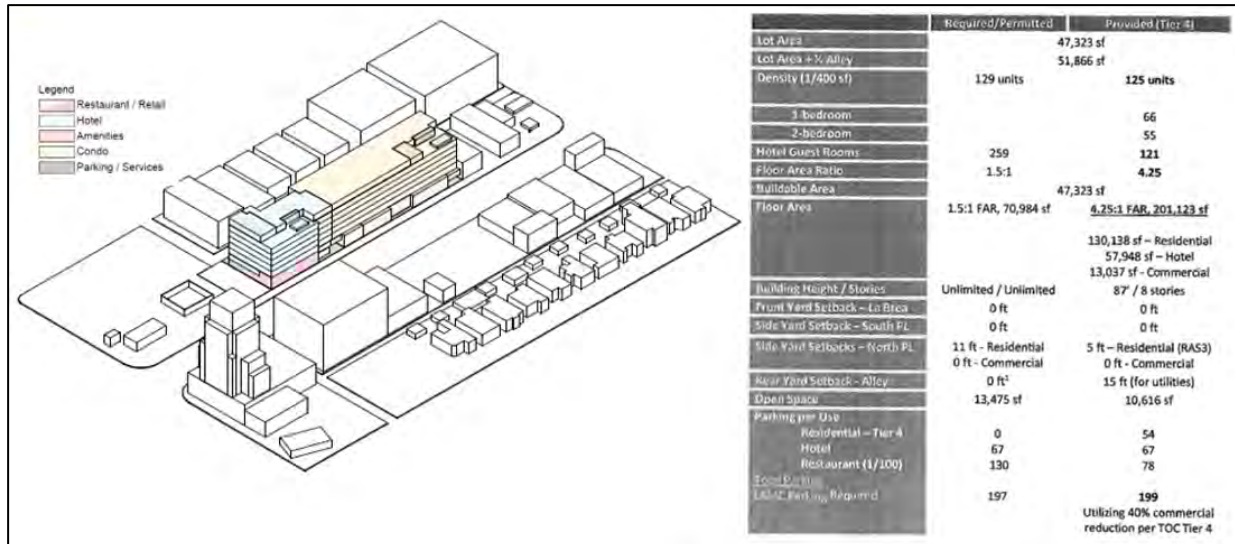
<sup>4</sup> Project Application (250 pages dated March 2019, including Expedited Processing application, proposed findings, EAF application, TOC Referral form, VTT application, etc.), <http://bit.ly/32Eomo8>.

<sup>5</sup> Project Plans (32 pages dated March 19, 2019), <http://bit.ly/35V3hbd>.

<sup>6</sup> CGI Strategies (2019) La Brea Project Webpage, <https://cgistrategies.com/project/la-brea-project/>.



**FIGURE 2: PROJECT COMPONENTS AND PROPOSED SQUARE FOOTAGE**

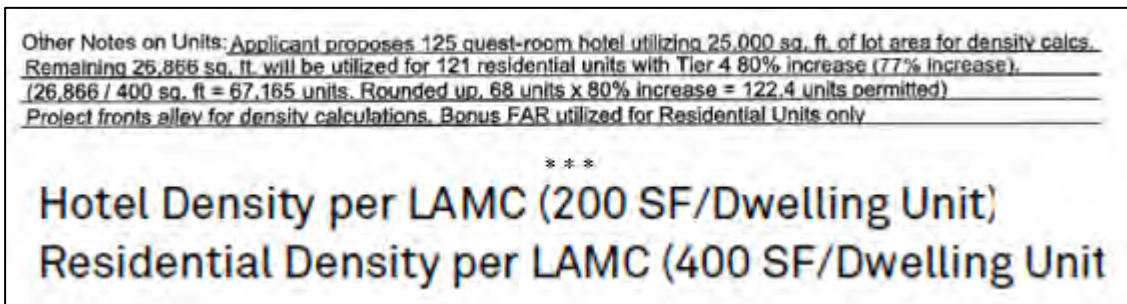


**III. APPLICANT'S DENSITY CALCULATIONS ARE UNTETHERED TO SITE CONDITIONS AND VIOLATE THE CODE**

To reverse engineer the Applicant's ultimate goal of getting a free hotel, the Project calculates its hotel guest room and base housing density by utilizing arbitrary lot size values. Here, the Applicant calculates its base residential and hotel density by allocating different Site area (i.e., lot area plus half-width alley totaling 51,866 SF) to the Project's proposed residential and hotel uses. As depicted in the below figures, the Project Application allocates 26,866-SF of Site area for a base residential density of 68 (400 per dwelling unit, rounded up); and 25,000-SF of Site area for a base hotel density of 125 (200 SF per hotel room) (see Fig. 3 below). See Project Application, PDF p. 92; Project Plans, PDF p. 3.

However, when calculating its by-right non-residential FAR, the Applicant utilizes the entire Project Site (not including the half-width alley totaling 47,323 SF), for total of 70,985 SF or 1.5:1 FAR (see Fig. 4 on following page). See Project Application, PDF p. 12; Project Plans, PDF p. 3. As explained below, this shuffling of lot area and density/FAR calculations is neither tethered to the actual proposed building plans nor complies with the Code.

**FIGURE 3: APPLICANT'S DENSITY CALCULATION**



**FIGURE 4: APPLICANT'S NON-RESIDENTIAL FAR CALCULATION**

Buildable Area		47,323 sf
Floor Area	1.5:1 FAR, 70,984 sf	<u>4.25:1 FAR, 201,123 sf</u>
		130,138 sf – Residential
		57,948 sf – Hotel
		13,037 sf - Commercial
	***	
Proposed Non-Residential FAR		1.5 : 1
Proposed Net Hotel Floor Area		57,948 SF
Proposed Net Commercial Floor Area		13,037 SF

**A. BY-RIGHT FAR CALCULATIONS FOR NON-RESIDENTIAL USE VIOLATE THE CODE**

Under the Code, “[n]o required lot which is provided for a dwelling unit, guest room, specific use or total floor area within a building *shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building.*” LAMC § 12.21.C.1(j), emphasis added. As mentioned above, the Applicant allocated 26,866-SF and 25,000-SF of Site area for the Project’s base residential density and hotel density (respectively), or roughly 52 and 48 percent (respectively) of the Site’s lot area and half-alley square footage. Consistent with LAMC § 12.21.C.1(j), the Project’s hotel FAR component is tied to its allocated lot area, approximately 22,810-SF of lot area (i.e., equivalent to 48 percent of the Site’s total 47,323-SF lot area). As such, the Project’s non-residential floor area should be limited to 34,215-SF.<sup>7</sup>

Here, however, the Applicant disregards this unambiguous Code provision and utilizes the entire 47,323-SF Site area (including the area provided for residential dwelling units) to calculate its hotel floor area rights of 70,985 SF. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

**B. LOT AREA ALLOCATIONS ARE UNTETHERED TO THE PROJECT’S SITE PLANS**

As depicted in the below figures, the Project Plans show the entire mixed-use structure is 400 feet long (see Figs. 5 through 7 on following page), spanning ten of the contiguous lots (i.e., lots 38 through 47) (see Fig. 6), with the hotel component covering roughly one-third of the floor plan (i.e., lots 45-47, roughly 130’-9” along La Brea and 104’-11” deep) (see Fig. 7). See Project Plans, PDF pp. 3-6, 11. As such, the lot area allocated to the Project’s hotel component should be approximately 13,718-SF of lot area<sup>8</sup> (not 25,000 SF), providing by-right floor area rights of 20,578 SF<sup>9</sup> (not 70,985 SF), and hotel density of 69 guest rooms<sup>10</sup> (not 125 rooms). Here, however, the Applicant is shuffling the lot area to maximize its hotel density untethered to its own Project Plans. As a result, the Applicant is getting a much bigger hotel than otherwise permitted.

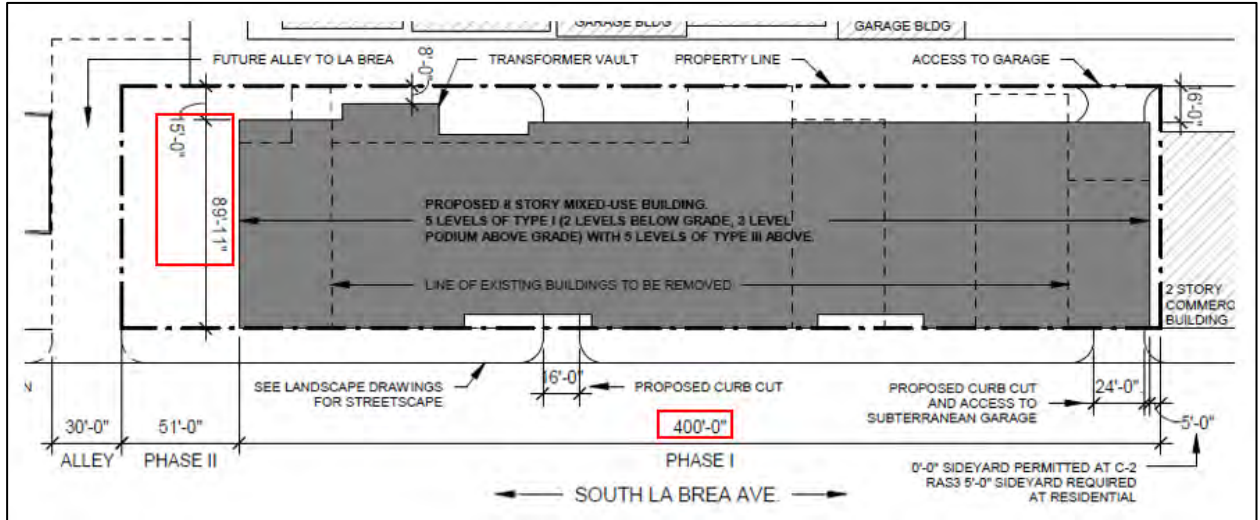
<sup>7</sup> Calculated: (22,810 lot area) x (1.5:1 FAR) = (34,215.33 SF).

