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SECONDARY SUBMISSIONS



Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

October 11, 2023

TO: South Los Angeles Area Planning Commission

FROM: Kyle Winston, City Planner

**ADDITIONAL INFORMATION/TECHNICAL MODIFICATION/CORRECTION TO THE
STAFF RECOMMENDATION REPORT FOR CASE NO. ZA-2023-1767-CUB-CUX-1A;
3016 – 3020 South Crenshaw Boulevard**

Transmitted herewith, is the Response to appeal from Applicants to be considered at the Area Planning Commission meeting of October 17, 2023, related to Item No. 6 on the meeting agenda.

September 20, 2023

South Los Angeles Area Planning Commission

Attn: Jacqueline Orozco, President
200 N. Spring Street
Los Angeles, CA. 90012

c/o Jose Perez Lara, Commission Executive Assistant
apcsouthla@lacity.org

RE: Applicant's Appeal Response

**Case No: ZA-2023-1767-CUB-CUX-1A / Related Case No: ENV-2023-1767-CUB-CUX
3020 Crenshaw Boulevard, Los Angeles, CA 90016**

Dear Members of the South Los Angeles Area Planning Commission:

Three6ixty represents the Applicant, 3000 S Crenshaw Blvd (LA) OZ Owner, LLC ("Applicant") and owner of the property located at 3020 Crenshaw Boulevard related to Case Numbers: ZA-2023-1767-CUB-CUX-1A, and related Case No: ENV-2023-1767-CUB-CUX.

On August 2, 2023, the Zoning Administrator approved Case No. ZA-2023-1767-CUB-CUX, and issued a Letter of Determination (the "LOD") approving a Conditional Use Permit to permit a conditional use to authorize the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed banquet hall in the C2-1-SP Zone; and, a conditional use to authorize public dancing in conjunction with a proposed banquet hall in the C2-1-SP Zone,. The LOD was appealed by First Rights Capital Investments LLC / Hakimianpour Santa Monica Group L.L.C. ("HSMG") on August 17, 2023.

On behalf of the Applicant, I respectfully request that the South Los Angeles Area Planning Commission ("South APC") deny all the appeal, and sustain the decisions of the Zoning Administrator, as the appeal contains no substantial evidence to demonstrate that the Zoning Administrator erred or abused its discretion in approving the actions in the LOD.

The following outlines the key issues of the appeal, and our Applicant's response to each.

1. Absence Of Notice

The Appellant states they were never provided with the statutorily required notice of the application or hearing and were therefore deprived of their right to comment or object in the hearing.

The Appellant was notified of the hearing through Better Technology Corporation's (BTC) posting and mailing service. BTC is a third-party entity contracted by the City of Los Angeles responsible for mailing and posting of public hearings in the City of Los Angeles. As part of the application materials for this case, Quality Mapping Service prepared a radius map indicating all owners and occupants within 500-feet of the Property, as well as a list of

sensitive uses within 600-feet of the subject property, required as legal notice for a zoning administration action such as this instant request. Quality Mapping Service provided a Perjury Statement signed by Peter Elias on February 14, 2023 certifying to the accuracy of the radius map preparation. This Radius Map package, perjury statement and affidavit of mailing are included as Attachment “A” to this Appeal Response.

Public notice was provided of the public hearing by BTC, as attested to in the affidavit of mailing from BTC dated June 20, 2023. As shown in the attached Radius Map package, the Appellant’s property is identified as property #82, and the Appellant (HSMG) is listed on the Ownership List, the Adjacent Ownership List, and their tenant on the Occupant List twice. There is no ambiguity that the Appellant was duly notified of the public hearing at a minimum twice at their legal address on Overland Avenue, and twice to the property address on Crenshaw Boulevard as the Applicant. We suggest that the Appellant verify the adequacy of their corporate mail service.

As such, there is no cause to uphold an appeal on this matter based on any claim of inadequate public noticing, and as such the South APC should disregard this as a substantiated appeal claim.

2. The Associate Zoning Administrator Lacked Authority To Grant The Conditional Use Permit

The Appellant cites that ZA can only grant a permit for nightclubs or other establishments offering dancing and live entertainment in conjunction with a restaurant in Westwood Village Specific plan according to LAMC 12.24.W.30.

First, this project is not in the Westwood Village Specific Plan Area and has nothing to do with any authority in this instant application. Nothing in the Zoning Administrator’s approval has anything to do with Westwood, and thus any objections on such ground should be dismissed by the APC. Furthermore, the Zoning Administrator granted approval for the Conditional Use Permit pursuant to LAMC Sections 12.24.W.1 and 12.24.W.18, and any insulation that the Appellant asserts under the authority granted in LAMC 12.24.W.30 has nothing to do with this case and should be disregarded by the South APC.

