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SECONDARY SUBMISSIONS



Item No. 6

Department of City Planning

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

February 2, 2024

TO: City Planning Commission

FROM: Michelle Singh, Principal City Planner

TECHNICAL MODIFICATION/CORRECTION TO AGENDA ITEM #6 FOR THE FEBRUARY 8, 2024 CITY PLANNING COMMISSION REGULAR MEETING; STAFF RECOMMENDATION REPORT; AND EXHIBITS A1, A6, A7, A8, B1, C1, and C2 FOR CASE NO. CPC-2018-6404-CPU; CPC-2018-6402-CPU; ENV-2019-3379-EIR.

The following technical modifications/corrections are to be incorporated into the staff recommendation report, and exhibits A1, A6, A7, A8, B1, C1, and C2 to be considered at the City Planning Commission meeting of Thursday, February 8, 2024, related to Item No. 6 on the regular meeting agenda.

Deleted text is shown in strikethrough and added text is shown in underline.

1. Staff Report Corrections:

- a. The Staff Recommendation Report published 1/19/24 has been updated as follows:
 - i. Recommended Actions on pages 2 and 3 have been updated with the applicable LAMC (Chapter 1A) section references (operative January 22, 2024) as follows:
 1.
 4. Recommend that the City Council instruct the Director of City Planning to amend the Environmental Protection Measures (EPMs) pursuant to Division 4C.~~42~~13 (Environmental Protection) of the New Zoning Code as appropriate to implement the Mitigation Monitoring Program (MMP);

8. Approve and Recommend that the Mayor approve and the City Council adopt, pursuant to LAMC (Chapter 1A) Section ~~44.5.6~~ 13.B.1.1 and City Charter Section 555, the attached Resolutions in Exhibit A to amend the General Plan as follows...

9. Approve and Recommend that pursuant to LAMC (Chapter 1A) Sections ~~42.04, 1.5,~~ and ~~42.32~~ 13.B.1, and City Charter Section 558, the City Council adopt the draft ordinance to amend the Zoning Map, as shown in Exhibit B1 (Zone Change Maps and Matrices);

10. Approve and Recommend that pursuant to LAMC (Chapter 1A) Sections ~~42.04, 1.5,~~ ~~42.32~~ 13.B.1, ~~43.14.G~~ 1.5.4 and City Charter Section 558, the City Council adopt the proposed Harbor LA Plans Community Benefits - Local Affordable Housing Maps as shown in Exhibit B4;

11. Approve and Recommend that the City Council pursuant to LAMC (Chapter 1A) Section ~~42.32.S.~~ 13.B.1.4., and City Charter Section 558 adopt the proposed ordinance to amend the Clean Up Green Up (CUGU) Ordinance as shown in Exhibit B5;

12. Approve and Recommend that pursuant to LAMC (Chapter 1A) Sections ~~42.04, 1.5,~~ ~~42.32~~ 13.B.1, ~~43.14.G~~ 8.2.7, 8.2.8 and City Charter Section 558, the City Council adopt the proposed Conservation District and Individual Historic Resource Review Supplemental Districts and Maps shown in Exhibit B3;

13. Approve and Recommend that pursuant to LAMC (Chapter 1A) Sections ~~42.04, 1.5,~~ ~~42.32~~ 13.B.1, ~~43.14.G~~ 1.5.12. and City Charter Section 558, the City Council adopt the proposed Hazardous Sites Maps shown in Exhibit B2;

14. Authorize the Director of Planning to present the resolutions and proposed General Plan amendments (Exhibits A4, A5 and A6) to the Mayor and City Council, in accordance with City Charter Section 555 and LAMC (Chapter 1A) Section ~~44.5.6~~ 13.B.1.1 and the proposed zoning ordinances (Exhibits B1-B5, C1 and C2) to the City Council, in accordance with City Charter Section 558 and LAMC Section ~~42.32~~ 13.B.1; and

15. Approve and Recommend that the City Council adopt the New Zoning Code Ordinance to amend Chapter 1 and 1A ("New Zoning Code") of the Los Angeles Municipal Code to add new zoning districts and related regulations to Articles 1-12, and Articles 14 and 15, and amend the accompanying Zoning Code Maps established in Division ~~4-4.1.5~~ (Zoning Code Maps) of Article 1 of the New Zoning Code (Exhibit C2).

- ii. Page A-6, section titled, "Current Community Plans" has been corrected as follows:

The Harbor LA Community Plans were last updated in the late 1990s. The Harbor Gateway Community Plan was last updated in ~~1997~~ 1995 and the Wilmington-Harbor City Community Plan was last updated in 1999. The current plans were created to guide development through the year 2010. Since the adoption of the ~~1997~~ 1995 and 1999 Community Plans, several important changes have occurred within the Harbor LA CPAs.

2. Modification to the Policy Documents of the Harbor LA Community Plans (Exhibit A1)

- a. **The Harbor Gateway Community Plan Policy Document** has been modified as follows:

- i. Page 6: Paragraph 4: The development pattern described in the Framework Element provides direction and guidance for the city as a whole, as well as for neighborhoods such as Harbor Gateway. Targeted industrial land will be transitioned to other land uses to ensure compatibility with adjacent neighborhoods.
- ii. Page 25: LU 1.6 Support the homeowner's choice to ~~implement a reasonably~~ accommodate ~~an~~ of an Accessory Dwelling Unit (ADU) that is ~~thoughtfully~~ designed and located in a manner consistent with the established development patterns of the street block or neighborhood to accommodate their evolving multigenerational family needs. (Also see Urban Form policies that address ADUs).
- iii. Page 25: LU 1.13 Consider the number, size, scale, and location of existing permanent and supportive housing sites within a community plan area, and evaluate strategic renovations or modifications at existing sites when ~~before~~ adding new ground up permanent facilities.
- iv. Page 30: LU 10.2 Accommodate the needs of employee and public parking for all commercial facilities, where required, and ensure that they are well-designed and screened from public view by landscaping, berms

and/or walls, in order to discourage parking from commercial areas from spilling over onto residential streets.

- v. Page 40. ENVIRONMENTAL JUSTICE: “[T]he fair treatment and meaningful involvement of people of all races, cultures, ~~and~~ incomes, and national origins, with respect to the development, adoption, implementation and enforcement of environmental laws, regulations, and policies.” Government Code Section 65040.12(e)(1)
- vi. Page 46: EJ 7.6 Ensure that new warehouses and distribution centers incorporate the State’s Best Practices (e.g. on-site queuing and check-in to prevent truck idling outside the facility), including City Environmental Protection Measures (EPMs) to prevent land use conflicts and protect residents and other sensitive receptors from environmental hazards, consistent with the State Bureau of Environmental Justice.
- vii. Page 55: MC 6.5 Support mitigation measures and environmental protection measures that can be implemented to reduce air quality impacts from adjacent freeways, and truck routes.
- viii. Page 56: MC 7.1 Encourage ~~A~~ a parking supply that is efficient, serves economic development and facilitates all modes of transportation.
- ix. Page A-2 : State law requires that the General Plan contain eight elements: Land Use, Circulation Transportation, Housing, Conservation, Open Space, Noise, Ssafety and Eenvironmental Jjustice.

b. The Wilmington - Harbor City Community Plan Policy Document has been modified as follows:

- i. Page 23: LU 1.7 Support the homeowner’s choice to ~~implement a reasonably-accommodation of an~~ Accessory Dwelling Unit (ADU) that is ~~thoughtfully~~ designed and located in a manner consistent with the established development patterns of the street block or neighborhood to accommodate their evolving multigenerational family needs. (Also see Urban Form policies that address ADUs).
- ii. Page 23: LU 1.13 Support the development of transitional housing, emergency shelters and resilience hubs that serve those experiencing homelessness, provide transitional/ supportive services, and support special needs populations.; ~~in appropriate locations with community input.~~
- iii. Page 23: LU 1.14 Consider the number, size, scale, and location of existing permanent and supportive housing sites within a community plan area, and evaluate strategic renovations or modifications at existing sites when ~~before~~ adding new ground up permanent facilities.

- iv. Page 26: LU 8.2 Accommodate the needs of employee and public parking for all commercial facilities, where required, and ensure that they are well-designed and screened from public view by landscaping, berms and/or walls, in order to discourage parking from commercial areas from spilling over onto residential streets.
- v. Page 32: LU 17.1 Create and maintain a clean and viable industrial park environment that reflects a high level of regard for contemporary architectural and urban design principles, ~~which help guide decision-makers review projects that enhance the built environment.~~
- vi. Page 35: COASTAL ZONE
Portions of Wilmington are located within the California Coastal Zone. Development in the Coastal Zone is subject to the provisions of the California Coastal Act of 1976, which declared the California Coastal Zone a distinct and valuable resource of vital and enduring interest to all people. The Coastal Act requires that local governments prepare a Local Coastal Program (LCP) for those parts of the Coastal Zone within its jurisdiction. This Community Plan provides policies that seek to guide development in a manner that ~~achieves~~ is consistent with the goals of the Coastal Act.
- vii. Page 39. ENVIRONMENTAL JUSTICE: “[T]he fair treatment and meaningful involvement of people of all races, cultures, ~~and incomes, and national origins~~, with respect to the development, adoption, implementation and enforcement of environmental laws, regulations, and policies.” Government Code Section 65040.12(e)(1)
- viii. Page 45: EJ 7.6 Ensure that new warehouses and distribution centers incorporate the State’s Best Practices (e.g. on-site queuing and check-in to prevent truck idling outside the facility), including City Environmental Protection Measures (EPMs) to prevent land use conflicts and protect residents and other sensitive receptors from environmental hazards, consistent with the State Bureau of Environmental Justice.
- ix. Page 55: MC 6.5 Support mitigation measures and environmental protection measures that can be implemented to reduce air quality impacts from adjacent freeways, and truck routes.
- x. Page A-2: State law requires that the General Plan contain eight elements: Land Use, Circulation—~~Transportation~~, Housing, Conservation, Open Space, Noise, Ssafety and Eenvironmental Jjustice.

3. Modification to the General Plan Framework Amendments of the Harbor LA Community Plans (Exhibit A6)

- a. Building form and density range utilized by the adopted Downtown Community Plan was inadvertently omitted in exhibit A6. Modifications to the Community Center land use designation corrects the error. The revisions are as follows:
 - i. Community Centers are vibrant places of activity typically located along commercial corridors, in concentrated nodes, or adjacent to major transit hubs. The building form ranges from is Low Rise to Moderate-Rise. The use range is broad and may include commercial, residential, institutional facilities, cultural and entertainment facilities, and neighborhood-serving uses. The residential density generally ranges from 1 unit per 800 square feet of lot area to 1 unit per 400 square feet of lot area, limited by floor area.