<sup>8</sup> Calculated: (130’-9”) x (104’-11”) = (13,717.8 SF of lot area).

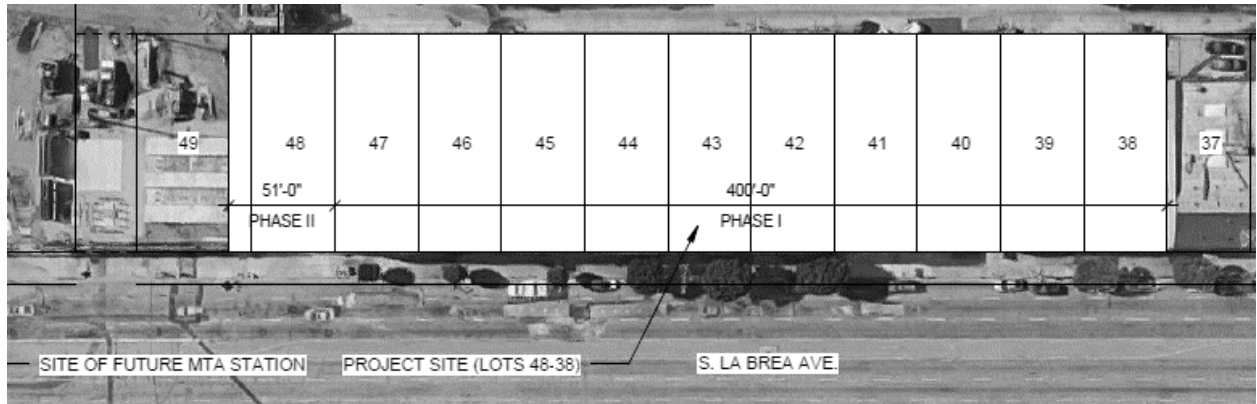
<sup>9</sup> Calculated: (13,717.8 SF of lot area) x (1.5:1 FAR) = (20,576.7 SF).

<sup>10</sup> Calculated: (13,717.8 SF of lot area) / (200 SF per guest room) = (68.5 guest rooms).

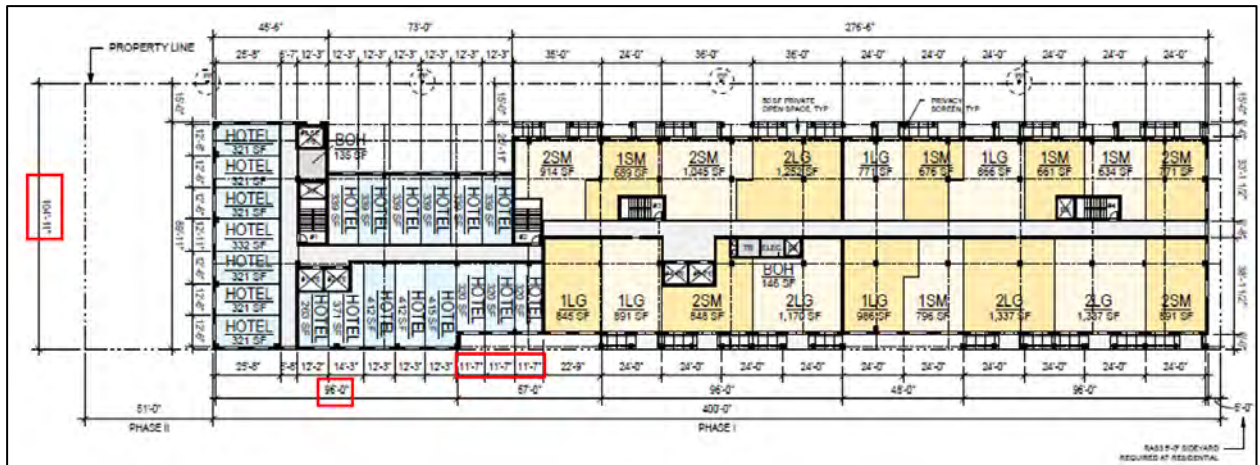
**FIGURE 5: PROPOSED MIXED USE STRUCTURE**



**FIGURE 6: PROJECT LOT COVERAGE**



**FIGURE 7: PROJECT FLOOR PLANS**





## C. SUMMARY

The Applicant's three-card-monte shuffling of the lot area is neither allowed under the Code, nor tethered to reality. It is an elaborate hustle to confuse the City in granting the Site additional density on the false narrative that the Project is just another TOC housing project, which as explained below, could not be further from the truth. As a result, the Applicant gets a bigger, free hotel by misusing the City's TOC incentives (as discussed in great detail below).

## IV. THIS IS AN UNPRECEDENTED TOC PROJECT

In November 2016, City voters approved Measure JJJ by a nearly 30-point margin, which led to the adoption of the TOC incentive program in 2017 (codified at LAMC § 12.22.A.31 *et seq.*). Under the TOC Guidelines, residential projects within a one-half mile of a major transit stop could seek additional incentives, such as increased residential density and FAR from its base zoning if it met various affordable housing requirements.<sup>11</sup> According to the City's most recent housing report, the TOC Guidelines have resulted in the proposal of 3,863 affordable units since 2017.<sup>12</sup> The fundamental purpose of the TOC Guidelines and program is to provide density/FAR incentives to produce housing.

Here, however, the Applicant abuses the TOC Guidelines by utilizing the TOC incentives to produce inadequate housing while using the extra density to give itself a free hotel. This is an obvious and gross misuse of the TOC incentives. With by-right 1.5:1 FAR (70,985 SF), the Applicant allocates all of its by-right square footage to non-residential uses (i.e., 125-room hotel, commercial, retail, restaurant uses), tacks on 130,138-SF (2.75:1 FAR) of residential uses (i.e., 121-room apartment room) for a total of 4.25:1 FAR mixed-use project, in exchange for a meager 14 affordable units. This was not the purpose of the TOC program and Applicant's clever jiggering of the TOC incentives runs counter to every TOC project approved or pending City approval (as discussed below). This is an unprecedented misuse of the TOC incentives and means that the Project has substantially less housing (market-rate and affordable) than it is supposed to – an extra 14 to 48 affordable units must be provided (depending on level of affordability). *The TOC incentives are to be used for housing, not boutique hotels!*

### A. TYPICAL TOC PROJECTS ARE EXCLUSIVELY RESIDENTIAL

Upon reviewing more than 300 TOC projects, it is clearly evident that TOC incentives are used for projects primarily serving residential purposes. For example, as listed in Table 1 on the following page, 240 TOC projects have been approved by the City (111 projects)<sup>13</sup> or pending City approval (129 projects) that exclusively serve residential uses (e.g., market-rate housing, affordable housing, permanent-supportive housing). Here, a by-right project would allow for a 70,985-SF, 1.5:1 FAR (based on 47,323-SF lot area), and up to 129 residential units (based on 51,866-SF lot area plus half-alley). *If this was a typical Tier 4 TOC project, the Project would be allowed 201,123-SF, 4.25:1 FAR (based on 47,323-SF lot area) used exclusively for residential*

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<sup>11</sup> See City (2/26/18) Technical Clarifications to the TOC Guidelines, <http://bit.ly/2BxvaYL>; see also TOC Guidelines FAQ (5/5/18), <http://bit.ly/2N8llps>.

<sup>12</sup> See City (Jun. 2019) Housing Progress Report, PDF p. 3 (noting 2,945 and 918 affordable units via discretionary cases and by-right permits, respectively, since October 2017), <http://bit.ly/2o4hRvl>.

<sup>13</sup> Per DCP's description on the City's Case Summary & Documents website when searching individual projects. See <https://planning.lacity.org/pdiscaseinfo/search/encoded/>.

*uses, and permitting up to 233 residential units* with either 26 Extremely Low Income, 35 Very Low Income, or 59 Low Income units (based on 51,866-SF lot area plus half-alley). Here, however, this mixed-use Project is not providing an entirely residential project, provides only 125 apartment units, and because Applicant wants a hotel use, improperly forgoes as much as 108 residential units (much of which would be affordable).