The proposed project is to permit the adaptive reuse of an existing theater into a special event banquet hall, and not a restaurant. The banquet hall will serve food at any time that alcoholic beverages are served, as required by Condition of Approval number 20 in the LOD. The Appellant is attempting to misdirect the South APC into thinking that the Applicant is establishing a restaurant use when the express grant in the LOD states the contrary. Thus, any reference by the Appellant to the proposed project as a restaurant is incorrect and should not be considered as relevant by the South APC.

In the event that there are any straggling references to the project as a “restaurant” in the LOD, these are merely a typographical error, as the grant is clear that the project is a “banquet hall”, and such clerical errors do not constitute an error or abuse of discretion by the Zoning Administrator in approving the Conditional Use Permits for the Project.

3. The Associate Zoning Administrator's Findings Under Subsection 12.24(E) Were Erroneous

The Appellant asserts that because of the Department's failure to give Appellant the statutorily required notice, Appellant was deprived of the opportunity to provide comments that would have made the relevant facts part of the record, and that the record did not provide substantial evidence to support the mandatory five findings for a Conditional Use Permit.

The Appellant's primary contention is that the Zoning Administrator failed to consider the impact of the proposed use of the subject property on the adjacent property, and specifically that they did not include consideration of their parking easement or the consent of the Owners of Burger King for a use of this easement.

The Appellant's property, with their tenant, Burger King's, is identified as an adjacent property in all of the application materials submitted to the case file as part of the public record. Furthermore, the Applicant thoroughly described the existing site conditions, and utilization of the shared parking lot in application materials, as well as in supplemental submittals to the Zoning Administrator describing the parking lot and existing conditions on site.

The Appellant claims the Applicant failed to disclose that parking easement rights on the adjacent property could allow patrons of the banquet hall to use the parking lot on parcel 38. The Appellant presumes patrons of the banquet hall will consume alcohol and use their parking lot. The Appellant also claims that the proposed operations and valet operations will have adverse effects on their property, but they have provided no substantial evidence to the record demonstrating such impact.

The parking easement rights were discussed at the public hearing on July 20, 2023, and were disclosed in the Applicant's supplemental submittal on July 27, 2023 in discussing the Applicant's proposed valet operations. There is a private party easement agreement dating back to April 12, 1941, permitting shared access across the parking lots on Lots 37 - 42 since initial operation of the Crenshaw Theater in the 1940's. This shared parking lot has existed for the past 80 years on site. The Appellant's restaurant, Burger King, was constructed in 1975, when the property operated as the Kokusai Theater, and following that as an event hall for the Angeles Church. The character of operation of the Applicant's property, and the character and operation of the shared parking lot with Burger King as a tenant has not changed in the past five decades. Nothing in the Applicant's business plan proposes any change to the parking lot.

The Project proposes to use the 12 spots on parcel 37, which is the portion of the shared parking lot owned by the Applicant, primarily for valet staging and handicapped parking. Despite the fact that there is an express easement agreement in place between the Applicant and the Appellant to use all parking spaces in the on-site shared parking lot that spans Lots 37 - 42, the Applicant is electing to implement a sophisticated valet program for this banquet hall use in order to minimize any impacts to the on-site parking lot and/or spillover parking onto surrounding public streets. As a reminder, the historic use of the site

as a theater and as an event hall for the Angeles Church is no less intensive than the proposed use as a banquet hall, all of which are large community assembly uses. Since there historically was no valet on site, the impact of parking in and around the surrounding properties was far greater in the past than will be with the current proposed use. The Applicant has the unique advantage of owning two adjacent office buildings with several hundred parking spaces, and thus the proposed parking valet plan can only improve existing parking and circulation patterns related to use of this Property. Furthermore, the Applicant is proposing to use their own property primarily for ingress/egress of the valet operations, and likely ADA accessible parking required to be proximate to the main building. This plan is thoughtful and intended to avoid access and circulation impacts for the existing businesses. All of these materials including a conceptual circulation and parking plan for the valet operations have been submitted to the case file and the Zoning Administrator and are publicly available in the case file through the city.

As a point of information, the original theater had a maximum occupancy of 489 persons, as demonstrated by the building's Certificate of Occupancy issued in 1958. The proposed project is limiting maximum occupancy to 368, a decrease of more than 25%, and thus the total parking demand and actual occupant load of the building will be substantially less with the current Project.

Lastly, the subject property is located within a state designated Transit Priority Area, and is thus subject to Assembly Bill 2097 which requires no parking for the proposed Project. Additionally, as a change of use from a theater to a banquet hall in a designated Los Angeles State Enterprise Zone, there is no parking required for the project. As such, any valet operations plan provided by the Applicant is voluntary and intended to be a benefit to support operations at the facility, as well as a community benefit to prevent any spillover parking impacts into the adjacent properties or surrounding residential community. The South APC has no jurisdiction to deny the subject applications based upon any potential parking or voluntary valet parking operations plans.