4. Modification to the Mobility Plan 2035 Amendments of the Harbor LA Community Plans (Exhibit A7)

- a. Proposed modified street designations have either been removed to maintain the existing street designation or further modified to promote a more pedestrian-friendly environment through wider sidewalks.
 - i. Harbor Gateway (Exhibit A7) modifications are as follows:

STREET NAME	ORIENTATION	SEGMENT BEGINNING	SEGMENT ENDING	EXISTING (MP 2035) DESIGNATION	HG PROPOSED DESIGNATION	PROPOSED RIGHT-OF-WAY WIDTH	PROPOSED ROADWAY WIDTH	PROPOSED SIDEWALK WIDTH
Gardena Blvd	E/W	Vermont Avenue	Estrella Avenue	Avenue II	Modified Ave II	86' <u>80'</u>	56'	<u>10' 12'</u>
Del Amo Blvd	E/W	Western Avenue	Denker Avenue	Avenue I	Modified Industrial Collector	68' <u>60'</u>	48' <u>30'</u>	5' <u>15'</u>
Sepulveda Boulevard	E/W	Western Avenue	Normandie Avenue	Boulevard II	Modified Boulevard II	106'	86'	10'

- ii. Modifications to the Wilmington - Harbor City (Exhibit A7) streets designations are as follows:

STREET NAME	ORIENTATION	SEGMENT BEGINNING	SEGMENT ENDING	EXISTING (MP 2035) DESIGNATION	WHC PROPOSED DESIGNATION	PROPOSED RIGHT-OF-WAY WIDTH	PROPOSED ROADWAY WIDTH	PROPOSED SIDEWALK WIDTH
Broad Avenue	N/S	L Street	Anaheim Street	Avenue II	Modified Collector Modified Avenue II	80'	56'	12'
Broad Avenue	N/S	Anaheim Street	Harry Bridges Boulevard	Avenue II	Modified Collector Modified Avenue II	80'	56'	12'
Flint Avenue	N/S	Anaheim Street	South of F Street	Local	Industrial Local	64'	44'	<u>20' 10'</u>
Fries Avenue	N/S	Anaheim Street	South Boundary	Avenue II	Modified Avenue II	76'	56'	40'
Fries Avenue	N/S	A Street	Water Street	Avenue II	Modified Avenue II	60'	36'	42'
Henry Ford Avenue	N/S	South of Alameda Street	Anchorage Road	Boulevard II	Modified Boulevard I Modified Boulevard II	110'	84'	8'

STREET NAME	ORIENTATION	SEGMENT BEGINNING	SEGMENT ENDING	EXISTING (MP 2035) DESIGNATION	WHC PROPOSED DESIGNATION	PROPOSED RIGHT-OF-WAY WIDTH	PROPOSED ROADWAY WIDTH	PROPOSED SIDEWALK WIDTH
Lakme Avenue	N/S	Anaheim Street (Anaheim St to G St; F St to E St)	A Street (D St to A St)	Local	Industrial Local	64'	44'	10'
Lecouvreur Avenue	N/S	E Street	Alameda Street C St	Local	Industrial Local	64'	44'	10'
McFarland Avenue	N/S	Anaheim Street (G St to E St)	Alameda Street (D St to Alameda St)	Local	Industrial Local	64'	44'	10'
Watson Avenue	N/S	Anaheim Street	Alameda Street	Collector	Industrial Local Industrial Collector	64' <u>68'</u>	44' <u>48'</u>	10'
Wilmington Boulevard	N/S	Lomita Boulevard	Anaheim Street	Avenue-II	Modified Avenue II	80'	56'	42'
Wilmington Boulevard	N/S	Anaheim Street	C-Street	Avenue-II	Modified Avenue II	80'	56'	42'
A-Street	E/W	300' West of Avalon Boulevard	Avalon Boulevard	Avenue-II	Modified Avenue II	60'	36'	42'
Anaheim Street	E/W	Western Avenue	5 Points	Avenue-II	Modified Avenue II	80'	56'	42'
Anaheim Street	E/W	Alameda Street	Farragut Avenue	Boulevard II	Modified Boulevard II	40' <u>110'</u>	84'	40' <u>13'</u>

iii. Modifications to the Wilmington - Harbor City (Exhibit A7) Neighborhood Enhanced Network (NEN) are as follows:

STREET NAME	ORIENTATION	SEGMENT BEGINNING	SEGMENT ENDING	EXISTING MP 2035 NEN	WHC PROPOSED NEN
Avalon Boulevard	N/S	East Bonds Streets <u>246th St</u>	East Harry Bridges Blvd	Included in NEN	Remove from NEN

5. Modification to Appendix G of the Harbor LA Community Plans Draft Environmental Impact Report (DEIR) (Exhibit A8)

- Revise street designations and enhanced networks to align with modifications of Exhibit A7.

6. Modification to the Zone Change Maps and Matrices of the Harbor LA Plans (Exhibit B1)

- Correct the suffix of all zones located in the Oil District from the suffix "OL" to "O".

7. Modification to the Amendments to the New Zoning Code (LAMC Chapter 1A) of the Harbor LA Plans (Exhibit C1)

- Electric Vehicle Charging Facilities, Standard Vehicle and Electric Vehicle Charging Facilities, Large Vehicle use permission levels and definitions were inadvertently omitted from exhibit C1. Revisions to Article 5 - Use are to provide further clarification on the Electric Vehicle Charging Facilities use. (Note: Future amendments to the Electric Vehicle Charging Facilities use and definitions may

result through the Department's citywide Electric Vehicle Charging work program.)

- i. Revisions to Article 5 - Use permission levels for Electric Vehicle Charging Facilities, Standard Vehicle and Electric Vehicle Charging Facilities, Large Vehicle in Neighborhood Center (CX6) (Sec. 5B.5.6., page 678), Community Center (CX7) (Sec. 5B.5.7., page 689), Auto Sales/ Accessory Production (CX8) (Sec. 5B.5.8., page 700), Auto Service/ Accessory Production (CX8) (Sec. 5B.5.9., page 715), Regional Permissive (CX10) (Sec. 5B.5.10., page 729), Industrial-Mixed 6 (Sec. 5B.7.6., page 798), Industrial-Mixed 7 (Sec. 5B.7.7., page 811), and Industrial-Mixed 8 (Sec. 5B.7.8., page 826) are as follows:

Use Standards for Neighborhood Center (CX6) (Sec. 5B.5.6.), Community Center (CX7) (Sec. 5B.5.7.), Auto Sales/ Accessory Production (CX8) (Sec. 5B.5.8.), Auto Service/ Accessory Production (CX8) (Sec. 5B.5.9.), Regional Permissive (CX10) Industrial-Mixed 6 (Sec. 5B.7.6.), Industrial-Mixed 7 (Sec. 5B.7.7.), and Industrial-Mixed 8 (Sec. 5B.7.8.)

Use	Permission Level	Use Standard	Specification
<u>Electric Vehicle Charging Facility, Standard Vehicle</u>	P*	<u>In conjunction with:</u> <u>Floor area, or</u> <u>Relief</u> <u>Screening</u> <u>Frontage screen</u> <u>Transition screen</u> <u>Outdoor sound system</u>	<u>General Commercial</u>
			<u>0.15 FAR</u>
			<u>C2</u>
			<u>F-Screen 3</u>
			<u>T-Screen 1</u>
			<u>Prohibited</u>
<u>Electric Vehicle Charging Facility, Large Vehicle</u>	=		

- ii. Revisions to Article 5 - Use permission levels for Electric Vehicle Charging Facilities, Standard Vehicle and Electric Vehicle Charging Facilities, Large Vehicle in Light Industrial, Park (I4) (Sec.5B.8.4., page 878), Light Industrial, Sensitive (I5) (Sec.5B.8.5., page 890), Light Industrial, Preserve (I6) (Sec.5B.8.6., page 905), Heavy Industrial, Sensitive (I7) (Sec.5B.8.7.,

page 921), and Heavy Industrial, Preserve (I8) (Sec.5B.8.8., page 940) are as follows:

Use Standards for Light Industrial, Park (I4) (Sec.5B.8.4.), Light Industrial, Sensitive (I5) (Sec.5B.8.5.), Light Industrial, Preserve (I6) (Sec.5B.8.6.), Heavy Industrial, Sensitive (I7) (Sec.5B.8.7.), and Heavy Industrial, Preserve (I8) (Sec.5B.8.8.)

Use	Permission Level	Use Standard	Specification
<u>Electric Vehicle Charging Facility, Standard Vehicle</u>	P*	<u>Screening</u>	<u>F-Screen 3</u>
		<u>Frontage screen</u>	
		<u>Transition screen</u>	<u>T-Screen 1</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>
<u>Electric Vehicle Charging Facility, Large Vehicle</u>	P*	<u>Use separation (min)</u>	
		<u>Sensitive Use</u>	<u>200'</u>
		<u>Residential or Agricultural Use District</u>	<u>200'</u>
		<u>Relief</u>	<u>C2</u>
		<u>Screening</u>	
		<u>Frontage screen</u>	<u>F-Screen 3</u>
		<u>Transition screen</u>	<u>T-Screen 1</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>

- iii. Revisions to Article 5 - Use definitions for Fueling Station, Gas Station and Electric Vehicle Charging Facilities are as follows:

B. Fueling Station

~~Any motor vehicle services use that sells and dispenses use dedicated to the sale and dispensing of vehicle fuel, including diesel, gasoline, hydrogen, and other alternative fuels. Includes electric vehicle charging station and commercial vehicle fueling. Does not include electric vehicles charging spaces within a parking area serving another use or uses.~~

1. Gas Station, Standard Vehicle

Any fueling station dedicated to dispensing liquid or gas vehicle fuel for standard vehicles. Liquid or gas vehicle fuels include gasoline, diesel, biodiesel, and hydrogen. Standard vehicles include vehicles possessing 2 or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and passenger or delivery vans.

1. Gas Station, ~~Commercial~~ Large Vehicle

Any fueling station dedicated to dispensing liquid or gas vehicle fuel for large vehicles. Liquid or gas vehicle fuels include gasoline, diesel, biodiesel, and hydrogen. Large vehicles include vehicles possessing 3 or more axles, such as trailer trucks, construction vehicles, and motor homes.

2. Electric Vehicle Charging Facility, Standard Vehicle

Any fueling station dedicated to providing electric vehicle charging for standard vehicles. Standard vehicles include vehicles possessing 2 or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and passenger or delivery vans. Does not include electric vehicles charging stalls within a parking area serving another use or uses.

3. Electric Vehicle Charging Facility, Large Vehicle

Any fueling station dedicated to providing electric vehicle charging for standard vehicles. Large vehicles include vehicles possessing 3 or more axles, such as trailer trucks, construction vehicles, and motor homes. Does not include electric vehicles charging stalls within a parking area serving another use or uses.

8. Revisions to Exhibit C1 (Amendments to the New Zoning Code (LAMC Chapter 1A)), to omit superfluous pages, retaining only pages that include sections pertaining to the zoning district being introduced by the Harbor LA Community Plans.

- a. Retain the entirety of unnumbered page 2 (Nomenclature District Name Changes), and Section 1- Section 20 of Exhibit C1 (unnumbered pages 3-41).
- b. Remove Article 2 (Form) of Exhibit C1, (unnumbered pages 42 - 193) with the exception of the following sections, which shall be added to Chapter 1A of the new Zoning Code:
 - i. Sec. 2B.2.1. Large Lot 2 (LG2)
 - ii. Sec. 2B.3.1. House 1 (H1),
 - iii. Sec. 2B.3.2. House 2 (H2),
 - iv. Sec. 2B.4.1. Very Low-Rise Narrow 2 (VN2),
 - v. Sec. 2B.4.2. Very Low-Rise Narrow 3 (VN3),
 - vi. Sec. 2B.7.2. Very Low-Rise Full 2 (VF2)
 - vii. Sec. 2B.8.2. Low-Rise Narrow 2 (LN2)
 - viii. Sec. 2B.9.7. Low-Rise Medium 7 (LM7)

- ix. Sec. 2B.9.8. Low-Rise Medium 8 (LM8)
 - x. Sec. 2B.10.3. Low-Rise Broad 3 (LB3)
 - xi. Sec. 2B.10.4. Low-Rise Broad 4 (LB4)
 - xii. Sec. 2B.11.3. Low-Rise Full 3 (LF3)
 - xiii. Sec. 2B.14.4. Mid-Rise Broad 4 (MB4)
 - xiv. Sec. 2B.14.5. Mid-Rise Broad 5 (MB5)
- c. Remove Article 3 (Frontage) of Exhibit C1, (unnumbered pages 194-348) with the exception of the following sections, which shall be added to Chapter 1A of the new Zoning Code:
- i. Sec. 3B.1.2. Front Yard 1 (FY1)
 - ii. Sec. 3B.2.4. Multi-Unit 4 (MU4)
 - iii. Sec. 3B.3.3. General 3 (G3)
 - iv. Sec. 3B.4.4. Shopfront 4 (SH4)
 - v. Sec. 3B.7.2. Flex 1 (FX1)
 - vi. Sec. 3B.8.4. Greenway 2 (GW2)
- d. Remove Article 4 (Development Standards) of Exhibit C1, (unnumbered pages 349-556) with the exception of the following divisions, which shall be added to Chapter 1A of the new Zoning Code:
- i. Div. 4B.7. District 7 (Active A)
 - ii. Div. 4B.8. District 8 (Active B)
 - iii. Div. 4B.9. District 9 (Active C)
 - iv. Div. 4B.10 District 10 (Neighborhood A)
 - v. Div. 4B.11 District 11 (Neighborhood B)
 - vi. Div. 4B.12. District 12 (Neighborhood C)
 - vii. Div. 4B.13. District 13 (General A)
 - viii. Div. 4B.14. District 14 (General B)
 - ix. Div. 4B.15. District 15 (General C)
 - x. Div. 4B.16. District 16 (Flex A)
 - xi. Div. 4B.17. District 17 (Flex B)
 - xii. Div. 4B.18. District 18 (Flex C)
 - xiii. Div. 4B.19. District 19 (Regional A)
- e. Remove Article 5 (Use) of Exhibit C1, (unnumbered pages 557-1046) with the exception of the following sections, which shall be added to Chapter 1A of the new Zoning Code:
- i. Sec. 5B.3.3. Residential 4 (RG4)
 - ii. Sec. 5B.4.3. Residential-Mixed 3 (RX3)
 - iii. Sec. 5B.4.4. Residential-Mixed 4 (RX4)
 - iv. Sec. 5B.5.6. Commercial-Mixed 6 (CX6)
 - v. Sec. 5B.5.7. Commercial-Mixed 7 (CX7)
 - vi. Sec. 5B.5.8. Commercial-Mixed 8 (CX8)
 - vii. Sec. 5B.5.9. Commercial-Mixed 9 (CX9)
 - viii. Sec. 5B.5.10. Commercial-Mixed 10 (CX10)
 - ix. Sec. 5B.7.5. Industrial-Mixed 6 (IX6)