**TABLE 1: TYPICAL TOC PROJECTS INCLUDING EXCLUSIVELY RESIDENTIAL USES**

<b>111 TOC Projects Approved by the City</b>				
DIR-2017-4421	DIR-2018-2736	DIR-2018-4296	DIR-2018-5919	DIR-2019-0761
DIR-2017-4551	DIR-2018-2808	DIR-2018-4319	DIR-2018-6162	DIR-2019-0764
DIR-2017-4561	DIR-2018-2831	DIR-2018-4336	DIR-2018-6186	DIR-2019-0840
DIR-2017-4807	DIR-2018-2887	DIR-2018-4508	DIR-2018-6218	DIR-2019-0855
DIR-2018-0894	DIR-2018-2918	DIR-2018-4525	DIR-2018-6244	DIR-2019-0883
DIR-2018-0901	DIR-2018-2943	DIR-2018-4649	DIR-2018-6497	DIR-2019-0898
DIR-2018-1122	DIR-2018-3005	DIR-2018-4655	DIR-2018-6560	DIR-2019-1008
DIR-2018-1257	DIR-2018-3038	DIR-2018-4682	DIR-2018-6630	DIR-2019-1021
DIR-2018-1277	DIR-2018-3069	DIR-2018-4752	DIR-2018-6671	DIR-2019-1053
DIR-2018-1393	DIR-2018-3110	DIR-2018-4793	DIR-2018-6719	DIR-2019-1157
DIR-2018-1581	DIR-2018-3274	DIR-2018-4928	DIR-2018-6866	DIR-2019-1445
DIR-2018-1603	DIR-2018-3378	DIR-2018-4954	DIR-2018-6904	DIR-2019-1517
DIR-2018-1626	DIR-2018-3411	DIR-2018-4983	DIR-2018-6956	DIR-2019-1675
DIR-2018-1656	DIR-2018-3460	DIR-2018-4999	DIR-2018-6996	DIR-2019-1753
DIR-2018-1677	DIR-2018-3471	DIR-2018-5175	DIR-2018-7067	DIR-2019-1855
DIR-2018-1868	DIR-2018-3524	DIR-2018-5204	DIR-2018-7575	DIR-2019-1971
DIR-2018-2029	DIR-2018-3645	DIR-2018-5208	DIR-2018-7647	DIR-2019-2356
DIR-2018-2234	DIR-2018-3691	DIR-2018-5473	DIR-2019-0038	DIR-2019-2947
DIR-2018-2503	DIR-2018-3839	DIR-2018-5480	DIR-2019-0091	DIR-2019-2966
DIR-2018-2589	DIR-2018-3888	DIR-2018-5510	DIR-2019-0366	
DIR-2018-2628	DIR-2018-3931	DIR-2018-5515	DIR-2019-0399	
DIR-2018-2653	DIR-2018-3952	DIR-2018-5647	DIR-2019-0575	
DIR-2018-2732	DIR-2018-4135	DIR-2018-5664	DIR-2019-0757	
<b>129 TOC Projects Pending City Approval</b>				
APCC-2019-2047	DIR-2018-7606	DIR-2019-2603	DIR-2019-3768	DIR-2019-5220
DIR-2018-2957	DIR-2019-1006	DIR-2019-2657	DIR-2019-3912	DIR-2019-5235
DIR-2018-3391	DIR-2019-1103	DIR-2019-2700	DIR-2019-4023	DIR-2019-5248
DIR-2018-3536	DIR-2019-1113	DIR-2019-2731	DIR-2019-4049	DIR-2019-5267
DIR-2018-3609	DIR-2019-1200	DIR-2019-0274	DIR-2019-4075	DIR-2019-0530
DIR-2018-4052	DIR-2019-1224	DIR-2019-0277	DIR-2019-0409	DIR-2019-5351
DIR-2018-4817	DIR-2019-1244	DIR-2019-2789	DIR-2019-4090	DIR-2019-5356
DIR-2018-5101	DIR-2019-1323	DIR-2019-2893	DIR-2019-4091	DIR-2019-5420
DIR-2018-5355	DIR-2019-1672	DIR-2019-2908	DIR-2019-4185	DIR-2019-5422
DIR-2018-5859	DIR-2019-1679	DIR-2019-2938	DIR-2019-4221	DIR-2019-5516
DIR-2018-5870	DIR-2019-1693	DIR-2019-0304	DIR-2019-4395	DIR-2019-0553
DIR-2018-5925	DIR-2019-1794	DIR-2019-3138	DIR-2019-4425	DIR-2019-5659
DIR-2018-6175	DIR-2019-1919	DIR-2019-3143	DIR-2019-4577	DIR-2019-5702
DIR-2018-6344	DIR-2019-1955	DIR-2019-3158	DIR-2019-4705	DIR-2019-5704
DIR-2018-6392	DIR-2019-2017	DIR-2019-3204	DIR-2019-4723	DIR-2019-5733
DIR-2018-6634	DIR-2019-2128	DIR-2019-3222	DIR-2019-4725	DIR-2019-5741



DIR-2018-6861	DIR-2019-2145	DIR-2019-0324	DIR-2019-4728	DIR-2019-5859
DIR-2018-6987	DIR-2019-2171	DIR-2019-3294	DIR-2019-4821	DIR-2019-5957
DIR-2018-7019	DIR-2019-2262	DIR-2019-3377	DIR-2019-4911	DIR-2019-0739
DIR-2018-7148	DIR-2019-2266	DIR-2019-3500	DIR-2019-4920	DIR-2019-0750
DIR-2018-7191	DIR-2019-2271	DIR-2019-3502	DIR-2019-5001	DIR-2019-0790
DIR-2018-7340	DIR-2019-2291	DIR-2019-3530	DIR-2019-5051	DIR-2019-0805
DIR-2018-7363	DIR-2019-2323	DIR-2019-3555	DIR-2019-5086	DIR-2019-0848
DIR-2018-7376	DIR-2019-2427	DIR-2019-3588	DIR-2019-5137	DIR-2019-0929
DIR-2018-7431	DIR-2019-2480	DIR-2019-3727	DIR-2019-5170	DIR-2019-0970
DIR-2018-7554	DIR-2019-2570	DIR-2019-3760	DIR-2019-5213	

**B. UNLIKE HERE, THE FEW MIXED-USE TOC PROJECTS TYPICALLY HAVE EXTREMELY LIMITED NON-RESIDENTIAL USES**

So too, the Project is an outlier for even the 57 mixed-use TOC projects approved by the City (28 projects)<sup>14</sup> or pending City approval (29 projects).<sup>15</sup> For example, based on City documents (e.g., Letters of Determination [“LOD”], Case Summary & Document website [“CS&D”], etc.), we were able to discern in 30 of the 57 mixed-use TOC projects the total floor area of the proposed projects including the portion allocated for non-residential uses (e.g., retail, commercial, restaurant, office, etc.). As shown in Table 2 below and the following pages, these rare mixed-use TOC projects on average allocate a mere 6.38 percent of the entire proposed project square footage to non-residential uses. *If this was a typical rare mixed-use TOC project, the Project would include only 6.38 percent of its proposed floor area to non-residential uses* (i.e., 12,832-SF of hotel/retail uses), with the remaining 188,291 SF allocated to residential uses *permitting up to approximately 181 apartment units*<sup>16</sup> (i.e., 58,153 SF and 56 apartment units more than proposed). Here, however, this Project is allocating 35.29 of the entire proposed square footage to non-residential uses (hotel and commercial/retail)—more than five times the average rare mixed-use TOC project.

**TABLE 2: MIXED-USE TOC PROJECTS NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Lot Size (SF)	Total Project (SF)	Non-Residential		Source
			(SF)	Percent of Total SF	
DIR-2019-2593[a]	28,687*	107,012	1,089	1.02%	City (2019) CS&D, <a href="http://bit.ly/2MWPIEH">http://bit.ly/2MWPIEH</a> .

<sup>14</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-1136; DIR-2018-1500; DIR-2018-3014; DIR-2018-3021; DIR-2018-4743; DIR-2018-4864; DIR-2018-4879; DIR-2018-5303; DIR-2018-5415; DIR-2018-5417; DIR-2018-5601; DIR-2018-5887; DIR-2018-5945; DIR-2018-6274; DIR-2018-6322; DIR-2018-6425; DIR-2018-6691; DIR-2018-7342; DIR-2018-7374; DIR-2018-7382; DIR-2018-7690; DIR-2019-104; DIR-2019-1101; DIR-2019-1394; DIR-2019-1957; DIR-2019-2453; DIR-2019-2593; DIR-2019-3287.

<sup>15</sup> *Supra* fn. 12, *see e.g.*, DIR-2018-3172; DIR-2018-5014; DIR-2018-5079; DIR-2018-6684; DIR-2019-1133; DIR-2019-1254; DIR-2019-1321; DIR-2019-1558; DIR-2019-1663; DIR-2019-2051; DIR-2019-2131; DIR-2019-2431; DIR-2019-2482; DIR-2019-2727; DIR-2019-2765; DIR-2019-3146; DIR-2019-337; DIR-2019-3680; DIR-2019-3936; DIR-2019-3991; DIR-2019-4573; DIR-2019-5140; DIR-2019-5394; DIR-2019-5590; DIR-2019-5645; DIR-2019-6048; DIR-2019-647; DIR-2019-909; ZA-2018-3985.