Finally, the Appellant contends that use of Appellant's parking lots on parcels 38 and 39 would present risks of drunk drivers and increased crime rate because of the change of use would result in a decline of business.

There is no substantial evidence to support such a conclusion. The proposed use of the subject property as a banquet hall is no more impactful from its historical assembly use as a theater and event hall since the 1940's, and the grant by the Zoning Administrator to permit the sale and consumption of alcoholic beverages on site with entertainment is consistent with the historical use of the Property as a community assembly space. There is no evidence in the record to demonstrate that crime will increase as a result of this grant, nor anything to demonstrate any decline in the Appellant's business. If anything, the existence of a fast-food establishment adjacent to a banquet hall provides a unique opportunity to capitalize on incidental business from events that the restaurant would not otherwise capture. Such concerns are entirely speculation, and thus constitute no error or abuse by the Zoning Administrator in approving the Conditional Uses requested by the Applicant.

Given the comprehensive nature of the application materials in the public record, as well as the extensive technical analysis on all issues, and obvious commitment to creating a community-driven project, there is no evidence in the public record to support any of the Appellant's claims that the Zoning Administrator erred or abused its discretion in granting the entitlements for the on-site sale and consumption of alcoholic beverages and on-site dancing.

On behalf of the Applicant, I respectfully request that the South APC deny the appeal without prejudice and uphold the decision of the Zoning Administrator regarding this project.

Sincerely,
Three6ixty



Dana A. Sayles, AICP
Applicant Representative

cc: Jonathan Hershey, Associate Zoning Administrator
Hakeem Parke-Davis, Council District 10
Kyle Winston, Department of City Planning
Miguel Padilla

Attachments:

A – Radius Map Package

ALSTON & BIRD

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Nicki Carlsen

Direct Dial: +1 213 576 1128

Email: nicki.carlsen@alston.com

October 12, 2023

South Los Angeles Area Planning Commission
Constituent Service Center, Room B
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**Re: E&B Natural Resources Management and its Affiliated Companies’
Appeal of Approval of Plans for 2126 W. Adams Blvd. and 2125 W. 26th
Place, Los Angeles, CA (“Murphy Site”) (Case No. ZA-1959-15227-O-
PA6, Issued February 28, 2023 (“Plan Approval”))**

Dear Commissioners:

We represent E&B Natural Resources Management Company and its affiliated companies (“E&B”) in the above-referenced matter and are writing to follow up on the revised conditions set forth in the staff’s PowerPoint presentation for the October 3, 2023, hearing (“PowerPoint presentation”) of the South Los Angeles Area Planning Commission (“Commission”) (continued to October 17, 2023 due to a Commissioner’s conflict of interest). Many of the Plan Approval conditions, as revised in the PowerPoint presentation, are now acceptable to E&B. We are writing to advise the Commission of the specific conditions or portions of conditions, which, as revised, are acceptable to E&B and to focus the Commission’s attention on the remaining conditions that E&B appeals.

Revised Conditions Acceptable to E&B

E&B agrees that the following conditions as revised by the PowerPoint presentation are acceptable: 5, 7.i, 19, 21, 22, 23.c, 25 (microturbine only), 27 and 28.c.

Conditions with Remaining Appeal Points

E&B continues to object to the following conditions: 17, 23 and subsections a, b and d (and all other conditions that refer to Condition 23 or the 45-foot-high structure, e.g., Condition 7), 24, 25 (electric workover rigs), and 26 (prohibiting diesel workover rigs). We discuss the basis for E&B’s objections to these conditions below.

1. Conditions 25 and 26/Electric Workover Rigs:

Conditions 25 and 26 improperly require the use of electric workover rigs and prohibit the use of diesel fueled equipment, including workover rigs. As acknowledged by the City's own Petroleum Administrator, electric workover rigs are not commercially available. Two companies who provide workover rigs to oil and gas operators in California submitted letters to the City confirming that electric workover rigs are not commercially available. There is literally no evidence in the record to support these conditions.

The City has pointed to examples of permanently installed electric *drilling* rigs in a misguided effort to demonstrate that electric workover rigs are commercially available. Drilling rigs and workover rigs are not the same thing. The noted drilling rigs are massive, permanent installations and they are permanently connected to the electric grid. Workover rigs are smaller and mobile, with tires to be transported from site to site, and are used on oil and gas sites on a temporary basis.

California Resources Corporation ("CRC") provided a letter explaining its own electric drilling rig, which they do not use for workover (production) purposes. CRC also confirms that electric workover rigs are not commercially available. The City has also pointed to a historic E&B proposal for an electric drilling rig in its planned Hermosa Beach project, but that too was a drilling rig – to drill new wells – not a workover rig.