- x. Sec. 5B.7.6. Industrial-Mixed 7 (IX7)
- xi. Sec. 5B.7.7. Industrial-Mixed 8 (IX8)
- xii. Sec. 5B.8.4. Industrial 4 (I4)
- xiii. Sec. 5B.8.5. Industrial 5 (I5)
- xiv. Sec. 5B.8.6. Industrial 6 (I6)
- xv. Sec. 5B.8.7. Industrial 7 (I7)
- xvi. Sec. 5B.8.8. Industrial 8 (I8)

- f. Remove Article 7 (Alternative Typologies) of Exhibit C1, (unnumbered pages 1047-1074) with the exception of the following sections, which shall be added to Chapter 1A of the new Zoning Code:
 - i. Sec. 7B.1.3. Civic Institution 3

9. Revisions to Exhibit C1 (Amendments to the New Zoning Code (LAMC Chapter 1A)), to correct pedestrian amenity allowance standard in Sec. 3B.3.3. General 3 (G3) frontage district, allowing for a 100% exemption from the side street build-to requirement in when a pedestrian amenity space is provided.

a.

	Primary	Side	Special
Pedestrian amenity allowance (max)	100%	n/a <u>100%</u>	100%

10. Modification to Exhibit C1, Section 10

- a. Correct typographical errors in Section 4C.14.1.B.3. (Development Review Threshold Package 3) to state the following:

Development Review Threshold Package 3

- b. Project Review Thresholds

When the applicable Development Standards District (Part 4B) specifies development review threshold package ~~4~~ 3, the following development projects are subject to Sec. 13B.2.4. (Project Review).

- i. Any development project which creates, or results in an increase of, ~~400,000~~ 150,000 square feet or more of nonresidential floor area.
- ii. Any development project which creates, or results in an increase of, ~~400~~ 150 or more dwelling units.
- iii. Any development project that includes drive-through lanes which results in a net increase of 500 or more average daily trips.
- iv. Any change of use which results in a net increase of 1,000 or more average daily trips.
- v. Any one unit development with a floor area of 17,500 square feet or larger located in the Hillside Area Map (Sec. 1.4.4).

- vi. Major Development Project Review Thresholds
When the applied Development Standards District (Part 4B) specifies Development Review Threshold Package 4 3, development projects having one or more of the characteristics listed below are subject to Sec. 4C.14.C.3. (Supplemental Procedure):
- vii. Any development project that creates or results in an increase of 250,000 square feet or more of warehouse floor area.
- viii. Any development project that creates or results in an increase of 250 or more lodging units.
- ix. Any development project that creates or results in an increase of 200,000 square feet or more of floor area in other non-residential or non-warehouse uses.

11. Modification to the Zoning Maps of the Harbor LA Plans (Exhibit C2)

- a. Correct the suffix of all zones located in the Oil District from the suffix "OL" to "O".

January 26, 2024

RE: CPC-2023-6416-SP-SPP Public Hearing

Dear City Planning Commissioners,

On 1/25/2024 I called in to provide public comment strongly opposed to the Porter Ranch Specific Plan Amendment case as presented. I had also emailed a more detailed letter of these concerns on 1/23/2024 (see attached) which was confirmed that you had received before the hearing.

I was the only person from the public to give testimony aside from the Council Office who spoke in support. Then public comment was closed and there were no questions and no discussion from the commissioners before a unanimous vote was made to support the amendment.

My concerns and questions were totally ignored. This was **THE** public hearing after all. I can't tell you how stunned I was for this blatant disregard. I can appreciate it if there were many speakers and maybe you missed this. But this was not the case.

I care about equestrian issues in the Northwest Valley. I have lived here for over 30 years. I care when Community Plans or Specific Plans are not being followed and/or being changed in this case to accommodate a developer. And I care about due process.

I am writing to ask for a fair hearing with a response to the concerns and suggestions that have been raised. I would appreciate if this item can be Reconsidered at your next meeting.

Sincerely,

Marianne King

Dear City Planning Commissioners,

The request for this Porter Ranch Specific Plan Amendment to reduce the side yard and front yard of the *only* 105 equestrian lots in this specific plan (out of 2,400 single family lots) is deeply concerning for many reasons and will set a bad precedent for the remaining equestrian lots to be built in Council District 12 as well as anywhere else in the city.

First, it is very disturbing that the Specific Plan requirement "*The yard requirements of LAMC Section 12.07 C shall apply to all lots located in Subareas B and H-1 and to the 40 horsekeeping lots located in Subarea A,*" was missed by such a reputable nationwide single family home developer, Toll Brothers. One only needs to refer to LAMC 12.07 C to get the required setbacks, that's it.

There are many unanswered questions surrounding this request such as how many equestrian lots have been built with illegal non-conforming front and side yard setbacks, and is there specific detail information from Building and Safety as to how many violations currently exist, and if so, what are they? I conducted some research and made some field observations to try to get some answers.

Please be aware of the following:

1. Sub Area A, the 40 equestrian lots have *already been developed* with a few homes in the finishing phases of construction.
2. Based on my observation (see attached photos/aerials), there are some lots that do not appear to have a 10 foot access even on one side and many do not have a 10-foot access next to the driveway that adjoins the street as required per the subject tract conditions of approval "*A minimum 10-foot unobstructed vehicular access path to the corral shall be reserved, to be located on the same side as the driveway.*"
3. Sub Area B, the 65 equestrian lots have **NOT been constructed** yet except for a model home. The area is currently being graded and leveled into separate lots.
4. The zoning in Sub Area A per ZIMAS reads as [T]RE-1 which does not exist in the Zoning Code. It is unclear what the correct zoning is for these 40 lots but this should be made known before you make a decision as it is relevant.
5. The zoning in Sub Area B per ZIMAS is [T]RE20-1. In addition to the Specific Plan requirement that equestrian lots use the RA zone yard setbacks, it is important to know that even the existing **RE20 zone actually requires 10 foot side yard setbacks**, not just on one side yard.
6. It is unclear based on the applicant's maps "Equestrian Site Plan Yard Set Back Exhibit" dated 9/21/2023, what exactly is the proposed front yard setback for each of these equestrian lots? The 15 foot arrow from the centerline of the street to the *unidentified* dashed line around the entire lot is not clear what that measurement is supposed to represent.

The amendment to the Specific Plan sets a bad precedent. It is clear what the community's intentions were for these equestrian lots and that should not be ignored, and it seems underhanded to try to change that after having to wait 34 years for these lots to be developed. The RA yard requirement was not a mistake. The equestrian lots were intended to look

distinctively different from the other properties in the specific plan with more yard space all around as most equestrian properties have and want. And these are the same requirements as other equestrian subdivisions that have been developed in the community and including one project currently being developed by the *same developer* in Chatsworth, also in Council District 12. If this amendment is approved, then the same thing will happen to the other equestrian lots. It's just wrong and undoes the compromises and hard work that went into approving these projects between the equestrian community and the developer.

It seems inappropriate to grant a specific plan amendment to accommodate this mistake. If these lots are zoned RE20, then the amendment does not even comply with the RE20 zone.

For the 40 equestrian lots in Sub Area A, a suggestion is to require that specific plan exceptions be filed, hopefully at the developer's expense, not the homeowners. The findings of hardship could be made in that everyone down the line, the developer, planning, and building and safety apparently all missed the incorrect yard setbacks.

For the 65 equestrian lots in Sub Area B, a big fat NO to the amendment. These lots have not been developed yet. There is no reason to grant this amendment.

I hope will you take your time with this and get more information before making a decision. A Hearing Officer hearing really should have taken place for this precedent setting.

Sincerely,

Marianne King

CD12 resident and equestrian advocate

Attached photos below:



This is a google earth aerial of a portion of Sub Area A (lot 9 to lot 18 left to right on west side). The two red checked sites do not appear to have a 10 foot side yard setback (zoom in). The other marked lot has a 10-foot side yard on other side of the site, not next to the driveway thus not accessible by vehicle.



This is looking west along the north end of Sub Area A. The property with red arrow (lot 17) appears to have two 5-foot side yards with the driveway in the middle (zoom in). The right side yard appears to be obstructed with a tree. Without gate access, it is hard to tell for sure. That is why B&S should clearly identify what is on the ground and in violation. The maps may not be accurate.



Planning CPC <cpc@lacity.org>

CPC-2018-6404 Harbor Gateway Community Plan Update

Alena Le <c147812@yahoo.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Mon, Feb 5, 2024 at 1:01 PM

Greetings,

I am a resident on Orchard Avenue within the Harbor Gateway Neighbor and live very close to Vermont and Redondo Beach. I strongly support the proposals including the zoning along the north side of Redondo Beach Blvd between Vermont Avenue and the 110 freeway from Industrial to Hybrid Industrial and support reducing the impacts of air and noise pollution from the 110 freeway, which greatly impacts our lives and neighborhoods.

I have 2 young children with elderly parents so I would appreciate the project that would reduce air and noise pollutions in our neighborhood so that we can have a better and healthier lives. The current air quality in our neighborhood is barely at the standard and add additional 18 wheelers 24/7 is increasing more air pollution to our existing lives.

Thank you for your time.

Alena



Planning CPC <cpc@lacity.org>

Empty lot Hoover and 173rd st

Christine <christine83@att.net>

Sun, Feb 4, 2024 at 7:29 PM

To: cpc@lacity.org

Hello,

I support the Harbor gateway measure restricting development of empty lot at Hoover and 173rd st.

Thank you

Christine Cojulun
655 W 168th Place
Gardena, CA 90247
310-480-4682



Planning CPC <cpc@lacity.org>

comment on Harbor Gateway community plan

CRAIG KUSUNOKI <c.kusunoki@ucla.edu>

Sun, Feb 4, 2024 at 9:07 PM

To: cpc@lacity.org

To The City Planning Committee,

I am a resident of the Harbor Gateway North District one neighborhood. I am requesting that you take into consideration of approving the zoning for the [17236 S. Hoover Street](#) vacant lot to the minimum allotment for building new homes. I live near the lot and it is at an intersection that is winding. It would create a safety hazzard for the current residents to approve a large project involving multiple homes. The lot is also next to a freeway which would be a health hazzard for any future resident in that lot. I propose no more than two homes being allowed to be built on this site.

Best Regards,

Craig Kusunoki
Stakeholder , District 1 of the Harbor Gateway North, Merit Tract



Planning CPC <cpc@lacity.org>

CPC-2018-6404-CPU

carol nishijima <leggimiqui@yahoo.com>
Reply-To: carol nishijima <leggimiqui@yahoo.com>
To: "cpc@lacity.org" <cpc@lacity.org>

Sun, Feb 4, 2024 at 1:57 PM

I support the empty lot proposal at Hoover and 173 St restricting development.
Carol Nishijima

[Sent from Yahoo Mail on Android](#)



Planning CPC <cpc@lacity.org>

CPC-2018-6404 Harbor Gateway Community Plan Update

ek np <eknp@yahoo.com>

Mon, Feb 5, 2024 at 12:36 AM

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

Hi CPC Board,

I'm strongly support the recommendations, including the proposals to maintain the five major single-family residential neighborhoods in Harbor Gateway North as low-scale, with multi-family housing and density along Vermont Avenue, sections of Redondo Beach Boulevard between Vermont Avenue and Figueroa Street, and Figueroa Street south of Alondra Boulevard to 168th Street, with height and density for residential areas to reflect the existing development patterns.