<sup>16</sup> Based on the Applicant’s average 1,042-SF apartment unit calculated based on the following: (130,138-SF residential uses) / (125 apartment units) = (1,041.1 SF/unit). *See* Project Application, PDF p. 12.

DIR-2019-3287[a]	46,009	117,106	1,700	1.45%	City (8/1/19) LOD, PDF pp. 2, 8, 11, <a href="http://bit.ly/32xArLT">http://bit.ly/32xArLT</a> .
DIR-2018-6691[a]	7,500	28,071	426	1.52%	City (5/2/19) LOD, PDF pp. 2, 7-8, <a href="http://bit.ly/32uSWk8">http://bit.ly/32uSWk8</a> .
DIR-2018-3021[a]	16,704	62,640	1,145	1.83%	City (12/17/18) LOD, PDF pp. 7-8, <a href="http://bit.ly/32wQBoR">http://bit.ly/32wQBoR</a> .
DIR-2018-1136[a]	51,303	180,334	3,600	2.00%	City (11/1/18) LOD, PDF p. 7, <a href="http://bit.ly/2oWREj6">http://bit.ly/2oWREj6</a> .
DIR-2018-7374[a]	7,210	11,559	240	2.08%	City (5/21/19) LOD, PDF pp. 6-7, <a href="http://bit.ly/33NyJ9c">http://bit.ly/33NyJ9c</a> .
DIR-2018-1500[a]	41,440	110,558	2,346	2.12%	City (7/23/18) LOD, PDF pp. 2, 7, <a href="http://bit.ly/2Mxzw8I">http://bit.ly/2Mxzw8I</a> .
DIR-2018-3014[a]	7,350	27,501	645	2.35%	City (12/12/18) LOD, PDF p. 5, <a href="http://bit.ly/33LGXP7">http://bit.ly/33LGXP7</a> ; see also Floor Plan, PDF p. 1, <a href="http://bit.ly/2pG2wSp">http://bit.ly/2pG2wSp</a> .
DIR-2018-6274[a]	10,733	28,333	671	2.37%	City (4/29/19) LOD, PDF pp. 3, 7, 11, <a href="http://bit.ly/2BpxYqZ">http://bit.ly/2BpxYqZ</a> .
DIR-2018-4743[a]	20,913	95,260	2,499	2.62%	City (5/9/19) LOD, PDF p. 6, <a href="http://bit.ly/32xkRzR">http://bit.ly/32xkRzR</a> .
DIR-2018-6322[a]	36,371	136,189	3,600	2.64%	City (1/23/19) LOD, PDF p. 6, <a href="http://bit.ly/2o1tsfl">http://bit.ly/2o1tsfl</a> .
DIR-2018-5014[b]	21,274*	93,467	2,500	2.67%	City (9/18/19) Hearing Notice, PDF p. 1, <a href="http://bit.ly/2BunfLK">http://bit.ly/2BunfLK</a> .
DIR-2018-5945[a]	53,504	200,640	7,843	3.91%	City (2/27/19) LOD, PDF p. 6, <a href="http://bit.ly/31yHeDw">http://bit.ly/31yHeDw</a> .
DIR-2018-5417[a]	11,708	23,455	1,000	4.26%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2qqJksh">http://bit.ly/2qqJksh</a> .
DIR-2018-5601[a]	16,940	55,055	2,395	4.35%	City (12/10/18) LOD, PDF p. 6, <a href="http://bit.ly/2Bva79m">http://bit.ly/2Bva79m</a> .
DIR-2019-1394[a]	22,824	51,623	2,491	4.83%	City (7/5/19) LOD, PDF pp. 7, 11, <a href="http://bit.ly/2PeBvR9">http://bit.ly/2PeBvR9</a> .
DIR-2018-6425[a]	45,792*	171,634	8,561	4.99%	City (2/1/19) Notice of Exemption, PDF p. 1, <a href="http://bit.ly/35PD6Td">http://bit.ly/35PD6Td</a> .
DIR-2018-7342[a]	14,863	50,985	2,640	5.18%	City (4/10/19) LOD, PDF p. 7, <a href="http://bit.ly/2pG3Lkx">http://bit.ly/2pG3Lkx</a> .
DIR-2019-2727[b]	21,547*	65,140	3,640	5.59%	City (2019) CS&D, <a href="http://bit.ly/2VWZ2Ho">http://bit.ly/2VWZ2Ho</a> ; see also Office of Historic Resources (10/2/19) Updated Agenda, PDF p. 2, <a href="http://bit.ly/35R6hFl">http://bit.ly/35R6hFl</a> .
DIR-2018-4864[a]	60,810	209,157	12,175	5.82%	City (4/19/19) LOD, PDF pp. 2, 7-8, 19, <a href="http://bit.ly/2VXcb3e">http://bit.ly/2VXcb3e</a> .
DIR-2018-5415[a]	24,357	51,630	3,175	6.15%	City (1/9/19) LOD, PDF p. 5, <a href="http://bit.ly/2Myb6vE">http://bit.ly/2Myb6vE</a> ; see also City (2019) CS&D, <a href="http://bit.ly/35SqESI">http://bit.ly/35SqESI</a> .

ZA-2018-3985[b]	51,236	222,944	15,307	6.87%	City (5/15/19) SCEA, PDF p. 1, 6-7, <a href="http://bit.ly/32zLcNQ">http://bit.ly/32zLcNQ</a> .
DIR-2018-7690[a]	36,423	137,951	10,114	7.33%	City (7/25/19) LOD, PDF p. 7, <a href="http://bit.ly/2pFu6Q4">http://bit.ly/2pFu6Q4</a> .
DIR-2019-0104[a]	16,379*	60,940	5,689	9.34%	City (2019) CS&D, <a href="http://bit.ly/2BtAhJr">http://bit.ly/2BtAhJr</a> .
DIR-2019-2453[a]	22,379	62,678	6,500	10.37%	City (6/27/19) LOD, PDF p. 8, <a href="http://bit.ly/2W45Djl">http://bit.ly/2W45Djl</a> .
DIR-2019-1957[a]	27,496	75,571	9,048	11.97%	City (8/14/19) LOD, PDF p. 8, <a href="http://bit.ly/31vqYDm">http://bit.ly/31vqYDm</a> .
DIR-2019-1663[b]	11,634*	44,566	5,861	13.15%	City (2019) CS&D, <a href="http://bit.ly/2P4aK1v">http://bit.ly/2P4aK1v</a> .
DIR-2018-7382[a]	12,867	44,116	6,479	14.69%	City (8/1/19) LOD, PDF pp. 7, 13-14, <a href="http://bit.ly/31svBhr">http://bit.ly/31svBhr</a> .
DIR-2018-4879[a]	12,000	22,566	5,325	23.60%	City (3/5/19) LOD, PDF p. 6, <a href="http://bit.ly/33SJo2J">http://bit.ly/33SJo2J</a> .
DIR-2018-5303[a]	12,544	44,081	10,774	24.44%	City (5/16/16) LOD, PDF pp. 7, 13, <a href="http://bit.ly/32y0lPA">http://bit.ly/32y0lPA</a> .
<b>Average</b>				<b>6.38%</b>	
<b>Project</b>	47,323	201,123	70,985	<b>35.29%</b>	
<b>Notes:</b>					
*: Lot area determined via ZIMAS for all lots listing case number.					
[a]: Approved by the City.					
[b]: Pending City Approval.					

**C. OUTLIER MIXED-USE TOC PROJECTS NEVER MAX OUT THEIR BY-RIGHT FAR ON NON-RESIDENTIAL USES, WHICH THE PROJECT PROPOSES HERE**

As the above table demonstrates, the vast majority of the above-listed projects allocate less than ten percent of the entire proposed project square footage to non-residential uses. Even in outlier cases (six in total) where a rare mixed-use TOC project allocates 10 percent or more to non-residential uses, those projects allocate only a small portion of their by-right FAR to non-residential uses. As shown in Table 3 on the following page, those six mixed-use TOC projects included relatively small lot sizes (average 16,487 SF) with relatively small by-right floor area rights (average 27,369 SF), and where applicants proposed only a small fraction to be used for non-residential uses—amounting to less than 30 percent of their respective by-right floor area rights (on average). *If this was a typical outlier case of a rare mixed-use TOC project, the Project would include only 30 percent of its by-right floor area rights to non-residential uses* (i.e., 21,296 -SF of hotel/retail uses), with the remaining 179,827 SF allocated to residential uses *permitting up to approximately 173 apartment units*<sup>17</sup> (i.e., 49,689 SF and 48 apartment units more than proposed). Here, however, this Project includes a substantially larger lot area (2.8 times larger than average) and allocates 100 percent of its by-right floor area rights for non-residential uses— more than three times the average for outliers in rare mixed-use TOC projects.