There also are no requirements set forth by CARB or SCAQMD for the use of electric rig operations. The current practice is to encourage the use of combustion engines, and the most advanced and clean engines available for workover and maintenance rig operations are low emissions Tier IV diesel engines, which E&B utilizes at the Murphy Site.

We urge the City to reject the relevant language in Conditions 25 and 26 requiring the use of electric workover rigs and replace it with language allowing diesel-operated workover rigs.

2. Condition 23/Sound Barriers:

The City seeks to impose Condition 23 and require the installation of a 45-foot-high structure to enclose the site, but provides no evidence to support this requirement. The City's record does not include an engineering analysis to demonstrate the feasibility of a 45-foot-high structure on this site, nor does the City's record include evidence to show how this 45-foot-high structure is required to address any of the City's concerns, such as noise. The City did not prepare a noise study or any other technical analysis, but randomly selected a 45-foot height for the site's sound barriers. Moreover, it is not clear that the community wants a 45-feet-high structure on this site.

To evaluate this issue properly, E&B prepared a noise analysis (submitted previously), modeling the noise at the site during operations with and without a workover rig. This noise study evaluated the effectiveness of E&B's proposed sound barriers (32-feet and 20-feet in height along the eastern and western sides of the facility, respectively) along with sound blankets for the workover rig. These measures were determined to be effective in reducing sound to levels consistent with the area's ambient sound levels.

We also submitted a letter for the October 3, 2023 hearing with photographs of commercially-available sound barriers and their appearance.

We urge the Commission to follow the science and to substitute the language in Condition 23 requiring a 45-foot-high structure with E&B's proposed language to install sound barriers and rig blankets (and throughout the Plan Approval as the 45-foot-high structure or Condition 23 is referenced elsewhere).

3. Condition 24/Spill Prevention, Control and Countermeasure Plan (SPCC)

Condition 24 requires that E&B submit the SPCC and any amendments to the City, and E&B agrees to comply with that condition. The SPCC is required by federal law which has certain requirements.

However, the City seeks to impose other conditions which are not required by federal law, including the requirement that E&B have two employees on site at all times.

We urge the Commission to delete all conditions which are not in conformance with federal law (or other laws).

4. Condition 17/Maintenance and Pending Litigation

In our prior correspondence to the City, we noted that many of the City's additional or modified conditions are preempted by state law under the new decision by the California Supreme Court, *Chevron U.S.A. Inc. v. Cty. of Monterey*, 15 Cal.5th 135 (2023). The City's authority with respect to "maintenance" is being challenged by E&B in litigation, and we would hope that these conditions would conform to any decision regarding pre-emption.

We look forward to the hearing on October 17, 2023, and will be available for any questions at that time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nicki Carlsen".

Nicki Carlsen

DAY OF HEARING SUBMISSIONS



McCarty Memorial Christian Church

Address: 4101 West Adams Blvd, Los Angeles, CA 90018

Phone: (323) 731-4131

Email: mmconnect@mccartymemorial.org; pastoreddie@mccartymemorial.org

Website: www.mccartychurch.org

Public Statement: Demanding the Immediate Closure and Clean Up of the Murphy Oil Drilling Site in West Adams

Tuesday, October 17, 2023

Dear Friends and Angelenos,

We, the members and leadership of McCarty Memorial Christian Church, wish to express our deep concern and commitment to public health and environmental justice in our community. It is with a heavy heart and a strong sense of responsibility that we address an issue of paramount importance – the Murphy Oil Drilling Site.

For years, this drilling site has been cited for a number of air quality and health infractions that jeopardize the lives of the roughly 16,000 people, most of whom are people of color, that live within a half mile of the site. An elementary school, high school, hospice facility, and senior living are all located within that half mile, threatening our most vulnerable communities, children and the elderly.

As Christians, we are called to be caretakers of the Earth, to love our neighbors, and to protect the most vulnerable among us. We believe that advocating for the closure and thorough clean-up of the Murphy Oil Drilling Site is not only a moral obligation but also a civic duty. As the city and the county move to become carbon neutral, it not only requires green investment in our communities, but also the removal of harmful polluting sources that are disproportionately located in communities of color.

We call upon Los Angeles City Council, Los Angeles County Board of Supervisors, Freeport McMoran Inc., and Catholic Archdiocese of Los Angeles to:

“This Church practices union: has no creed but Christ; seeks to make religion as intelligent as science, as appealing as art, as vital as the day’s work, as intimate as home, and as inspiring as love.”

4101 W.Adams Blvd, Los Angeles, CA 90018

Immediately Close the Murphy Oil Drilling Site: We urge an immediate and orderly cessation of drilling activities at this site including the capping of the 22 oil and gas wells, and the 7 injection wells. Twenty years is too long to wait.

Conduct a Comprehensive Clean-up: It is imperative that the site undergoes a rigorous and thorough clean-up process to mitigate the existing environmental damage.