I'm also strongly support the creation of Hybrid Industrial zones near residential areas, such as along the north side of Redondo Beach Blvd. between Vermont Avenue and the 110 freeway, and support for reducing the impacts of air pollution from the 110 freeway, which greatly impacts our neighborhoods. Since this is residential area, pls. limit operation hours to 6AM to 9PM only to allow residents sleeping time after long working hours.

Thanks for your consideration,

Erica Payne



Planning CPC <cpc@lacity.org>

CPC-2018-6404 Harbor Gateway Community Plan Update

E Simpson <happyroses@sbcglobal.net>

Mon, Feb 5, 2024 at 12:32 PM

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

Cc: Elayne Simpson <happyroses@sbcglobal.net>

I agree and support the proposals to protect Athens on the Hill neighborhood primary land use designation and zoning standards.

Elayne Simpson
Athens on the Hill resident.



Planning CPC <cpc@lacity.org>

Cpc-2018-6404-cpu

Frankyandabbie Romero <frankyandabbie@gmail.com>

Mon, Feb 5, 2024 at 2:56 PM

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

Good evening. I am in opposition of having anything built at 17236 S. Hoover, gardena, ca.



ATHENS ON THE HILL COMMUNITY ASSOCIATION
P. O. Box 61327; Los Angeles, California, 90061

Block Club Affiliates
121st St.; 123rd St; 124th St.; 125th St.; 126th St.; Ainsworth St.; Arbor Pl.;
Athens Blvd.; Denver Blvd.; Hoover St.; Laconia Blvd.; Laconia Pl.; Menlo St.

February 5, 2024

{Via e-Mail - cpc@lacity.org}

City of Los Angeles
CITY PLANNING COMMISSION
Los Angeles City Hall
Los Angeles, CA 90012

Attn: Planning Commissioners

Re: Case Number: CPC-2018-6404-CPU (HG)
CEQ: ENV-2019-3379-EIR
Hearing Date: February 8, 2024; Agenda Item 6

TO WHOM IT MAY CONCERN:

The Athens on the Hill Community Association, for and on behalf of residents of the community of Athens on the Hill, submits the following comments:

- (1) Commencing Summer, 2018, (to date) Athens on the Hill residents have actively engaged in/collaborated with City Planners on the “proposed” CPU in/of the Planning area identified as Harbor Gateway **North**;
- (2) Our Goal: Maintain the character of Athens on the Hill and its defining features and integrity; preserve; protect; conserve; enhance; implement zone restrictions to prevent out-of-character developments; and to have the community designated as a “special” District of some sort, i.e., Harbor Gateway Plan – Ch 6; **Implementation Programs** – page 72; P3. ***Survey LA Planning District***;
- (3) The file is replete with input/comments/letters/documentation in support of the Goal of residents of Athens on the Hill. {The contents therein will so show.};
- (4) To Further Support our Goal: See **CF 23-1057**. Motion – Councilman Tim McOsker, CD 15. {Adopted: November 1, 2023.}

Said Motion reads in part:

“ . . . The Planning Department to prepare a report with recommendations, as part of the ongoing Harbor Gateway Community Plan Update, on design standards to protect the character of the ‘*Athens on the Hill*’ community . . . ”

And further reads:

“ . . . The Planning Department and the Department of Cultural Affairs, to prepare a report with recommendations to preserve cultural significant assets located in the ‘*Athens on the Hill*’ community.”

Please take into consideration comments (on file and herein) of residents/stakeholders of the community of Athens on the Hill.

Sincerely,



HERMAN BILBREW, President
Athens on the Hill Community Association

HB:lw

cc: Councilman Tim McOsker – Council District 15

{via e-Mail}

Pamela Thornton, Planning Director – Council District 15

{via e-Mail}

Christopher Pina, City Planner

{via e-Mail}

Athens on the Hill Community Association

Board Members – e-Mail “blast”

Residents/Stakeholders – e-Mail “blast”

Miguel Vazquez – Chairperson
Joan Jacobs - Vice Chairperson
Rosalie Preston - Secretary
Keith Pitts - Treasurer
Laivern Frerichs – District 1 Representative
Nita Stonehocker - District 2 Representative
Dave Trejo - District 3 Representative
Arvie Powell - District 4 Representative
Eva Cooper Pace - District 5 Representative



Marvin Bell - District 6 Representative
Barbara Tyson-Frazier - District 7 Rep
Oscar Ruiz - District 8 Representative
Frankie Mays –Community Org. Rep
Jackie Jackson -Youth Advocate
Elijah Thomas - Youth Representative
Will Yates – Outreach/Communications Rep
Craig Kusunoki - At-Large Representative

HARBOR GATEWAY NORTH NEIGHBORHOOD COUNCIL

P.O. Box 3723, Gardena, CA 90247 (310) 768-3853 telephone
www.harborgatewaynorth.org HGNNC@sbcglobal.net

November 16, 2023

Christopher Piña, City Planner
Department of City Planning
200 N. Spring Street - Room 667
Los Angeles, CA 90012

Re: Harbor Gateway Community Plan Update – ENV-2019-3379-EIR

Dear Mr. Piña:

On November 14, 2023, our Board voted 9-0-0 to make the following comments of support for goals and policies of the updated Harbor Gateway Community Plan. The proposed new zoning will help implement these goals and policies of the Plan.

Since the beginning of the Harbor Gateway Community Plan update process, our Neighborhood Council has maintained certain goals for the update, which have been reflected in our previous comment letters. These include the preservation of our existing low-scale neighborhoods (including the R2-1 zoned blocks), the protection and restoration of historic cultural resources, neighborhoods and landmarks (including Athens on the Hill, the block of Orchard Avenue between Alondra Boulevard and Gardena Boulevard, Gardena Blvd. from the 110 freeway to Vermont Avenue, and the Chacksfield-Merit Tract), an increase in park facilities and open space, the creation of community centers and gathering spaces, and the change in zoning from industrial to hybrid industrial where industrially zoned parcels are located near residential and other sensitive uses.

In the last several years we have also supported the State and City efforts to consider the special needs of our community as it relates to environmental justice and note with approval Chapter 3 and its many environmental justice-related proposals for planning and land use.

We have also expressed concerns with the impact of many of the businesses which conduct auto repair in the commercial zones on the nearby residential uses and the current appearance of those businesses and note the proposals to address those concerns.

These are some of the proposals in the Preliminary Draft of the Harbor Gateway Community Plan - June 2023 which we concur with as they support our original goals for the update:

Land Use and Urban Form

Explore the application of Character Districts to support efforts to conserve architecturally distinctive residential neighborhoods such as Athens on the Hill and the Chacksfield-Merit Tract. LU 6.1

Retain, support, and reinforce the various historic and architectural elements of Athens on the Hill, including the development patterns, tree canopies, and the landscaped medians along Athens Boulevard and Laconia Boulevard. LU 6.2

Support and strengthen the historic and cultural legacy of African-American residents of Athens on the Hill. LU 6.3

Maintain and strengthen the integrity of post-war architectural styles such as Traditional Ranch and distinguished Japanese-style landscaping in areas such as the Chacksfield Tract Survey LA Planning District. LU 6.4

Support the restoration of the historic homes on Orchard Avenue (between Alondra Boulevard and Gardena Boulevard) in a manner that preserves the craftsman and cottage architectural elements and integrity of existing structures. LU 6.5

Support the rehabilitation and reuse of buildings and materials with architectural character, such as existing early 20th Century brick commercial buildings, especially along Gardena Boulevard. LU 6.7

Encourage and promote the utilization of incentive programs, such as the City Mills Act, Historical Property Contract Program, the Federal Historic Rehabilitation Tax Credit, and California Historical Building Code for owners of historic properties to conserve the integrity of historic-cultural resources. LU 5.1

Support efforts to preserve the potential historic resources in Harbor Gateway identified through SurveyLA and future comprehensive historic survey efforts. LU 5.4 Note: As called out in SurveyLA 2012, designate the Tepper Tire Service Station, 848 W. Gardena Boulevard as a potential historic-cultural monument.

Encourage the restoration and adaptive reuse of distinctive residential architecture dating from the first half of the 20th century. LU 5.5

Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods. LU 16.1

Protect existing lower density residential neighborhoods from new construction that is out-of-scale by introducing frontage standards and building envelope requirements that achieve compatibility with the existing built form. LU 16.2

Support the contextual rear infill of new additions and accessory structures in established neighborhoods that contribute to the overall existing development patterns and property values, and do not disrupt the integrity of the historic or building era they represent. LU 16.4

Encourage neighborhood-oriented shopping and services to be developed within walking distance to residential areas. LU 7.5

Support an adequate level of neighborhood commercial services (e.g., grocery stores, sit-down restaurants, and fitness facilities) by prioritizing and increasing ground floor commercial uses over residential-only development in Community Center, Neighborhood Center, Villages and the Regional Center designations. LU 8.2

Support improvements to existing buildings along commercial and mixed-use corridors through targeted programs, such as façade improvement programs. LU 17.2

Encourage the design of commercial development, including infill development, redevelopment, rehabilitation, and reuse efforts, to produce a high-quality built environment that is compatible with adjacent development, and reflects the community's unique historic, cultural and architectural context and overall enhances community identity. LU 18.1

Promote new development with ground floor transparency and entries along the sidewalk to sustain street level interest and enhance pedestrian activity and safety. LU 18.9

Encourage urban design techniques, such as appropriate building orientation and scale, transitional building heights, landscaping, buffering and increased setbacks in the development of commercial properties to improve land use compatibility with adjacent uses and to enhance the physical environment. LU 19.2

Encourage overall site improvements as part of expansions and modifications of existing auto-related facilities, including improved landscaping, buffering and architectural character in order to minimize environmental impacts. LU 19.4

Support the screening of open storage, recycling centers and auto uses, and limit visibility of automobile parts storage and other related products from public view. LU 19.5

Encourage paved areas such as driveways, walkways, and outdoor spaces to be designed with permeable surfaces in order to increase infiltration and reduce runoff. LU 20.5

Encourage mixed-use districts near transit and at other key nodes that combine a variety of uses to achieve a community where people can shop, live, and work, and enjoy access to healthy open spaces with reduced reliance on the automobile. LU 9.1

Promote a broad range of uses and streetscape improvements, including an urban tree canopy, that support and enhance El Segundo Boulevard, Rosecrans Boulevard, Redondo Beach Boulevard, Gardena Boulevard, Figueroa Street, and Vermont Avenue. LU 7.7

Incentivize safe, job-rich industries that provide new employment opportunities for the residents of the community, while discouraging businesses that do not generate significant employment opportunities. LU 13.3

Create light industrial and hybrid industrial areas that foster clean and emerging industries that are compatible with adjacent residential areas. LU 14.1

Advance Environmental Justice goals to reduce pollution from freeways, oil drilling, industrial waste recycling, and other industrial sources within our Harbor Gateway North community

Ensure that existing oil well sites located in residential areas have well-maintained and landscaped front yard setbacks, be enclosed by perimeter fencing (except for the front yard portions) and have well-maintained oil equipment at all times. LU 3.2

Environmental Justice

Promote public health and environmental sustainability outcomes that reduce greenhouse gas emissions, expand access to green and healthy spaces, improve air quality and encourage physical activity, and provide all residents with the opportunity to access good jobs. Promote new development that integrates sustainable design, green building practices, technologies, green roofs, tree planting, low Volatile Organic Compound (VOC) materials and other features that minimize impacts on the environment, including the reduction of heat island effect and greenhouse gases. EJ 3.1

Encourage the creation of landscaped corridors and enhancements through the planting of street trees along commercial corridor segments and through median plantings. EJ 3.2

Encourage the sensible use of native and drought-tolerant plants and permeable surfaces in all new development. EJ 3.3