<sup>17</sup> *Ibid.*

**TABLE 3: OUTLIER, MIXED-USE TOC PROJECTS USE OF BY-RIGHT FAR**

DCP Case Number	Lot		By Right		Proposed Non-Res	
	Size (SF)	Zoning	FAR[c]	SF	SF	Percentage of By-Right
DIR-2019-2453[a][d]	22,379	Mix	1.93:1	43,132	6,500	15%
DIR-2019-1957[a][e]	27,496	[Q]C2-1VL	1.5:1	41,244	9,048	22%
DIR-2019-1663[b][f]	11,634*	C2-1	1.5:1	17,451	5,861	34%
DIR-2018-7382[a][g]	12,867	C2-1VL	1.5:1	19,300	6,479	34%
DIR-2018-4879[a][h]	12,000	C4-1XL	1.5:1	18,000	5,325	30%
DIR-2018-5303[a][i]	12,544	[Q]C2-1-O	2.0:1	25,088	10,774	43%
<b>Average</b>	16,487					<b>29%</b>
<b>Project</b>	47,323	C2-1	1.5:1	70,985	70,985	<b>100%</b>

**Notes:**

- \*: Lot area determined via ZIMAS for all lots listing case number.
- [a]: Approved by the City.
- [b]: Pending City Approval.
- [c]: See 2013-2021 Housing Element, Appendix E, Generalized Summary of Zoning Regulations, p. E-6 (Height Districts), <http://bit.ly/2W0y1TG>.
- [d]: According to ZIMAS, project comprised of three lots including: two lots totaling 16,004.5 SF, zoned C2-1, permitted 1.5:1 FAR by right; and one, 6,375-SF lot zoned RD2-1 permitted 3:1 FAR by right. See also City (6/27/19) LOD, PDF pp. 8, 13-14, <http://bit.ly/2W45Djl>.
- [e]: See City (8/14/19) LOD, PDF pp. 8, 10, 16, 20, <http://bit.ly/31vqYDm>.
- [f]: See City (2019) CS&D, <http://bit.ly/2P4aK1v>.
- [g]: See City (8/1/19) LOD, PDF pp. 7-8, 13-14, <http://bit.ly/31svBhr>.
- [h]: See City (3/5/19) LOD, PDF pp. 2, 6, <http://bit.ly/33SJo2J>.
- [i]: See City (5/16/16) LOD, PDF pp. 7, 13, <http://bit.ly/32y0IPA>.

**D. MIXED-USE TOC PROJECTS PRODUCE WAY MORE RESIDENTIAL UNITS PER NON-RESIDENTIAL SQUARE FOOTAGE THAN THIS PROJECT**

As previously mentioned, City documents disclosed proposed floor area for only 30 of the 57 rare mixed-use TOC projects approved and/or pending City approval. However, City documents disclose proposed total residential units for 17 other rare mixed-use TOC projects (mostly pending City approval). As shown in Table 4 on the following page, on average, these rare mixed-use TOC projects allocate approximately 74.2 SF of non-residential uses for every residential unit proposed. *If this was a typical rare mixed-use TOC project, the Project would produce one residential unit for every 74.2 SF of non-residential uses* (i.e., 9,275 SF of hotel/retail uses), with the remaining 191,848 SF allocated to the 125 apartment units, *resulting in substantially larger units (i.e., appx. 1,535 SF on average) capable of providing more beds to house larger families*. Here, however, this Project is proposing much smaller apartment units (i.e., 1,042 SF on average)<sup>18</sup> because it produces one apartment unit for every 587 SF of non-residential uses—more than seven times the average for these rare mixed-use TOC projects.

<sup>18</sup> *Ibid.*

**TABLE 4: MIXED-USE TOC PROJECTS HOUSING UNITS V. NON-RESIDENTIAL SQUARE FOOTAGE**

DCP Case Number	Total Res. Units (Units Affordable)	Non-Res (SF)	Non-Res SF per Res Unit (SF/unit)	Source
DIR-2019-1558[b]	119 (11)	2,000	16.8	City (2019) CS&D, <a href="http://bit.ly/2o8P4Gw">http://bit.ly/2o8P4Gw</a> .
DIR-2019-3680[b]	99 (TBD)	2,000	20.2	City (2019) CS&D, <a href="http://bit.ly/2MYymCa">http://bit.ly/2MYymCa</a> .
DIR-2019-2482[b]	64 (6)	1,395	21.8	City (2019) CS&D, <a href="http://bit.ly/2o4TWWl">http://bit.ly/2o4TWWl</a> .
DIR-2019-1101[a]	57 (TBD)	1,600	28.1	City (2019) CS&D, <a href="http://bit.ly/35UBffW">http://bit.ly/35UBffW</a> .
DIR-2019-337[b]	177 (TBD)	5,500	31.1	City (2019) CS&D, <a href="http://bit.ly/31yG771">http://bit.ly/31yG771</a> .
DIR-2019-6048[b]	486 (66)	16,395	33.7	City (2019) CS&D, <a href="http://bit.ly/2P6c2Ju">http://bit.ly/2P6c2Ju</a> .
DIR-2019-2051[b]	119 (TBD)	4,800	40.3	City (2019) CS&D, <a href="http://bit.ly/2W1S97y">http://bit.ly/2W1S97y</a> .
DIR-2019-3936[b]	371 (56)	15,726	42.4	City (2019) CS&D, <a href="http://bit.ly/2NcDUcr">http://bit.ly/2NcDUcr</a> .
DIR-2018-3172[b]	80 (8)	4,117	51.5	City (2019) CS&D, <a href="http://bit.ly/33RVbOq">http://bit.ly/33RVbOq</a> .
DIR-2019-0909[b]	58 (TBD)	3,245	55.9	City (2019) CS&D, <a href="http://bit.ly/32A2qKS">http://bit.ly/32A2qKS</a> .
DIR-2018-6684[b]	130 (13)	10,053	77.3	City (2019) CS&D, <a href="http://bit.ly/2qxuh09">http://bit.ly/2qxuh09</a> .
DIR-2018-5079[b]	73 (16)	6,481	88.8	City (2019) CS&D, <a href="http://bit.ly/35V2tmo">http://bit.ly/35V2tmo</a> .
DIR-2019-5394[b]	60 (6)	5,900	98.3	City (2019) CS&D, <a href="http://bit.ly/35XHoYT">http://bit.ly/35XHoYT</a> .
DIR-2019-2765[b]	67 (7)	8,450	126.1	City (2019) CS&D, <a href="http://bit.ly/2MCKH4N">http://bit.ly/2MCKH4N</a> .
DIR-2019-1321[b]	55 (6)	7,379	134.2	City (2019) CS&D, <a href="http://bit.ly/2VYyYvs">http://bit.ly/2VYyYvs</a> .
DIR-2019-0647[b]	33 (3)	4,895	148.3	City (2019) CS&D, <a href="http://bit.ly/2JaJqLh">http://bit.ly/2JaJqLh</a> .
DIR-2019-4573[b]	67 (7)	16,500	246.3	City (2019) CS&D, <a href="http://bit.ly/31vi20N">http://bit.ly/31vi20N</a> .
<b>Average</b>			<b>74.2</b>	
<b>Project</b>	121 (14)	70,985	<b>586.7</b>	
<b>Notes:</b>				
[a]: Approved by the City.				
[b]: Pending City Approval.				



**E. HOTEL TOC PROJECTS ARE UNCHARTERED TERRITORY THAT MUST UNDERGO THE STRICTEST SCRUTINY**

Upon the review of more than 300 TOC projects, we were able to identify only two TOC projects pending City approval that include hotel uses, this Project and a ten-story, 108,625-SF mixed-use TOC project including 110-guest room, 45-residential units, and 6,212-SF ground floor commercial/restaurant uses located at 6075 W. Pico Boulevard (DCP Case No. ZA-2018-3409) (“Pico Hotel”). Based on their respective DCP applications, both of these projects are linked to the same expediter (i.e., Three6ity), play the same three-card-monte shuffling of lot area to calculate hotel/residential density, and max-out (or nearly max-out) the project site’s by-right floor area on non-residential uses like the hotel (see Tbl. 5 on following page). Please stop this practice now in its tracks.

/ / /



Both of these cases set a dangerous precedent that departs from all the TOC projects and the intent of the TOC incentives. Unlike the above-mentioned 240 of 300 TOC projects (80 percent) that produce exclusively residential units, here these projects are rare mixed-use projects (discussed *supra* section IV.A). As shown in Table 6 below, these projects also depart from the above-mentioned 57 few mixed-use projects (19 percent of the 300 TOC projects reviewed). Unlike the 30 mixed-use projects that allocate an average 6.38 percent of its total proposed development on non-residential uses (discussed *supra* section IV.B), these projects allocate 35 to 39 percent of its total proposed development on non-residential uses. Unlike the six outlier mixed-use projects (allocating more than 10 percent to non-residential uses) that utilize an average 29 percent of its by-right floor area rights to non-residential uses (discussed *supra* section IV.C), these projects allocate 95 to 100 percent of its by-right floor area rights to non-residential uses. Unlike the 17 mixed-use projects that on average produce one residential unit for every 74.2-SF of non-residential uses (on average) (discussed *supra* section IV.D), here these projects produce one residential unit for every 587 to 938-SF of non-residential uses.