Transition to Clean, Renewable Energy: We encourage the investment in clean and renewable energy that will benefit our community while minimizing environmental impact, promoting a just transition.

Prioritize Public Health: Consider the health and well-being of our community members by conducting comprehensive health studies for residents in that half-mile radius and providing financial support, covering medical and health expenses for those affected by the drilling operations.

In this critical moment, we must come together as a community to protect the environment and ensure public health. We stand in solidarity with all those who have been affected by the Murphy Oil Drilling Site and those who have been impacted by 5,000+ active and idle wells across the city of Los Angeles. We urge swift action to close and clean up each of these sites.

Let us remember the scripture from Genesis 2:15, "The Lord God took the man and put him in the Garden of Eden to work it and take care of it." As stewards of God's creation, it is our duty to care for the Earth and all its inhabitants with justice and compassion.

May our collective voice and efforts lead to a healthier, more sustainable, and harmonious community, where climate and environmental justice prevail for seven generations to come.

Sincerely,

Bryce Cracknell
Chair, Church Council, McCarty Memorial Christian Church
Trustee, Partnership for Growth Los Angeles Community Development Corp.



Reverend Edward 'Eddie' Anderson, M.Div, M.A.*

* Senior Pastor, McCarty Memorial Christian Church; CEO/Co-Founder PFGLA, Member, Black Lives Matter LA; Senior Organizer, LA Voice; Co-Founder Clergy for Black Lives; Redistricting Commissioner, City of Los Angeles



BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

Kenneth Hahn Hall of Administration
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HOLLY J. MITCHELL
SUPERVISOR, SECOND DISTRICT

October 16, 2023

South Los Angeles Area Planning Commission
Los Angeles City Hall
200 N. Spring Street, Room 525
Los Angeles, CA 90012

RE: CASE NO. ZA-1959-15227-O-PA6-1A - 2126 West Adams Boulevard/2125 West 26th Place

Dear Honorable Members of the South Los Angeles Area Planning Commission:

As Supervisor for Los Angeles County's (County) Second Supervisorial District (Second District), I am urging you to uphold the conditions for continued operation imposed by the City of Los Angeles (City) Zoning Administrator at the Murphy Drill Site.

The Murphy Drill Site is located in the densely populated West Adams community and has a well-documented history of regulatory violations and compliance issues. Community members complain of strong odors, respiratory problems, chronic nosebleeds, skin and eye irritation, and headaches. In response to ongoing concerns, the Zoning Administrator imposed a number of conditions on the continued operation of the site, which are intended to protect the health, safety, and general welfare of the surrounding community.

I support the Zoning Administrator's actions, which are currently being appealed by the operator, and believe that strong health and safety protections are critical for oil drilling activities taking place in close proximity to sensitive uses, such as residences, child and elder care facilities, and places of worship. This is particularly true given our City and County's history of discrimination in the siting and regulation of oil drilling facilities, which has disproportionately impacted Black and Brown communities.

The Murphy Drill Site is just one of the many oil well facilities across the County's Second District that are situated in close proximity to the places people live, work, play, and pray. As Los Angeles City and County move towards phasing out neighborhood oil drilling, it is critical that public health and safety are protected for these communities on the frontlines of oil drilling activities.

Honorable Members of the South Los Angeles Area Planning Commission

October 16, 2023

Page 2

I urge the South Los Angeles Planning Commission to deny the appeal and uphold the Zoning Administrator's determination to protect residents from harmful health and safety hazards. If you have any questions about my support, please contact my Senior Deputy for Environmental Justice, Laura Muraida at LMuraida@bos.lacounty.gov or at (213) 974-2222.

Sincerely,

A handwritten signature in black ink that reads "H Mitchell". The signature is written in a cursive, flowing style.

Holly J. Mitchell
Supervisor, Second District
Los Angeles County Board of Supervisors

(LM:sw)

ALSTON & BIRD

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Nicki Carlsen

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October 16, 2023

South Los Angeles Area Planning Commission
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edber.macedo@lacity.org

Re: **Case No. ZA-1959-15227-O- PA6: Proposed Revisions to Conditions**

Dear Commissioners:

As a follow up to our October 12, 2023 letter on behalf of E&B, below are proposed revisions to the remaining conditions at issue in this appeal to be discussed further at the October 17, 2023 hearing.

Condition No. 25:

All drilling, workover, or maintenance rig operations at the site shall at all times be carried on only by electric power, **if commercially available and technically feasible. Electric workover rigs are not currently available in the United States, and operator shall use CARB-Verified Level 3 diesel catalysts on all diesel-powered well work equipment or use diesel engines with an equivalent particulate matter (PM) emission rate (EPA Tier 4 Engine Standards) on all diesel-powered workover rigs (per Petroleum Administrator's December 5, 2022 Staff Memorandum).** [Continue with remainder of Condition No. 25 as revised by Planning.]