Encourage green, sustainable industries that bolster the economic base and provide high-skill and high-wage job opportunities for local residents. EJ 4.1

Support the transition of industrial land uses from heavier industrial uses to lighter industrial uses, in close proximity to residential neighborhoods to minimize the negative environmental and visual impacts to the community. EJ 5.1

Minimize residential-industrial land use incompatibilities and discourage the introduction of heavy industrial uses adjacent to residential neighborhoods. EJ 5.2

Prevent the enlargement of nonconforming, incompatible commercial and industrial uses within residential uses and support their removal on a scheduled basis. EJ 5.4

Support the creation of green buffers next to freeways to help reduce the amount of particulate matter (PM_{2.5}) spillover into residential areas. EJ 5.8

Encourage existing industrial businesses to improve the physical appearance of their properties with adequate screening and landscaping when adjacent to residential or other sensitive uses and require such improvements for the establishment of new businesses in order to reduce environmental impacts. EJ 7.1

Support the implementation of prevention measures and design features that proactively safeguard the community from exposure to noxious activities (e.g., oil and gas extraction) that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapors, and other hazardous nuisances. EJ 7.2

Expand the enforcement of existing regulations that prohibit cargo container storage yards and warehousing near residential zones. EJ 7.4

Ensure that existing oil well sites within residential areas provide appropriate screening, fencing and landscaping and have well-maintained equipment until such time as they are phased out. EJ 10.1

Ensure that all existing uses that employ extraction technology, including fracking, acidizing, drilling or other technologies that involve potentially hazardous materials, create no negative impacts on public health or the environment. EJ 10.3

Support the expedited preparation of plans and programs for the abandonment, proper plugging and remediation of all oil-related sites, prioritizing sites in residential areas, consistent with State, County and City efforts to phase-out oil drilling and ensure that all existing oil well sites adhere to adopted amortization programs and prohibitions. EJ 11.1

Public Realm and Open Space

Develop new community, neighborhood and pocket parks to increase parks and open space that are equitably distributed throughout Harbor Gateway, engaging the community and surrounding residents. PO 1.1

Pursue joint-use agreements to share facilities with schools, especially in neighborhoods that suffer a disproportionate lack of park space and recreational facilities. PO 1.13

Provide more opportunities for accessible public spaces along streets in the form of plazas and paseos that are designed to encourage social activity, especially along Rosecrans Boulevard and Gardena Boulevard. PO 2.2

Design plazas and other open spaces as communal gathering places that provide opportunities for markets, music, art and community events as well as a range of active and passive activities for users of all ages. PO 2.4

Enhance tree planting and sustainable landscaping in parkways, medians, and neighborhood gateways as a placemaking strategy. PO 2.6

Promote urban trails and paths that maximize water recapture and include watershed-friendly landscaping to encourage biodiversity through design features, such as pervious paving and the use of California native, drought-tolerant plants. PO 3.2

Promote open spaces to maximize water recapture, promote biodiversity, reuse and recycling, as well as to facilitate natural collection, filtration and treatment of stormwater to reduce stormwater runoff, recharge aquifers, remove pollutants and reinforce the Dominguez Channel district as a resilient riparian corridor. PO 3.4

Facilitate the planting and maintenance of appropriate street trees, which provide shade and scale to residential and commercial streets in all neighborhoods. PO 4.1

Preserve and frequently maintain open space in the spaces provided by the Vermont Avenue median between 120th Street and Redondo Beach Boulevard, the Athens Boulevard median, and the Laconia Boulevard median. PO 4.5 Note: Vermont Avenue between Gage and Gardena Blvd. is designated a Scenic Highway in the City of Los Angeles Mobility Plan 2035.

Identify and inventory potential garden/urban farm sites within existing parks, vacant lots, public easements, rights-of-way and schoolyards in appropriate locations. PO 5.1

Mobility and Connectivity

Ensure the community is served by a complete street system that is safe, attractive, and that balances the needs of all users including pedestrians, bicyclists, transit users, mobility-challenged persons and vehicles. MC 1.1

Encourage improved local and express bus service in Harbor Gateway through coordination with regional and local transit agencies (e.g., the Metropolitan Transit Authority (Metro), LADOT, Long Beach Transit, Torrance Transit and Gardena Transit), and with community input. MC 2.1

Enhance the development of park-and-ride facilities that are strategically designed to integrate with freeways, high occupancy vehicle (HOV) facilities and transit routes. MC 2.2

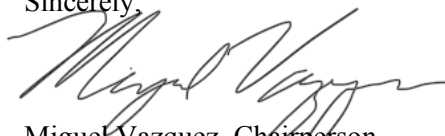
Reduce automobile dependency by providing a safe and convenient transit system accessible to all, pedestrian linkages and a network of safe and accessible bikeways and by encouraging alternatives, including reduced emissions vehicles, such as electric and neighborhood electric vehicles (NEVs). MC 3.3

Maintain sidewalks, streets and rights-of-way in good condition, free of obstructions, and with adequate lighting, trees and parkways. Streets should accommodate pedestrians and be ADA accessible through adequate sidewalks, curb cuts, parkway landscaping that provides shade, and street lighting that provides safety during the night. MC 5.4

Promote pedestrian-oriented ground floors on Gardena Boulevard for remodels, tenant improvements, and re-use efforts that remain consistent with existing shopfront features such as horizontal and vertical articulation around windows and shop front entrances that reflect this historic pattern. MC5.11

A parking supply that is efficient, serves economic development and facilitates all modes of transportation MC 7.1

Sincerely,



Miguel Vazquez, Chairperson
Harbor Gateway North Neighborhood Council

cc: Vince Bertoni, Director of Planning – Department of City Planning
Councilmember Tim McOsler – Council District 15
Pamela Thornton, Planning Director - Council District 15
Nicholas Chavez, Field Deputy – Council District 15



Planning CPC <cpc@lacity.org>

CPC-2018-6404-CPU

Juanita Boyd <jbscrappycards@yahoo.com>

Mon, Feb 5, 2024 at 2:42 PM

To: cpc@lacity.org

I would like to voice my opposition to anything being built at 17236 South Hoover St. This property was sold off by Caltrans to a developer that wanted to come into an existing neighborhood that's been here since the late 50s and throw up townhomes that would not be aesthetically incorrect for this neighborhood. We have been fighting this development for the past 15 years. This developer has not done his due diligence and on health concerns of homes being right off the 91 or the ramp above where these homes will be built underneath where cars can literally come off the ramp to the 110 and land on these homes. There is a whole list of reasons why these homes should not be built here.

Sincerely Juanita a 25 year home owner



Support for Harbor Gateway Community Plan Update

Julia Esqueda-Arteaga <esquedaarteagaphd@gmail.com>

Mon, Feb 5, 2024 at 1:21 PM

To: cpc@lacity.org

Dear Members of the City Planning Commission,

I am writing to express my strong support for the proposed update to the Harbor Gateway Community Plan. I have been a resident of Harbor Gateway Community my entire life and appreciate the Department of City Planning's commitment to working with residents to create a plan that reflects our needs and priorities.

I am particularly passionate about the following aspects of the proposed plan update:

- Protection of residential neighborhoods: Maintaining the low-scale character of our neighborhoods and concentrating multi-family housing and density along Vermont Avenue is crucial to preserving the livability of our community. The plan proposed wisely maintains the zoning for our single-family home neighborhoods, ensuring stability and preventing unwanted high-density development that could strain infrastructure and disrupt the peacefulness of our community.
- Restrictions on trucking-related development near residential areas: This policy is essential to protect residents from the negative impacts of pollution, noise, and traffic associated with industrial uses. Changes proposed will protect the southwest corner of Redondo Beach Blvd. and Figueroa Street, a currently mixed-use area with businesses and homes, from becoming purely industrial, preserving its unique character and preventing potential conflicts between residents and businesses."
- Streetscape improvements: Planting more shade trees will help mitigate the urban heat island effect and create a more attractive and sustainable community. I love my neighborhood and want to be able to continue to see it prosper for my 4 children, my elderly parents (also homeowners) and all of my neighbors.

Thank you for your time and consideration.

Sincerely,

Julia Esqueda-Arteaga, Ph.D. (PSY22803) (Former HGNNC District 2 Rep) [716 West 155th St., Gardena, CA 90247](#) 310-739-3989



Planning CPC <cpc@lacity.org>

CPC-2018-6404 Harbor Gateway Community Plan Update

John Jacobs <jej8735@gmail.com>
To: cpc@lacity.org

Mon, Feb 5, 2024 at 1:39 PM

Date: Feb.6, 2024

To: L.A. City Council

From: John Jacobs

656 W. 157th St.

Gardena, CA 90247

(Harbor Gateway North)

I strongly support the change in zoning from Industrial to Hybrid Industrial of all parcels on the north side of Redondo Beach Blvd. from Vermont Avenue to the 110 freeway.

The area in question is residential with bad and worsening problems with density, traffic, and pollution. This area needs more open spaces, parks, and urban forests.

In environmental justice terms: our area deserves the same advantages of any area of Los Angeles.

The health of our community should be a number 1 priority.



Planning CPC <cpc@lacity.org>

CPC-2018-6404-CPU

Jimmie Williams <elizjim95@gmail.com>

Sun, Feb 4, 2024 at 8:20 PM

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

To the city planning commission.

I support the zoning change to Very Low Residential for the former Castrans lot, 17136 S. Hoover Street.

I support maintaining residential neighborhoods as low-scale.

Lastly, I support buffer zones between industrial and residential uses.

--

Sincerely,

Jimmie Williams Jr.
Home Owner Harbor Gateway North
562 881-8388



Planning CPC <cpc@lacity.org>

RE: CPC-2018-6404-CPU

Laivern Frerichs <laivern@gmail.com>

Mon, Feb 5, 2024 at 2:54 PM

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

To whom it may concern, I am writing in regards to the empty lot at [17326 S. Hoover Street](#) in Gardena. My family and I along with all the neighbors do not want the current zoning to change. We do not want big apartments to be build back there but preferably 5 SFR in one tract. Thank you!

Laivern Frerichs

FEBRUARY 3, 2024 BY E. NIML

TO: <CPC @ lacity.org> DEPARTMENT
OF LOS ANGELES CITY PLANNING

FROM: RESIDENT - LUISA GRATZ, HARBOR GATEWAY
700 BLOCK - 129TH ST. GARDENA, 90247

RE: CPC-2018-6404 HARBOR GATEWAY
COMMUNITY PLAN UPDATE

L.A. CITY PLANNING COMMISSIONERS AND ALSO
TO: WHOMEVER THIS MAY CONCERN

HELLO,

THIS LETTER IS TO INFORM YOU THAT AS A HOME-
OWNER SINCE 1982 & RESIDENT SINCE 1968,
I HAVE NO CHOICE BUT TO STRONGLY SUPPORT
THE ABOVE IDENTIFIED DEPARTMENT PROPOSAL
WHICH INCLUDES CREATION OF HYBRID INDUSTRIAL
ZONES NEAR RESIDENTIAL AREAS, BADLY IN
NEED NOW TO PROTECT RESIDENTS FROM AIR
PARTICULATE MATTER FROM FREEWAY TRAFFIC;
TRUCKS ON PUBLIC STREETS EMITTING DIESEL &
OTHER FUMES, DUST, TRAFFIC CONGESTION, POT
HOLES, & MORE.

THESE EMISSIONS CAUSE & CONTRIBUTE TO
HUMAN & PET CANCER, DIABETES, ASTHMA,
& COPD. THIS IS VERIFIABLE SCIENCE, NOT
POLITICS, NOT UNEDUCATED OPINION.

2

I LIVE BETWEEN VERMONT AND THE 110 FREEWAY (BET. MENLO & HOOPER). I BUY 90 DAY AIR COND. FILTERS WHICH ARE BLACK & CAN NOT FILTER IN 30 DAYS. I SAVED THEM AS PROOF SHOULD YOU CARE TO SUBSTANTIATE OUR CLAIMS. IN TWENTY YEARS I HAVE HAD THREE DOGS DIE OF CANCER & GO BLIND FROM DIABETES. MY NEIGHBORS DIED FROM DIABETES & CANCER. LAST, BUT NOT OF LEAST IMPORTANCE, THE CITY OF LOS ANGELES MUST ORDER THE OIL COMPANIES TO CEASE & DESIST THEIR "FRACKING" UNDER OUR HOMES. MY WATER TURNED BROWN & IS UNDRINKABLE, AND OIL EMERGED THROUGH PIPES INTO MY BATHROOM SINK. MY HOUSE & MANY OTHER HOMES VIBRATE, ARE SINKING, FUMES ARE MAKING US SICK ON 129TH ST, 130TH, 131ST ATHENS ON THE HILL, MANY HOMES ARE DAMAGED & SINKING.