**TABLE 6: HOTEL TOC PROJECT DEPARTURE FROM EVEN RARE, MIXED-USE TOC PROJECTS**

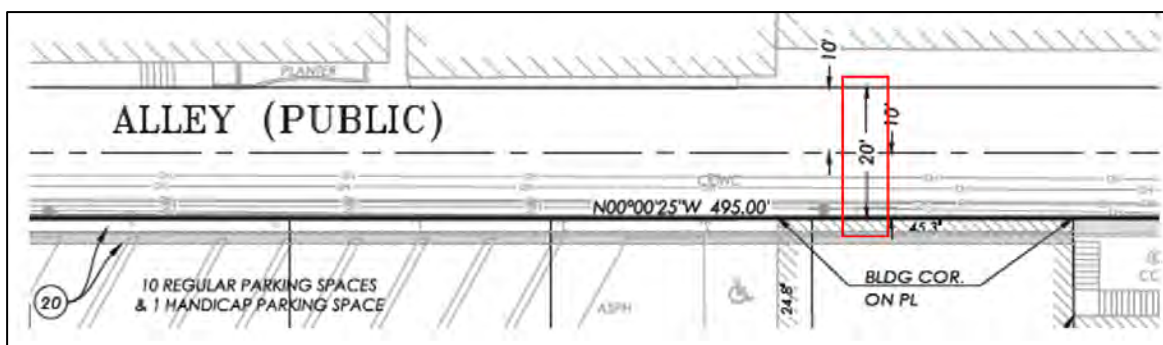
	La Brea Bliss Project	Pico Hotel	Average
<b>Rare Mixed-Use TOC Projects (Allocating &lt; 10 % to Non-Res. Uses)</b>			
<i>Total Proposed Project (SF)</i>	201,123	110,625	
<i>Non-Res. Portion of Project (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of Total Proposed SF</i>	<b>35.29%</b>	<b>38.16%</b>	<b>6.38%</b>
<b>Outlier, Rare Mixed-Use TOC Projects (Allocating ≥ 10 % to Non-Res. Uses)</b>			
<i>Lot Size</i>	47,323	29,511	
<i>By Right (SF)</i>	70,985	44,267	
<i>Non-Res (SF)</i>	70,985	42,211	
<i>Non-Res. Percent of By Right SF</i>	<b>100%</b>	<b>95.36%</b>	<b>29.00%</b>
<b>Rare Mixed-Use TOC Projects</b>			
<i>Total Res. Units (Units Affordable)</i>	121 (14)	45 (5)	
<i>Non-Res. (SF)</i>	70,985	42,211	
<i>Non-Res SF per Res. Unit (SF/unit)</i>	<b>586.7</b>	<b>938.0</b>	<b>74.2</b>

Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). As previously discussed (*supra* section III), the Applicant seeks to build 70,985-SF hotel/commercial/restaurant space essentially concentrated on one-third of the Project Site (i.e., approximately 13,718 SF), resulting in 5.17:1 FAR that exceeds the Site’s by-right 1.5:1 FAR. Even if you use the Applicant’s own 25,000 lot area plus half-alley, the Project’s non-residential uses would be 2.83:1 FAR, which also exceeds the Site’s 1.5:1 by-right FAR. The only way the Applicant can build this hotel component is to spread the non-residential uses across the entire 12 lots, or seek a Zone Change and General Plan Amendment (subject to Measure JJJ). Instead, the Applicant seeks a TOC FAR bonus under the guise of being a housing project—it is not. As discussed above, non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant’s reverse engineering of the FAR numbers, which comes at the expense of producing housing.

## F. STAFF REPORT INCONSISTENCIES MUST BE RESOLVED

The Project’s inconsistencies with the applicable TOC Guidelines we set forth above are premised on the information disclosed in the Project’s Application. However, the Staff Report references several significant changes and/or discrepancies. For example, the Staff Report (p. 3) references a “15-foot public alley,” while the Project Plans (PDF p. 7) show a 20-foot alley (see Fig. 8 below). Additionally, the Staff Report (pp. 1-3, 17, 19) references a request for 13,641-SF of retail/commercial uses, while the Project Application (p. 108) shows a request for 13,037-SF of commercial/retail uses (see Fig. 9 below). Also, the Project Plans repeatedly references a “phase 2” of the Project (PDF pp. 3, 5-6, 8-14; see e.g., Fig. 10 below), but the Project Application and Staff Report makes no reference to any other phases. Finally, the Staff Report (p. 6) references a “Remainder Parcel” to be included in the entire subdivision, while the Project Plans make’s no references to any “remainder” parcel.

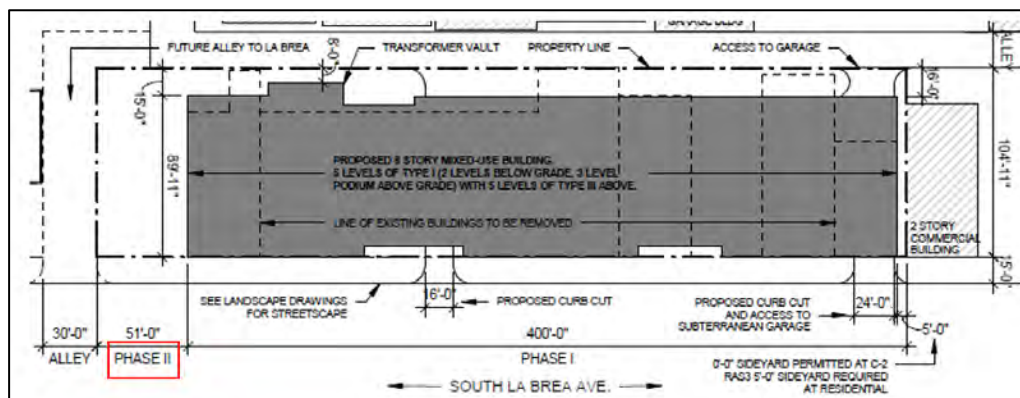
**FIGURE 8: PUBLIC ALLEY**



**FIGURE 9: PROPOSED COMMERCIAL SQUARE FOOTAGE**

<b>2. PROJECT DESCRIPTION</b>
Present Use <u>Commercial</u>
Proposed Use <u>Mixed-Use</u>
Project Name (if applicable) <u>La Brea</u>
Describe in detail the characteristics, scope and/or operation of the proposed project <u>TOC Tier 4 mixed-use project with 121 residential units, 125 guest-rooms, 13,037 sq. ft. of commercial space, 199 parking spaces in two sub-levels. Total project square footage of 201,123 sq. ft. with 4.25:1 FAR.</u>

**FIGURE 10: PHASE II**





All of these inconsistencies directly affect the Project’s residential and non-residential unit/FAR density calculations, which must be resolved in light of the issues raised above. For instance, the Project’s density calculations could be worse if the alley square footage is less than anticipated by the Applicant, if the increase commercial square footage comes at the expense of residential square footage, if Phase II includes additional floor area, or if the remainder parcel is not appropriately accounted for in the density/FAR calculations. These inconsistencies must be confronted and resolved.

#### **G. SUMMARY ON THE PROJECT’S PROPOSED TOC MISUSE**

No matter how the Applicant and its representatives wish to spin the narrative or jiggle the numbers, the Project is not your typically TOC project. It seeks increased density not genuinely tied to creating housing, much less affordable housing. *This is precisely the concern raised by Councilmember Ryu in the context of the Purple Line Transit Neighborhood Plan, where he cautioned the City Planning Director Bertoni of increase density not tied to affordable housing.*<sup>19</sup>

For these reasons, Local 11 urges the City to require the Applicant to assess the Project’s on-site restricted affordable unit obligations to the Project’s entire residential and hotel components (i.e., 246 apartments and guest rooms), thus, resulting in either 11 percent Extremely Low Income households (i.e., 28 units), or 15 percent Very Low Income households (i.e., 37 units), or 25 percent Lower Income households (i.e., 62 units).<sup>20</sup>

#### **V. PROJECT IS INCONSISTENT WITH APPLICABLE LAND USE POLICIES**

Here, the proposed eight-story, 4.25:1 FAR Project exceeds the Sites 1.5:1 FAR limitation under the General Plan land use designation. So too, the eight-story Project is incompatible with the adjacent properties ranging from two- to five-story tall, as raised by the public (see Staff Report, p. 2). So too, the Project exceeds the General Plan Framework Elements’ Mixed Boulevard density and heights (i.e., 1.5:1 to 4.0:1, and three- six-story).<sup>21</sup> The inconsistency with the General Plan and Framework is the subject of a recently filed lawsuit <sup>22</sup> and should give the City further pause before approving this pseudo-TOC Project. Furthermore, notwithstanding the paltry 14 affordable units proposed by the Applicant, the Project’s abuse of the TOC program resulting in the loss potential for desperately needed market-rate and affordable housing units conflicts with numerous affordable housing goals, policies, and objectives (see Tbl. 7 on following page).