Condition No. 26:

The use of diesel-fueled equipment, including any drilling, workover or maintenance rig, is prohibited on the site nor may any backup generators use diesel fuel, **except as set forth in Condition 25.** [Continue with remainder of Condition No. 26.]

Condition No. 23 (to replace current version, except for 23.c, as revised by Planning; text from current version in **green**, proposed new text in **red**, and text added by Planning at October 3, 2023 hearing in **blue**):

Within 24 months of the effective date of this **Case No. ZA-1959-15227-O-PA6** determination, completion of all required work shall be verified during the final inspection of the building permit and the building permit shall be finalized **for sound barriers on the eastern and western sides of the property, as depicted in Figure 3-4 of the 9/15/23 Behrens and Associates Report submitted by applicant. No oil, gas or other hydrocarbon substances may be produced from any well hereby permitted unless the sound barriers have been constructed.** Plans for said **sound barriers** need to be submitted to the Department of Building and Safety for all necessary reviews, including reviews by other departments and agencies, as appropriate, and building permits secured prior to any construction. The operator shall provide a height survey if requested by the Department of Building and Safety. **The sound barriers** shall be of a permanent type, of attractive design and constructed in a manner that will minimize, as far as practicable, dust, noise, noxious odors and

vibrations, and shall be equipped with such devices as are necessary to minimize the objectionable features mentioned above. See Figure 3-4 of the 9/15/23 Behrens and Associates Report submitted by applicant for the approximate location of the sound barriers. The architectural treatment of the exterior of such sound barriers shall be subject to issuance of a Certificate of Compatibility with the approval of the Director of Planning, or their designee, after a maximum of two hearings by the Jefferson Park Historic Preservation Overlay Zone's Historic Preservation Board. If causes beyond the reasonable control of the operator, including, but not limited to, permitting delays, litigation, and administrative proceedings against the determination, the operator shall submit in writing a request to the Zoning Administrator with evidence of their good faith effort to complete the required work within a 24-month timeframe. It is at the Zoning Administrator's discretion to allow any extensions beyond 24 months.

- a. Tanks and other equipment and buildings used in extraction and production activities shall be maintained on the site in such a manner that no portion of the tanks, equipment or buildings other than the upper portion of the rig shall extend above the height of the sound barriers. In addition, no portions of the draw-works house, drilling equipment buildings, temporary mud and water storage tanks and future portable drilling mast used for servicing activities shall extend above the height of the sound barriers.
- b. In addition, the micro-turbines shall be below the sound barriers.
- c. [As revised by Planning.]
- d. It is the applicant's responsibility to act in a timely manner to submit a building permit application and comply with all rules and requirements in order to secure and final the building permit for the sound barriers. It is also applicant's responsibility to act in a timely manner to apply for an obtain a Certificate of Compatibility from the Jefferson Park HPOZ Board.

Once the sound barriers have been installed, operator shall conduct sound measurements in the adjacent community on a quarterly basis and provide a report to the Office of Zoning Administration. Pursuant to Condition 16, the Zoning Administrator reserves the right to require additional conditions to address noise, including the installation of a 45-foot wall, depending on the outcome of the sound measurements.

Condition No. 7:

Delete references to 45-foot high structure and 30-foot sound blankets and replace with references to revised Condition No. 23 and Behrens report per prior submittal.

Condition No. 24:

Modify the fifth bullet as follows:

"The site shall be staffed 24 hours a day, seven days a week. There shall be sufficient staffing a minimum of two operators per shift so that meal and other breaks do not result in the site being unoccupied by staff."

Condition No. 17:

[Note: E&B, as explained in its October 12, 2023 correspondence, still maintains that Condition No. 17 should be removed from the Plan Approval in its entirety.]

Sincerely,



Nicki Carlsen



Planning APC South LA <apcsouthla@lacity.org>

Written Comment for Agenda Item 5: Murphy Drill Site ZA-1959-15227-O-PA6-1A

Venezia Ramirez <veneziar@usc.edu>

Tue, Oct 17, 2023 at 4:37 PM

To: "apcsouthla@lacity.org" <apcsouthla@lacity.org>

My name is Venezia Ramirez and I am a neighbor from Southeast LA County where I grew up and attended school nearby an oil field. I am currently a Research Coordinator at the USC Division of Environmental Health that has researched health impacts among residents living near oil extraction and found reduced lung function among residents and symptoms including but not limited to:

- Wheezing
- Sore throat
- Chest tightness
- Irritation of eyes and nose
- Dizziness

Further research from oil and gas extraction has shown reproductive health risks including

- Preterm birth, lower birth weight
- Birth and heart defects
- Pregnancy complications, anxiety and depression
- endocrine disruption
- And miscarriages

The results of extensive scientific studies reaffirm what the community has for so long been stating around they have physically been experiencing,

It is imperative for policy decisions and government action to consider the health of the community who is already overly burdened with environmental contaminants. The calls to reduce emissions by electrifying the drill site and enclosure of the drill site to shield residents from toxic fumes, odors, and noise, are calls to protect the health and well-being of their own families.