WE ARE WORKING PEOPLE. WE CANNOT RE-LOCATE, NOR CAN WE CONTINUALLY & REPEATEDLY PAY FOR STRUCTURAL EXTERNAL & INTERNAL REPAIRS, NEEDED TO SAVE OUR HOMES, & HEALTH, & ENVIRONMENT.

PLEASE MAKE THESE OVERDUE, NECESSARY CHANGES FOR OUR HEALTHY SURVIVAL IN L.A.



Planning CPC <cpc@lacity.org>

CPC-2018-6404 Harbor Gateway Community Plan Update

Lisa Lucero <lisaandrewj@icloud.com>

Sun, Feb 4, 2024 at 3:03 PM

To: cpc@lacity.org

To whom it may concern,

I live in the Merit Tract in the Harbor Gateway. I would like to express my concern regarding my neighborhood and the city planning.

It would not be in the best interest of our neighborhood to allow for any type of planning that is not in the original alignment of our tract.

I strongly support our Harbor Gateway North City Council committee and the proposed plans to remain low scale, taking height and density into consideration.

This is in the best interest of the families living in the Merit Tract.

Please help to keep our neighborhood in the condition we are accustomed to and appreciate.

Thank you for your time,

Lisa Lucero

722 W 172nd St

Gardena, CA 90247

(310) 850-6491

Sent from my iPhone



Planning CPC <cpc@lacity.org>

CPC-2018-6404-CPU

Luis Rodriguez <filterlr@yahoo.com>

Mon, Feb 5, 2024 at 1:47 PM

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

Drea City planning,

I am just wanted to let you know my concern regarding any proposed development for an enlargement of trucking-related uses near our resident. We already have heavy traffic in our area. Please help us protect resident area for adverse impact caused by nearby heavy and incompatible industrial use.

Thank you.

Luis Rodriguez



Planning CPC <cpc@lacity.org>

CPC-2018-6404 Harbor Gateway Community Plan Update

Lois Saito <studiofx@email.com>

Sun, Feb 4, 2024 at 10:10 PM

To: cpc@lacity.org

Dear City Planning Commission,

I am a stakeholder in the Harbor Gateway North Merit Tract neighborhood for 27 years. I appreciate the time and attention it has taken to analyze and recommend updates to the Harbor Gateway Community Plan.

My backyard faces the former Caltrans lot at 17236 S. Hoover Street. One of my concern has always been the vehicle traffic safety the additional homes would create using the only outlet available on Hoover and 173rd Streets. If something must be built I would be in favor of the minimum number of single-family, low-scale homes allowed on the 2 parcels which are compatible with the R1-1 Merit Tract style homes. Two homes per parcel would be acceptable. Having the Harbor Transitway overhead is a visible hazard that should additionally support a limit to the number of homes allowed.

Thank you for accepting my email in lieu of attending the meeting.

Yours truly,

Lois Saito

Stakeholder, Harbor Gateway North, District 1, Merit Tract



Planning CPC <cpc@lacity.org>

CPC-2018-6404-CPU

Martha B Hurtado <hurtadopm1989@gmail.com>

Mon, Feb 5, 2024 at 10:42 AM

To: cpc@lacity.org

It is important to maintain our neighborhood solely residential, SINGLE Family dwellings . We don't want any more multi family unit being built in out HARBOR GATEWAY , we also don't want more ADU APPROVED. Parking is not being taken into consideration for the neighbors. I should be able to park in front of my own home, of which I pay property taxes, I should not have to park around the block because of ADU TENANTS.

PLEASE KEEP OUR ZONIG TO SINGLE FAMILY UNITS, DO NOT BULD OR APPROVE INDUSTRIAL USES. WE ARE ALREADY SATURATED TO THE MAX.

We need green areas, trees , nicely landscaped median and curbside, no more concrete! We need an urban forest for us to relax and be in touch with nature, its will help in so many ways, mentally,physically. More housing will affect our wellbeing. I urge you the planning committee to THINK NOW before just thinking of money and more developments that do not contribute to us in the HARBOR GATEWAY WE ARE FORGOTTEN AND NOT TAKEN SERIOUSLY.

RESPECTFULLY,
MARTHA B HURTADO
HARBOR GATEWAY resident since 1979
Sent from my iPad



Planning CPC <cpc@lacity.org>

Harbor Gateway concerns/comments for 2/8 meeting

Cox, Ninnette <Ninnette.Cox@opco.com>

Mon, Feb 5, 2024 at 6:46 AM

To: "ninnette.cox@att.net" <ninnette.cox@att.net>, "CPC@LACITY.ORG" <CPC@lacity.org>

I am a resident in the Harbor Gateway for the past 15+ years. My personal email is Ninnette.cox@att.com best to reach me.

For that past 6 and beyond years we have suffered an amount of health issued with CWS. We as a community have complained on so many issues.

I myself have reached out to City attorney office, AQC and an Attorney to help sort this matter.

I have pictures, videos, and text messages between me and Eric Casper from CWS. He never takes accountability for anything always accusing the homeless. I have complained about the following:

- 1.smell/odor
2. debris
3. dust
4. ground shaking our home
5. window rattling

This is a constant battle with this company – we are suffering and no one seems to do anything about it. Nothing is being done for the residents or the

Community – I have lived in my home for 23 years and I have not anything positive. Allowing many vendors in the Rosecrans park area is ridicules that must change immediately! And the worst part about it is that people who buy food throw trash on street in front of out homes. Why not make the corner of Vermont a retail center.

By accepting to have a trucking-related uses you are creating more pollution/dust into our homes. Health, children, property & pets. Let's try to fix one problem before you create another. The most interesting things about

This is that is being/worked near a school and a park where children play! make that make sense?

That water/mist that CWS uses to settle dust is contaminated from my understanding and that water crosses to us on our skin and dogs water.

This is a BIG issue that need to be addresses I know their leave is up in 2025 and I hope that the CITY DOES NOT RENEW IT. We all believe that this facility should be enclosed and or moved to an Industrial area.

Please help us find a solutions to this matter – we seem not to have any help by the city so far. I will continue to look for attorneys who can help pro-bono.

Best,

Ninnette Cox

Ninnette.cox@att.net

310 999-4631

This communication and any attached files may contain information that is confidential or privileged. If this communication has been received in error, please delete or destroy it immediately. Please go to www.oppenheimer.com/legal/email-disclosure.aspx for important information and further disclosures pertaining to this transmission.



Planning CPC <cpc@lacity.org>

Case# CPC-2018-6404-CPU

Shanchun Chen <shanchunac69@gmail.com>

Tue, Feb 6, 2024 at 8:47 AM

To: cpc@lacity.org

To Whom it may concern

I support the change in zoning from Industrial to Hybrid Industrial of all parcels on the north side of Redondo Beach Blvd. from Vermont Avenue to the 110 freeway to help protect my neighborhood from the undesirable impacts of heavy industrial uses and diesel truck traffic.



Planning CPC <cpc@lacity.org>

Harbor Gateway restricting development

Shirley Hollingquest <annetteturtle@gmail.com>

Mon, Feb 5, 2024 at 9:56 AM

To: Shirley Hollingquest <annetteturtle@gmail.com>, "cpc@lacity.org" <cpc@lacity.org>

I support the Harbor gateway measure restricting development of the empty lot on 173rd and Hoover to at most five houses, not 20 or apartments.

Thank you,

Shirley Hollingquest,
168th Place and Hoover homeowner



Planning CPC <cpc@lacity.org>

Support harbor gateway measure

Sharon Osato <sharonosato@gmail.com>

Sun, Feb 4, 2024 at 3:35 PM

To: cpc@lacity.org

We live on Hoover street. We support the harbor gateway measure restricting development of empty lot at Hoover and 173. It restrict to five houses at most. Thank you.

Take and Sharon Osato

Sent from my iPhone

February 5, 2024

VIA E-MAIL ONLY

Monique Lawshe
Vice President
City Planning Commission
200 N. Spring Street, Room 340
Los Angeles, CA 90012
E-Mail: cpc@lacity.org

Re: Terreno Realty Corporation Comments on the Proposed Update to the Harbor Gateway Community Plan (CPC-2018-6404-CPU)

Dear Vice President Lawshe and City Planning Commission:

We represent Terreno Realty Corporation ("Terreno"). We submit this letter for the City Planning Commission's consideration prior to the February 8, 2024 public hearing on the proposed update to the Harbor Gateway Community Plan ("Community Plan Update"). As part of the Community Plan Update, the City proposes rezones and use limitations over established industrial areas, which could impact the existing and future economic viability of this area. Terreno understands the need to protect residential communities and other sensitive receptors, but this must be balanced with common-sense recommendations that do not curtail established businesses in deeply industrial areas.

Terreno owns two warehouse/distribution properties that are perfectly sited for these uses away from sensitive receptors, south of the Interstate 405 freeway (the "405") and west of the Interstate 110 freeway (the "110"), yet the Community Plan Update adds restrictive use limitations that would make these existing uses nonconforming.

Terreno's properties are located at 19801 Vermont Avenue (the "Vermont Property") and 19601 Hamilton Avenue (the "Hamilton Property") (collectively, the "Terreno Properties"). The Community Plan Update proposes to rezone the Hamilton Property from Manufacturing 3 ("M3") to an Industrial 4 ("I4") use zoning under the City's new form-based zoning code ("New Zoning Code"). The Vermont Property is proposed to be an Industrial 8 ("I8") use zoning.

The Community Plan Update also requires a new discretionary action for warehouse and distribution uses in industrial areas when these uses were previously permitted by right. This discretionary request would trigger the need to comply with the California Environmental Quality Act ("CEQA"). An unintended consequence of this new requirement is that any warehouse or distribution facility in this area would now be subject to CEQA and would require at least a Negative Declaration or Mitigated Negative Declaration, given that the Del Amo Superfund Site

covers a wide swath of the area. A Categorical Exemption could not be used.¹ Additionally, the Community Plan Update requires warehousing and distribution uses in certain zones to be "in conjunction with" another use and imposes other limitations, making existing uses nonconforming and disincentivizing the development of future industrial uses.

Terreno wants to ensure the future viability of its properties and other similarly-sited industrial properties. The amendments requested below seek to maintain existing development potential consistent with the surrounding area and the realities along the 110 corridor, which serves as an economic driver for goods movement and the backbone of the City. The proposed zoning amendments focus on the area that includes the Terreno Properties, including the area proposed to be zoned I4, bordered by the 110 to the east, Knox Street to the north, Vermont Avenue to the west, and Del Amo Boulevard to the south ("Industrial Area"). See area outlined in red in Figure 1, below.

The Industrial Area is a logical location for the uses permitted under the existing designations, as it is strategically located at the junction of two interstate highways and developed almost exclusively with industrial uses. Furthermore, the significant separation of the Industrial Area from residential neighborhoods, including through physical barriers such as the 405, minimizes environmental justice and other community concerns.