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<sup>19</sup> Hon. Councilmember Ryu (4/22/19) RE: Mr. Bertoni, p. 3 (“Residents are not opposed to increased density, provided the *increased density is for affordable housing.*” Emphasis added), <http://bit.ly/2BA0uWM>.

<sup>20</sup> See TOC Guidelines, *supra* fn 10, p. 7.

<sup>21</sup> General Plan Framework, PDF p. 40 (identifying the Site as a Mixed Use Boulevard), <http://bit.ly/2Pa4zch>.

<sup>22</sup> *Fix the City, Inc. v. City of Los Angeles, et al.* (LASC Case No. 19STCP03740), pp. 2, (alleging, inter alia, the TOC Guidelines provides density bonus via non-legislative actions and circumvents Measure JJJ requirements), <http://bit.ly/2qDklIX>.



**TABLE 7: INCONSISTENCIES WITH APPLICABLE LAND USE PLANS**

<b>City Housing Element 2013-2021 Goals and Policies<sup>23</sup></b>
Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.
Policy 1.1.1: Expand affordable homeownership opportunities and support current homeowners in retaining their homeowner status.
Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.
Policy Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.
Policy Objective 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed-use development, Transit Oriented Districts and designated Centers.
Policy Objective 2.5.2: Foster the development of new affordable housing units Citywide and within each planning area.
<b>General Plan Framework Element</b>
<b>Chapter 4: Housing<sup>24</sup></b>
Policy 4.2.1 states the City should “offer incentives to include housing for very low- and low-income households in mixed-use developments[,]”
<b>Chapter 7: Economic Development<sup>25</sup></b>
Objective 7.9 states the City should seek to “[e]nsure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range[,]” and Policy 7.9.1 states that the City should promote “the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure ....” <sup>26</sup>
<b>Wilshire Community Plan<sup>27</sup></b>
<b>Residential Issues</b>
Need to preserve the existing character of residential neighborhoods while accommodating more affordable housing and child care facilities
<b>Commercial Issues</b>
New commercial development needs to be compatible with existing buildings in terms of architectural design, bulk and building heights.
<b>Purpose of Plan</b>
Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
<b>Objectives &amp; Policies</b>
Objective 1-3: To foster residential development which can accommodate a full range of incomes.
Policy 9-1.1: Preserve the existing affordable housing stock through rehabilitation and develop new affordable housing options.

<sup>23</sup> [https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement\\_20140321\\_HR.pdf](https://planning.lacity.org/HousingInitiatives/HousingElement/Text/HousingElement_20140321_HR.pdf).

<sup>24</sup> General Plan Framework, Ch. 4, Housing, <https://planning.lacity.org/cwd/framwk/chapters/04/04.htm>.

<sup>25</sup> General Plan Framework, Ch. 7, Economic Development, <http://bit.ly/2N2aZrb>.

<sup>26</sup> See also e.g., General Plan Framework Element Goals 4a, 7G, Objective 4.1, Policies 4.1.2, 4.1.6, and Implementation Policy P29; General Plan Housing Element Goal 1, Objectives 1.1, 2.5, and Policies 1.1.1, 1.1.2, 1.1.3, 1.1.7, 1.2.5, 2.5.1; General Plan Health and Wellness Element Policies 1.2, 1.3, 1.6, 1.7, and Guiding Principal 22; Central City Community Plan Objectives 1-3.

<sup>27</sup> Wilshire Community Plan, <http://bit.ly/2N4FDA9>.

## VI. WHERE IS THE LINKAGE FEE?

Here, the Staff Report makes no mention of the Project's compliance with the City's Affordable Housing Linkage Fee ("AHLF").<sup>28</sup> The Project case was filed on March 22, 2019. In accordance with the AHLF Ordinance, the Project is subject to two-thirds of its AHLF fee.<sup>29</sup> Here, according to ZIMAS, the Site is located in the High Non-Residential Market Area and Medium-High Residential Market Area.<sup>30</sup> Thus, the Project's 70,985-SF non-residential uses (i.e., hotel, commercial, retail, restaurant) is subject to the High Non-Residential Market Area rate of \$5 per SF (\$354,925 full fee), reduced to two-thirds of the full fee (\$236,616.66).<sup>31</sup> Because this Project is not entirely a multi-family project and forgoes Measure JJJ-compliant Zone Change/General Plan Amendment, the Project's residential component does not fall within the AHLF fee exemption.<sup>32</sup> Due to Applicant's abuse of the TOC program previously discussed, the City should forego any of the *discretionary*<sup>33</sup> deductions and/or credits provided under the AHLF, with the exception of exempting approximately 14,588 SF of residential floor area of restricted affordable housing units (based on the Project's proposed 14 restricted affordable housing at an average units size of 1,042 SF). Thus, the remaining 115,550-SF of residential floor area is subject to the Medium-High Residential Market Area rate of \$12 per SF (\$1,386,600 full fee), reduced to two-thirds of the full fee (\$924,400).<sup>34</sup>

Subject to adjustment for inflation (which begins July 1, 2019),<sup>35</sup> the Project appears to be subject to a total AHLF fee of approximately \$1.161 million. However, the Staff Report makes no mention of the Project's compliance with its AHLF fee obligations or any exemptions, deductions, or credits proposed.

## VII. APPLICANT'S RECORD OF CONVERTING RESIDENTIAL PROPERTIES/PROJECTS INTO DE FACTO HOTELS MUST BE ADDRESSED WITH ENFORCEABLE CONDITIONS

Here, the Applicant La Brea Bliss, LLC is proposing the Project on behalf of Gidi Cohen (Project Application, PDF p. 4), who is the founder and CEO of CGI Strategies.<sup>36</sup> CGI Strategies has an extensive track record of taking residential projects/properties and converting them into extended stay hotels. For example, CGI Strategies originally proposed to converting the rent-stabilized Villa Carlotta into a standard hotel, when Councilmember Ryu made it clear it would not support the conversion,<sup>37</sup> CGI Strategies turned the property into an extended stay hotel allowing stays as short as 31 days.<sup>38</sup> Similarly, CGI Strategies purchased a rent-stabilized building in Westwood (888 Hilgard Ave.) and did the same thing—renting out units for as short as 31 days.<sup>39</sup> So too, at its Koreatown Kodo project, which was approved by the City as a "60-

<sup>28</sup> City (7/16/18) RE: AHLF Implementation Memo, <http://bit.ly/2W5CRyE>.

<sup>29</sup> *Ibid.*, p. 2 (plans submitted on or after December 20, 2018 are subject to two-thirds of full fee amount).

<sup>30</sup> *See also Ibid.*, PDF pp. 5-6.

<sup>31</sup> *Ibid.*, p. 2 (\$5 per SF fee includes "hotels").

<sup>32</sup> *Ibid.*, p. 3.

<sup>33</sup> *Ibid.*, p. 3 (AHLF guidance states projects "*may* be eligible" for some deductions/credits. Emphasis added).

<sup>34</sup> *Ibid.*, p. 2 (\$12 per SF fee for residential uses including multifamily with six or more units).

<sup>35</sup> *Ibid.*, p. 3.

<sup>36</sup> <https://cgistrategies.com/about-us/our-team/>.

<sup>37</sup> [http://davidryu.lacity.org/statement\\_villa\\_carlotta](http://davidryu.lacity.org/statement_villa_carlotta).

<sup>38</sup> <https://la.curbed.com/2018/6/1/17362856/villa-carlotta-hollywood-hotel-rent-control>.

<sup>39</sup> <https://cgistrategies.com/project/888hilgard/>.

unit multi-family” “residential building” project to serve the Wilshire Community Plan’s “need to provide a diverse mix of housing,”<sup>40</sup> is marketed by CGI Strategies as offering “boutique hotel-style” amenities and also offer short/long term stays.<sup>41</sup> In each case, CGI Strategies either removed housing or promised housing, but delivered de facto hotel uses.

Given CGI Strategies’ track record, Local 11 urges the City to impose enforceable Conditions of Approval (“COA”) that restricts the Project’s residential units from being converted, advertised, rented, or otherwise offered as a standard/short-term rental, hotel, or other hotel-like uses after receiving its Project Approvals and Certificate of Occupancy. Similar restrictions have been incorporated into other projects approved by the City, which run with the land.<sup>42</sup> So too, the COA should prevent the Applicant from offering any initial lease for less than one year, nor allow tenants to sublet or assign their units or any portion thereof for less than 30 days, and ensure residential units are leased only to actual individuals and families (rather than corporations or other business entities) to ensure this housing remains for long-term residents—not tourists or short-term corporate visitors. Other cities have taken and/or considered these safeguards to ensure project’s approved as residential housing, are actually used for genuine housing purposes.<sup>43</sup>

## VIII. BROWN ACT AND CEQA VIOLATIONS

Here, the agenda for the Zoning Administrator hearing<sup>44</sup> indicates the City is considering the discretionary approvals for the Project’s subdivision and land use entitlements, which is admittedly contingent on the City’s approval of the Project’s ) and the legislative approval of the Projects environmental review under the requested SCPE (Staff Report, pp. 17-20). In fact, the Staff Report states (pp. 4, 16) that City Planning has already “determined that the project is exempt from CEQA as a Sustainable Communities Project (“SCP”) pursuant to [Pub. Res. Code § 21155.1].”