Cordialmente,

Venezia Ramirez *she/ella*

Research Coordinator

USC Division of Environmental Health



April 27, 2022

Charles Rausch, Associate Zoning Administrator
Connie Chauv, City Planner

**RE: Case No. ZA-15227(O)(PA4) + (PA6), 2126 West Adams Blvd. (Murphy Drill Site)
Plan Approval (Review of Conditions and Compliance)**

Dear Associate Zoning Administrator Rausch:

I am writing this letter on behalf of the United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC). I have attached two Board Action Certificates (BACs) with UNNC's final motions and vote counts in the above-referenced matter.

The following letter summarizes how UNNC came to the decisions that are reflected in the attached two motions that make a request to the Zoning Administrator to add a total of six new conditions to the existing CUP.

UNNC has been engaged in evaluations of the Murphy Drill Site since 2004, when we filed our first Community Impact Statement – a CIS associated with Case No. ZA 15227(O)(PA2), also a Review of Compliance case involving a long-ago prior operator at this location. In that first (to us) case, our primary request was to request that the Zoning Administrator modify the existing CUP to provide a landscape buffer on all sides of the subject property. Over subsequent years, UNNC and its stakeholders have met with multiple site operators, and weighed in on multiple related cases involving oil drilling operations at this site, with concerns ranging from noise when rigs are active; truck traffic within the residential area; and, importantly, a controversial matter involving a proposed CEB gas burner at the site (a request that was withdrawn.)

The current case arises from a series of complaints about the operation.



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UNNC's Planning & Zoning (P&Z) Committee met with the current operator, E&B Natural Resources, three times for consultations and eventual "action" – which was a P&Z Committee recommendation to the UNNC Governing Board to adopt two separate motions, each with three components (described more fully below), that are together designed to help further mitigate oil drilling operations within a residential community.

It is important to note that UNNC, in response to the community directly adjacent to the Murphy Site, has been requesting some of these conditions of prior operators since at least 2013, namely perimeter air quality monitoring and regular onsite inspections by the Planning Department. We welcomed E&B's proactive positive reaction to our requests.

The UNNC P&Z Committee also considered and discussed, *at some length*, the complaints that have triggered the PA6 case. Our discussions regarding the allegations of non-compliance were quite robust at the three Brown Act-compliant public meetings we conducted last October, 2021, and in February and March of this year.

Ultimately, the Committee decided that the evaluation of these assertions, and E&B's responses, are the purview of the Zoning Administrator; and are outside of the scope, resources, and expertise of both the P&Z Committee and the UNNC Governing Board to make a determination or recommendation, other than to point out that, of course, UNNC wants all operators of this Drill Site to be compliant with all regulations (state, local, federal) and compliant with all conditions imposed by the CUP.

On April 7, 2022, the UNNC Governing Board met, at our regularly-scheduled monthly Brown Act-compliant public meeting, and considered this case. The published agenda item was:

Case No. ZA-15227(O)(PA4) + (PA6) dated September 14, 2007 -- Plan Approval (Review of Conditions and Compliance), 2126 West Adams Blvd.: "Review of Conditions and Compliance" at the Murphy Oil Drilling Site located at 2126 West Adams Blvd. (at Gramercy Place). Operator will respond to questions posed by the Planning Dept. Zoning Administrator. UNNC to weigh in on whether the currently-imposed conditions in the long-standing Conditional Use Permit are sufficient to ensure that the drill site does not have negative impacts on the surrounding neighborhood; if not, what additional conditions might be imposed; and whether or not current operator E&B Natural Resources has been compliant with existing conditions. A Planning Department public hearing is scheduled for Thursday, April 28, 10 a.m. *(Please note for purposes of the Brown Act and discussion at this meeting: This specific case has a limited scope for Neighborhood Council response, and is not regarding broad policy about urban oil drilling in Los Angeles.)* -- **DISCUSSION AND ACTION**



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After an hour of presentations, questions and discussion, UNNC passed two Motions:

1). *“Motion to approve the E&B Natural Resources plans for annual onsite inspections, supplemental emergency reporting, and perimeter air monitoring for the Murphy Oil Site.”*
Motion passed: 11 yes, 5 no, 2 abstain, 1 recused

As UNNC learned in our meetings with a little more detail, the E&B’s proposed additional conditions are: A.) to have physical inspections that are conducted on the oil drilling site, rather than so-called “desk inspections” where the City reviews paperwork only; B). Perimeter air monitoring at the edges (“fence line”) of the drilling site; and C). More information to be provided to the community regarding E&B’s supplemental emergency planning.