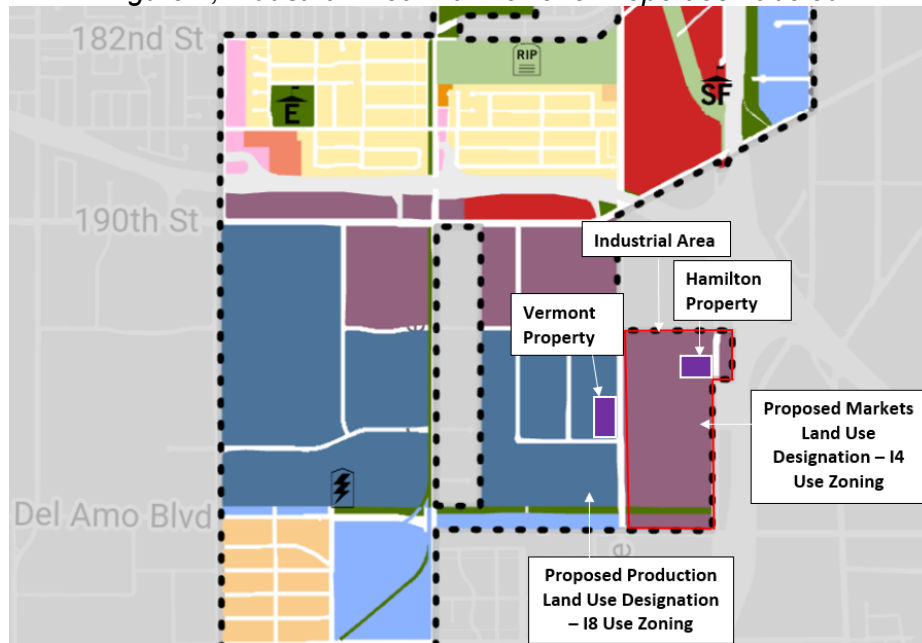
As such, we request the City make the following modifications to the Community Plan Update and implementing zoning:

- Modify the proposed zoning in the Industrial Area from I4 to I8, and modify the underlying "Markets" land use designation to "Production".
- Clarify that the "supplemental procedures" required for warehouse and distribution uses in the I4 and I8 use zones are not discretionary.
- Clarify that the definition of "sensitive use" in the I4 and I8 use zones does not include public office buildings owned by a public agency that are not open to the general public.

Terreno appreciates the City's attention to this matter and the opportunity to comment.

¹ See CEQA Guidelines Section 15300.2(e).

Figure 1, Industrial Area with Terreno Properties Labeled



I. Existing Conditions

The Terreno Properties and the Industrial Area are currently subject to a land use designation of Heavy Manufacturing and a zoning of M3. The M3 zone permits a wide range of heavy industrial, light industrial, and commercial uses. The M3 zone specifically permits "[s]torage building[s] or warehouse[s]" and "[d]istribution, plants, [and] parcel delivery service" by right.² The only exception to the Industrial Area's otherwise consistent land use designation and zoning is a Holiday Inn located at 19800 Vermont Avenue, which has a land use designation of Neighborhood Office Commercial and a zoning of C4. See [Figure 2](#), below.

Existing development throughout the Industrial Area consists primarily of warehousing and distribution uses, with office development a clear secondary use. The City's Housing Department operates one office building in the Industrial Area at 690 Knox Street. The City's Housing Authority operates two buildings immediately adjacent to the Industrial Area: an office building at 19600 Hamilton Avenue and a work center at 19610 Hamilton Avenue. Each building appears to be served by a parking lot that includes more than 75 parking stalls.

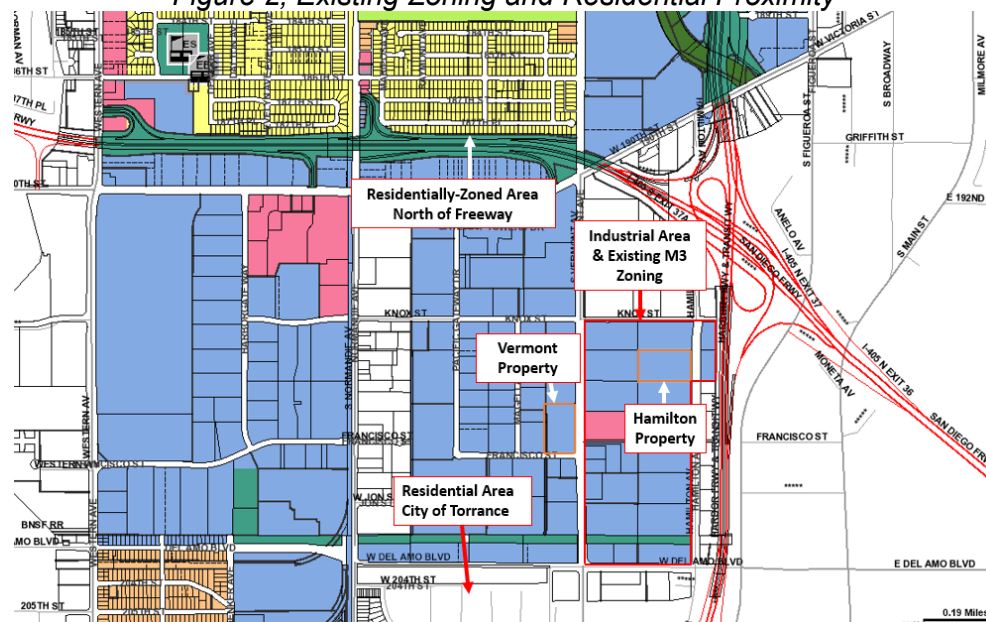
The closest residences to the Industrial Area are located west of Vermont Avenue and south of Del Amo Boulevard in the City of Torrance, a distance of approximately 2,500 feet from the Hamilton Property. These residences are largely separated from the Industrial Area by a Los Angeles Department of Water and Power transmission line, vacant parcels, and Del Amo Boulevard. The closest residences in the City are located west of Vermont Avenue and north of the 405, a distance of approximately 2,600 feet from the Hamilton Property. These residences

² Los Angeles Municipal Code, Sec. 12.20.A; Sec. 12.17.5.B; Sec. 12.17.1.A.2.

are largely separated from the Industrial Area by an area proposed for the Markets land use designation with I4 use zoning, commercial development north of 190th Street, and the 405.

Additionally, the Industrial Area and adjacent area west of Vermont Avenue are located in the Del Amo Superfund Site. According to the Environmental Protection Agency ("EPA"), the Del Amo Superfund Site has contaminated soil and groundwater resulting from chemicals used at three former manufacturing plants built to support World War II efforts.³ The City requires applicants for permits authorizing soil-invasive activities to work with the EPA to conduct an environmental review of the proposed project.⁴

Figure 2, Existing Zoning and Residential Proximity



II. Proposed Land Use Designation and Zoning

The Community Plan Update proposes the Markets land use designation and I4 use zone for the Industrial Area. The Markets land use designation is intended to encourage "commercial activity," including a "mini-economy of specialized commercial uses, including wholesale." Uses are to include "goods movement activities."⁵ However, although the implementing I4 use zone permits a variety of light industrial uses, it only permits wholesale trade and warehousing "in conjunction with" an allowed use.⁶ This means the wholesale trade and warehousing use must be on the same lot as the allowed use, the latter of which must have a minimum 0.25 floor area

³ EPA, Montrose and Del Amo Superfund Sites Site Update Fact Sheet, Spring 2019, <https://semspub.epa.gov/work/09/100018256.pdf>.

⁴ Los Angeles Department of City Planning Zoning Information File, ZI-2354, August 24, 2022, <https://zimas.lacity.org/documents/zoneinfo/ZI2354.pdf>.

⁵ Harbor Gateway Community Plan, Proposed Plan, Winter 2024, p. 20.

⁶ New Zoning Code, Draft, Winter 2024, Sec. 5B.8.4.B.

ratio ("FAR").⁷ The I4 use zone additionally applies a "use standard" to wholesale trade and warehousing uses, requiring 500-foot separation from Agricultural, Residential, or Residential Mixed Use districts and any sensitive use.⁸ The I4 use zone also requires specific findings by the Zoning Administrator ("ZA"), including whether the project would contribute to an overconcentration of trucking-related uses and whether freight traffic accessing the site would adhere to the Countywide Strategic Truck Arterial Network.⁹

In contrast, the Community Plan Update proposes the Production land use designation and I8 use zone for the area directly west of the Industrial Area. The Production land use designation is intended to "preserve and sustain industrial activity while serving as a regional jobs base." Desired uses include "heavy industrial and evolving and innovative industries."¹⁰ The I8 use zone permits a variety of heavy and light industrial uses, including wholesale trade and warehousing.¹¹ The I8 use zone does not require a wholesale trade and warehousing use to be "in conjunction with" another use, but it imposes the same use standard as the I4 use zone; namely, the 500-foot separation from Agricultural, Residential, or Residential Mixed Use districts and any sensitive use, and the requirement for specific findings by the ZA.¹²

III. Proposed Amendments

As stated previously, Terreno requests the following modifications to the Community Plan Update and implementing zoning:

- Modify the proposed zoning in the Industrial Area from I4 to I8, and modify the underlying Markets land use designation to Production.
- Clarify that the supplemental procedures required for warehouse and distribution uses in the I4 and I8 use zones are not discretionary requests.
- Clarify that the definition of sensitive use in the I4 and I8 use zones does not include public office buildings owned by a public agency that are not open to the general public.

The application of the Markets land use designation and I4 use zone to the Industrial Area, including the Hamilton Property, would limit Terreno's ability to maximize the use of the Hamilton Property compared to other nearby sites, including the Vermont Property; discourage investment in the Industrial Area; and potentially result in a large number of nonconforming uses.

⁷ New Zoning Code, Draft, Winter 2024, Sec. 5C.3.13.

⁸ New Zoning Code, Draft, Winter 2024, Sec. 5B.8.4.B.

⁹ New Zoning Code, Draft, Winter 2024, Sec. 5B.8.4.D.5.

¹⁰ Harbor Gateway Community Plan, Proposed Plan, Winter 2024, p. 19.

¹¹ New Zoning Code, Draft, Winter 2024, Sec. 5B.8.8.B.

¹² New Zoning Code, Draft, Winter 2024, Sec. 5B.8.8.B; Sec. 5B.8.8.D.7.

IV. The City Should Modify the Proposed Zoning in the Industrial Area from I4 to I8, and Modify the Underlying Markets Land Use Designation to Production.

The City should apply the Production land use designation and I8 use zoning to the Industrial Area for the following reasons.

First, despite the City's stated intent for the Markets land use designation to encourage wholesale uses and "goods movement activities," its implementing I4 use zoning actually discourages warehousing and distribution uses. This is because the I4 use zone permits wholesale trade and warehousing only "in conjunction with" an allowed use, requiring another use on the same lot at a minimum 0.25 FAR. Many of the existing warehousing and distribution uses in the Industrial Area would not satisfy this limiting requirement, and therefore would become nonconforming uses in the I4 use zone, posing expansion and other challenges to property owners in the Industrial Area. As reported in the Department of City Planning's Recommendation Report to CPC for the Community Plan Update ("[Staff Report](#)"), a significant portion of the community does not wish to limit or prohibit existing industrial uses, and desires to prevent displacement of existing industrial uses and warehouses.¹³ The I8 use zone, which does not include the "in conjunction with" restriction, would better facilitate these goals.

Second, the Industrial Area is currently dominated by industrial uses. It currently contains 11 parcels containing either light manufacturing or warehousing and distribution uses, representing more than half of all parcels. These uses are logical extensions of the almost exclusively industrial uses west of Vermont Avenue, which are slated to receive the Production land use designation and I8 use zoning. Although office uses comprise a clear secondary use in the Industrial Area, they represent the minority of developed parcels, such that the Production land use designation and I8 use zoning are more reflective of current conditions.

Third, the City's application of the Markets land use designation and I4 use zoning would make the exception the rule in the Industrial Area. A central driver of the City's proposed Markets land use designation and I4 use zoning in the Industrial Area appears to be the existing Holiday Inn at 19800 Vermont Avenue. This property was subject to a General Plan Amendment and Zone Change in 1986. However, the Holiday Inn has remained an isolated use since that time, surrounded almost entirely by industrial uses. As far as we can tell, there is little demand for similar uses in the Industrial Area. In contrast, warehousing and distribution uses were developed as recently as 2001 in the Industrial Area—including the property at 19900 Vermont Avenue adjacent to the Holiday Inn.

Fourth, the Industrial Area is a logical location for industrial uses best served by the Production land use designation and I8 use zoning. The Industrial Area is within 1,000 feet of the 405 and within 300 feet of the 110. The 405 serves Los Angeles International Airport, Long Beach Airport, and John Wayne Airport, while the 110 is the primary route by which goods move to and from the Port of Los Angeles. The City should facilitate the development of industrial uses, and specifically warehousing and distribution uses, in the Industrial Area to locate truck traffic as close as possible to these key routes—rather than encouraging truck traffic on local routes. By

¹³ Los Angeles Department of City Planning, Recommendation Report, CPC-2018-6404-CPU, p. P-2.

strategically locating industrial uses in the Industrial Area, the City can preserve and sustain industrial activity while supporting the Industrial Area as a regional jobs base.