CEQA is necessary here to ensure that the City address the concerns raised herein, as well as ensure the Project does not pose any significant CEQA impacts (e.g., noise impacts to adjacent neighbors due rooftop lounge/pool deck with alcohol service that may or may not include live entertainment with amplified music; hazard impacts due to the Site being within a methane zone, or how the Project will achieve equivalent LEED-Certified to avoid GHG impacts).

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<sup>40</sup> See LOD (8/19/14) DCP Case No. DIR-2014-0601-SPR, pp. 1, 10, <http://bit.ly/2PgGTTT>.

<sup>41</sup> <https://www.multiphasingnews.com/post/cgi-strategies-debuts-la-short-and-long-term-housing/>; see also

<sup>42</sup> See LOD (4/5/18) DCP Case No. CPC-2015-4611, p. Q1 (“The use and development of the 231 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.”), <http://bit.ly/32Bld8w>; see also LOD (2/27/98) DCP Case No. ZA-97-0945-CUZ-ZAI, p. 3 (restriction on conversions “shall run with the land and shall be binding on any subsequent owners, heirs or assigns.”)

<sup>43</sup> See e.g., City of Santa Monica (8/9/18) Rent Control Board Memo, p. 2 (discussing potential steps for the City of Santa Monica to address “a new threat to the rental housing supply ... as an increasing number of landlords have begun to rent to corporate entities who use rent-controlled units for other than the provision of long-term, permanent housing, or themselves rent units to short-term visitors ... Although these practices effect less of a wholesale loss of units than does the demolition of an entire apartment building, the loss is nonetheless real.”), <http://bit.ly/31zjrUg>; see also City of West Hollywood (10/21/19) Item 3A Staff Report, p. (proposing zoning text amendment that would require all dwelling units to have an initial lease term of one year, including apartments units rented), <http://bit.ly/2W6740U>.

<sup>44</sup> Project Hearing Notice, <http://bit.ly/2oVv0b8>.

However, in violation of CEQA and the Brown Act, the agenda does not reference CEQA and the City has not published any SCPE documentation showing the Project's consistency with various criteria and policies under the 2016-2040 RTP/SCS and implementation of all feasible mitigation measures. The Zoning Administrator, of course, cannot hear or approve the Project's discretionary subdivision and land use entitlements without first publishing the Project's proposed SCPE and staff report concerning the Project's land use entitlements, adopting that CEQA compliance for the Project, and agendizing this all under CEQA. *Azusa Land Reclamation v. Main San Gabriel Watermaster* (1997) 52 Cal.App.4th 1165, 1190 (land use approvals are discretionary action that must include CEQA compliance); *San Joaquin Raptor Rescue Center v. County of Merced* (2013) 216 Cal.App.4th 1167 (Brown Act requires that agenda must identify CEQA). Yet, none of that happened here. This is a blatant CEQA and Brown Act violation.

## **IX. CITY CANNOT MAKE CODE-REQUIRED LAND USE FINDINGS**

The Project requests approval of various land use entitlements and the environmental clearances which the City *must* make numerous discretionary land use and CEQA findings, including but not limited to those listed below:

- That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;
- That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties; and
- That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.
- That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- That the proposed use will not adversely affect the welfare of the pertinent community. *See* LAMC §§ 12.24.E, 12.24.W.1(a), 16.05.F.

Because the City fails to provide a staff report regarding the Project's entitlements (much less a staff report that addresses the issues raised herein), or any documentation showing the Project is properly exempt from CEQA, the City cannot make to above-listed, Code-required land use findings. Absent substantial evidence addressing the substantial issues with this Project, particularly its inconsistency with the City's TOC program, Local 11 respectfully requests that the City decline any action on the Project Approvals.

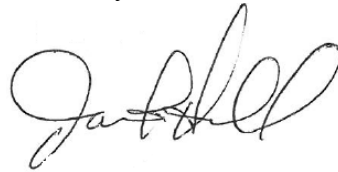
## X. CONCLUSION

In summary, Local 11 appreciates the opportunity to comment on the Project's Approvals. However, as proposed, the Project is inconsistent with the City's TOC incentive program and must include more affordable housing units—such as applying the on-site restricted affordable housing unit percentage to the Project's entire hotel and residential components. Otherwise, the City should reject the discretionary land use approvals requested by the Applicant.

The City's TOC incentives are to be used to incentivize housing, not boutique hotels! Quite simply, the tail (i.e., hotel) is wagging the dog (i.e., Project) here, which comes at the expense of housing (market-rate and affordable). Non-residential uses are supposed to be a minor complement to TOC housing projects. Here, the hotel component is the main feature of the Project and the root cause of Applicant's reverse engineering of the FAR numbers, which comes at the expense of producing housing. This Project, if approved as requested, will set an awful precedent for misuse of the TOC incentives.

The issues raised herein constitute substantial evidence that the Project is not consistent with applicable land use plans, policies, and other zoning regulations. Again, this is not a by-right project; you have the discretion to reject the Project and demand more for the residents of Council District 4. *You have the discretion, so please use it.*

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name being the most prominent.

Jamie T. Hall





Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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Uzi Avnery <uziavnery@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

639 S. La Brea Ave. is a new mixed-use commercial and residential building consisting of 121 residential units with 19 affordable units, 125 hotel rooms and 13,037 sf of commercial space. The project will bring crucially needed housing to Los Angeles, including affordable units and will activate the La Brea Corridor so close to the new Metro Purple Line Extension.

CGI's investment in the community will encourage transit use, generate new economic activity, promote smart growth and create a place that fits in well with our community.

I strongly support CGI's La Brea project located on [639 S. La Brea Ave.](#) and respectfully urge your approval to continue this important housing project in my neighborhood.

If you have any questions, please feel free to contact me at [uziavnery@gmail.com](mailto:uziavnery@gmail.com). Thank you for your consideration.

Sincerely,  
Uzi Avnery  
[uziavnery@gmail.com](mailto:uziavnery@gmail.com)  
269 South Beverly Drive suite 1195  
Beverly Hills, CA 90212  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Letter of Support for 623-671 South La Brea Ave.

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**Victor Lerma** <victoratomiclerma@gmail.com>  
To: Michelle.Carter@lacity.org

Wed, Sep 16, 2020 at 2:41 PM

Dear Gil Cedillo,

I would like to express my strong support for CGI's La Brea project located on [639 S. La Brea Ave.](#) This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in [Los Angeles.](#)

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If you have any questions, please feel free to contact me at [victoratomiclerma@gmail.com](mailto:victoratomiclerma@gmail.com). Thank you for your consideration.

Sincerely,  
Victor Lerma  
[victoratomiclerma@gmail.com](mailto:victoratomiclerma@gmail.com)  
1111 South Burnside Avenue  
Los Angeles, CA 90019  
United States



Michelle Carter <michelle.carter@lacity.org>

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## Wilshire / La Brea Project Comments ((CF #19-1533, ZA-2019-1744, VTT-82618, ENV-2019-1736)

1 message

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**Ron Farrell** <info@email.actionnetwork.org>  
Reply-To: waterviewcamper@gmail.com  
To: michelle.carter@lacity.org

Tue, Sep 15, 2020 at 2:43 PM

Michelle Carter,

I write deeply concerned about the luxury hotel and condo project proposed for [639 S. La Brea Ave.](#) The Transit Oriented Communities (TOC) program was intended to create housing, especially affordable housing. So too, the Code makes clear that hotel rooms and dwelling units must be tied to its lot area (see LAMC § 12.21.C.1(j)). Here, the project is using the TOC incentives to build more hotel rooms at the expense of housing, double counts lot area already designated for housing, and allocates lot area entirely untethered to the project's site plans. Please stop this misuse of our affordable housing law.

TO THE OFFICE OF THE HOUSING PROJECTS:

It's been brought to public attention that either the staff or some of the staff of this office is misusing housing funds. This goes against the purpose of the established law and rights of the program. Since you are obviously intentionally doing this, it's been made public and you are committing a serious breach of trust with your position.

Therefore your ONLY steps should be either stop the unethical acts you're committing and get HONEST and straight, or resign from your post. The public does not need dishonest people in office. Using the money and resources correctly is the purpose, not hiding in office and abusing it.

Ron Farrell  
[waterviewcamper@gmail.com](mailto:waterviewcamper@gmail.com)  
4632 Franklin Ave  
[Los Angeles, California 90027](#)


# INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. The Commission's ROPs can be accessed at <http://planning.lacity.org>, by selecting "Commissions, Boards & Hearings" and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

\*\*If you are using Explorer, you will need to enable the Acrobat toolbar  to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

# **20+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT FOR YOUR CONSIDERATION:**

Subject: Letter of Support for 623-671 South La Brea Ave.

Dear Honorable Councilmembers,

I would like to express my strong support for CGI's La Brea project located on 639 S. La Brea Ave. This project will benefit all of us who live and work in the Mid-City West Community by creating jobs, generating money for the local economy, and creating much-needed housing in Los Angeles.

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