2). *“Motion for the UNNC to recommend to the Zoning Administrator that E&B Natural Resources enclose the drill site, require electric work-over rigs instead of diesel and to prohibit the burning of methane gas on-site to generate electricity.”* Motion passed: 11 yes, 4 no, 3 abstain, 1 recused

NOTE: E&B has also asked for clarification as to whether or not the currently installed electricity-generating micro-turbines (gas burning) were approved by the Zoning Administrator. These facilities were installed prior to E&B’s ownership. The above UNNC motion would basically request that gas-burning not be allowed; there was discussion about alternatives, such as solar, to generate onsite electricity. E&B’s representative stated in answer to a question that “a micro turbine is an onsite power generation piece of equipment that allows us to decrease the demand on the grid instead of taking power from LADWP, we can do it on our own.”

In summary, UNNC requests that the Zoning Administrator further modify the original 1961 Conditional Use Permit to add these conditions:

- Annual on-site physical inspections by the City
- Perimeter Air Monitoring (at the fence line)
- More information be provided regarding emergency planning
- Prohibit the burning of methane gas on the site to generate electricity
- Require electric work-over rigs rather than diesel
- Enclose the site

Thank you for your consideration,

Laura Meyers

UNNC President

president@unnc.org; laura.meyers@unnc.org



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October 16, 2023

South Los Angeles Area Planning Commission

Attn: Jacqueline Orozco, President
200 N. Spring Street
Los Angeles, CA. 90012

c/o Jose Perez Lara, Commission Executive Assistant
apcsouthla@lacity.org

**RE: Case No: ZA-2023-1767-CUB-CUX-1A / Related Case No: ENV-2023-1767-CUB-CUX
3020 Crenshaw Boulevard, Los Angeles, CA 90016**

Dear Members of the South Los Angeles Area Planning Commission:

ThreeSixty represents the Applicant, 3000 S Crenshaw Blvd (LA) OZ Owner, LLC ("Applicant") and owner of the property located at 3020 Crenshaw Boulevard related to Case Numbers: ZA-2023-1767-CUB-CUX-1A and related case ENV-2023-1767-CUB-CUX.

After reviewing the Conditions of Approval in the original determination letter, the Applicant is requesting a modification to Condition Number 14, to eliminate sub items (a) and (b). These two additional conditions are overly onerous for a use that has been supported by the local community, and to restrict music to 11 PM for an entirely indoor operation is an unnecessary hardship for the operation of a banquet facility. This property has operated as an assembly use for close to eight decades, and historically has had no hour restrictions. Furthermore, this location has historically been used for live entertainment with amplified music, with a rich history housing African-American Jazz, as well as recently as a performing arts venue for the West Angeles Church, the former owner of the property. To now arbitrarily restrict music on site to 11 pm subject to submission of acoustical engineering studies poses a detrimental condition for operation of the business. There is nothing in the record demonstrating any need to restrict the on-site entertainment hours, and this condition is more restrictive than that placed on outdoor venues throughout the city.

The project, like all businesses, is required to comply with the City's Noise Ordinance, Section 116.01 of the Los Angeles Municipal Code, and therefore is required as a matter of law to ensure that all music cannot be audible beyond the premises. This would inherently protect the rear property line, thus making subsections (a) and (b) of condition 14 irrelevant and unnecessary.

The way the condition is currently drafted it would require an acoustic study essentially every single event that the Applicant is wishing to have music later than 11 PM, which is onerous for the ongoing operation of an event hall which anticipates weekly celebratory events. As such, the Applicant respectfully requests that Condition Number 14 be modified as follows:

14. Live entertainment, including DJ, is authorized in conjunction with the banquet hall. During hours of operation, no music shall be audible beyond the premises, and no bass or other vibrational sounds shall be felt beyond the rear alleyway in accordance with Section 116.01 of the Los Angeles Municipal Code.

- ~~a. No amplified instruments are permitted to be played after 11 p.m.; music shall not be audible, and no bass or other vibrational sounds shall be felt, beyond the rear alleyway after 11 p.m.~~
- ~~b. Amplified instruments will be permitted after 11 p.m. if a study, conducted by a qualified acoustical engineer, certifies that such sounds will not result in a violation of the Citywide Noise Ordinance after 11 p.m., as measured in the adjacent rear alleyway, is submitted to the Development Services Center for inclusion in the administrative record.~~

On behalf of the Applicant, I respectfully request that the South Los Angeles Area Planning Commission ("South APC") amend Condition Number 14, and further sustain the decision of the Zoning Administrator, as the appeal contains no substantial evidence to demonstrate that the Zoning Administrator erred or abused its discretion in approving the actions in the LOD.

Sincerely,



Dana A. Sayles, AICP
Applicant Representative

cc: Jonathan Hershey, Associate Zoning Administrator
Hakeem Parke-Davis, Council District 10
Kyle Winston, Department of City Planning
Miguel Padilla, CIM Group