Fifth, the Industrial Area and adjacent areas are located in the Del Amo Superfund Site. Because the site contains contaminated soil and groundwater, the City should be promoting only the least sensitive uses there, such as industrial uses. Despite this, the I4 use zoning proposed for a portion of the Industrial Area would permit lodging uses with CPC approval.¹⁴ The I8 use zoning more logically prohibits lodging uses, which is more compatible with the Industrial Area's status as a Superfund site.

Sixth, although the Staff Report identifies advancement of environmental justice as a primary motivation for the selected land use designations and implementing zoning,¹⁵ the Industrial Area is an imperfect fit for such measures. As stated previously, the closest residences to the Industrial Area are located south of Del Amo Boulevard in the City of Torrance and north of the 405 in the City. Both areas are separated from the Industrial Area by other uses, and in the case of the closest residential area in the City, by a distance of approximately 2,200 feet. The 405 also serves as an existing barrier between the Industrial Area and the City's closest residential zone, while the 110 further isolates the Industrial Area from more sensitive neighbors.

Terreno supports the City's efforts to address the area's historic and inequitable exposure to environmental injustice. Terreno also supports the I8 use zone's proposed use standard that ensures light industrial uses, including warehousing and distribution uses, are adequately separated from residential zones and any sensitive use. However, the application of the I4 use zoning to the Industrial Area, prohibiting independent warehousing and distribution uses, would not effectively address environmental justice concerns, as there are no residential or sensitive uses in close proximity. Indeed, the Industrial Area has "distinct separation between industrial and residential," satisfying a specific community request reported in the Staff Report.¹⁶

V. The City Should Clarify that the Supplemental Procedures Required for Warehouse and Distribution Uses in the I4 and I8 Use Zones Are Not Discretionary Requests.

The I8 and I4 use zones impose supplemental procedures on wholesale trade and warehousing uses. These supplemental procedures require the ZA to consider whether (1) the project would contribute to an overconcentration of trucking-related uses that may cumulatively impact the respiratory health of surrounding residents, and (2) freight traffic accessing the site would adhere to the Countywide Strategic Truck Arterial Network through traffic enforcement, road signage, and signaling in order to minimize noise, vibration, and air quality impacts on sensitive land uses. Additionally, the ZA must make the findings required pursuant to a Class 2 Conditional Use Permit ("Class 2 CUP"). However, the exact approval required from the ZA is not clear, as the Community Plan Update's implementing zoning does not specifically identify

¹⁴ New Zoning Code, Draft, Winter 2024, Sec. 5B.8.4.B.

¹⁵ Los Angeles Department of City Planning, Recommendation Report, CPC-2018-6404-CPU, pp. A-5-A-6, A-10.

¹⁶ *Id.*, p. P-2.

wholesale trade and warehousing uses as requiring approval by the ZA, a public hearing by the ZA, or otherwise requiring a CUP.

The effect of the supplemental procedures appears to transform a warehouse or distribution center project from a by-right development to a development requiring a discretionary approval from the ZA, thereby triggering compliance with CEQA. Given the location of the Del Amo Superfund Site, it is likely that no Categorical Exemptions would be permitted in the Industrial Area and adjacent areas of the Community Plan Update. Essentially, this new procedure would mean that all warehouse and distribution uses in these areas would require at least a Negative Declaration or Mitigated Negative Declaration under CEQA, which is an immense undertaking for a use that is currently permitted by right in these areas.

If the City did not intend for the supplemental procedures to impose a discretionary approval on wholesale trade and warehousing uses, then Terreno recommends that the supplemental procedures be removed or revised to illustrate how an applicant can ministerially satisfy the required findings.

If the City intends for the supplemental procedures to impose a discretionary approval on wholesale trade and warehousing uses, then Terreno requests that the City reconsider. As discussed above, the Industrial Area is not within close proximity to residences; therefore, the requirement that the ZA consider whether the project would impact the respiratory health of surrounding residents is inapt. This is especially evident considering the I8 use zone already imposes on wholesale trade and warehousing uses a separation requirement from residential districts and sensitive uses.

The requirement that the ZA consider whether freight traffic accessing the site would adhere to the Countywide Strategic Truck Arterial Network is also unnecessary, as the Industrial Area's location all but ensures that truck traffic will use the 405 and the 110 to access the Industrial Area. Regardless, the same goal could be accomplished by making compliance with the Countywide Strategic Truck Arterial Network a use standard subject to code enforcement, rather than a supplemental procedure imposing a discretionary approval. The general findings required under a Class 2 CUP are likewise unnecessary, as warehousing and distribution uses are the types of uses that the I8 use zone should be facilitating, and—as discussed above—the Industrial Area is a sensible location for such uses.

Imposing a discretionary approval on wholesale trade and warehousing uses in the Industrial Area and I8 use zone overall would stifle investment while accomplishing little. Furthermore, it would transform dozens of conforming wholesale trade and warehousing properties into legal nonconforming uses, unless they receive the discretionary entitlement. Therefore, Terreno respectfully requests that the City clarify or modify its supplemental procedures for wholesale trade and warehousing uses in the I8 use zone (and all other affected use zones) so as not to require a discretionary approval.

VI. The City Should Clarify that the Definition of Sensitive Use in the I4 and I8 Use Zones Does Not Include Public Office Buildings Owned by a Public Agency that Are Not Open to the General Public.

The proposed zoning for the Community Plan Update prohibits certain industrial uses within 500 feet of Agricultural, Residential, or Residential Mixed Use districts, and any sensitive use, throughout and adjacent to the Industrial Area. Terreno supports this requirement as a reasonable way to promote environmental justice, community harmony, and land use compatibility in the area. However, the definition of sensitive use is ambiguous enough to capture buildings that are not typically considered sensitive uses.

The City's New Zoning Code defines sensitive use as "[a]ny use in the Residential use class, a Civic use, a Medical use, a School use, or any use in the Open Space & Recreation use class."¹⁷ The New Zoning Code further defines "civic facility" as "[a]ny publicly-accessible facility that provides essential or cultural services and is owned by a governmental or community organization."¹⁸ A "regional" civic facility is a "publicly-accessible facility that provides essential or cultural services to a region and for display, preservation, or enjoyment of heritage, history, and the arts, or any municipal building which is owned by a governmental or community organization and includes more than 75 parking stalls."¹⁹

Because a regional civic facility is a specific type of civic facility, Terreno assumes that the City intends that a regional civic facility must be publicly accessible. However, the definition of a regional civic facility is ambiguous, in that it may be read as expanding the definition of civic facility to include "any municipal building which is owned by a governmental or community organization and includes more than 75 parking stalls." As such, Terreno recommends the City clarify that the municipal building must also be "publicly-accessible." Our proposed new definition of a regional civic facility would read: "publicly-accessible facility that provides essential or cultural services to a region and for display, preservation, or enjoyment of heritage, history, and the arts, or any publicly-accessible municipal building which is owned by a governmental or community organization and includes more than 75 parking stalls."

As discussed above, there are three governmental buildings within 500 feet of the Hamilton Property that appear to have more than 75 parking stalls. Terreno is concerned that the ambiguous definition of regional civic facility may imply that existing wholesale trade and warehousing uses must be greater than 500 feet from these buildings, lest they become legal nonconforming uses. Terreno is also concerned that new development of wholesale trade and warehousing uses would not be permitted in such locations. Therefore, Terreno respectfully requests that the City revise the definition of regional civic facility to more clearly indicate that municipal buildings with more than 75 parking stalls must still be publicly accessible to qualify as a civic facility, and in turn, a sensitive use.

¹⁷ New Zoning Code, CPC Recommendation Draft, September 27, 2022, Div. 14.2.

¹⁸ New Zoning Code, Draft, Winter 2024, Sec. 5C.1.2.B.

¹⁹ New Zoning Code, Draft, Winter 2024, Sec. 5C.1.2.B.2.

We appreciate your time and hope you consider our requested revisions to the Community Plan Update.

Very truly yours,

A handwritten signature in black ink, appearing to be 'L. Chang', written over a horizontal line.

Lauren K. Chang
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4883-2561-3729.1



Planning CPC <cpc@lacity.org>

CPC-2018-6404-CPU

Thomas Anderson <andrsnt@att.net>

Mon, Feb 5, 2024 at 12:21 PM

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

Dear CPC Planning Commission,

My wife and I have lived here on 149th St in the Harbor Gateway since 1987. The California Waste Services Company sits less than a quarter mile from our home. We have dealt with noise, residue from the air over the years. If changing the zoning from Industrial to "Hybrid Industrial" puts more regulations in place for California Waste Services we are in favor of this zoning change.

Regards,

Tom and Betty Anderson

[738 West 149th St.](#)[Gardena, CA 90247](#)



Planning CPC <cpc@lacity.org>

Harbor Gateway Development

Vickey Naulls <fiera4@twc.com>

Mon, Feb 5, 2024 at 8:23 AM

To: cpc@lacity.org

I support the Harbor gateway measure restricting
development of empty lot at Hoover and 173rd.

Sent from my iPhone



Planning CPC <cpc@lacity.org>

400 South San Vicente Support Letter – Stay Ready PT

Info@stayreadypt.com <info@stayreadypt.com>

Mon, Feb 5, 2024 at 8:54 AM

To: cpc@lacity.org

To whom it may concern,

Stay Ready would like to express its support for the proposed residential development at [400 S. San Vicente](#).

We opened our first location in the Mid City West / Miracle Mile area in 2006. We are fortunate to be part of Council District 5 and thank the Councilwoman and staff for keeping us safe, the roads clean, and continuing to improve the city.

We have seen the area continue to improve, and while the growing pains have sometimes been tough, we look forward to having new neighbors, new buildings, and increased vibrancy.

At Stay Ready, our mission is to create a fun, welcoming and accessible environment while delivering quality affordable care to our patients. We believe our mission can be used in other aspects and not solely for our patients. As an example, we believe Angelenos should have access to reliable transportation and quality housing in high-opportunity areas by retail and job centers.

Not only will this project bring new potential patients to our clinic, it can provide housing for the employees at Stay Ready. Giving our employees an opportunity to be closer to work will greatly enhance the quality of life for our employees here. Housing is a major barrier to thriving in this part of the city, and we want to be part of the solution.

As leaders in the district, I hope you support this project and see the potential it will bring to the neighborhood.

Thank you for taking a moment to hear us out.

Best,

Aman Abye, Owner

Stay Ready Physical Therapy & Fitness

[5478 Wilshire Blvd. #208](#)

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Stay Ready Physical Therapy & Fitness

P: (323) 936-7525

F: (323) 936-7572

Miracle Mile

[5478 Wilshire Blvd #208](#)

Los Angeles, CA 90036

Brentwood

[11701 Wilshire Blvd #14B-1](#)

Los Angeles, CA 90025

Atwater Village

Metro Fitness

[2985 Glendale Blvd \(2nd Floor\)](#)

Los Angeles, CA 90039

Encino

[17323 Ventura Blvd](#)

Encino, CA 91316



February 5, 2024

David Woon, Planning Assistant

david.woon@lacity.org

(213) 978-1368

Dear City Planning Commission,

We are writing to you in support of the proposed 126-unit mixed use development, including 14 affordable units, at 400-432 South San Vicente Boulevard, case numbers CPC-2023-2058-CU-DBMCUP-CUW-SPR-VHCA/ENV-2023-2059-SCEA. We urge the city to approve the project with the Density Bonus and incentives and find it Categorically Exempt from the provisions of CEQA.

This project is in a great location for housing. It is across the street from a grocery store and close to bus stops, schools, restaurants, shopping, and museums. It is also near employment centers including Beverly Center and Cedars Sinai Medical Center. Replacing a shopping center and commercial building, the new housing will not result in any residential displacement.

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing. Creating new housing in this neighborhood will help to reduce issues of gentrification and displacement. Abundant Housing LA believes that these housing challenges can only be addressed if everyone in the region does their part. This project is a good project for Los Angeles and for the region and we urge the city to approve the project with the Density Bonus and incentives and find it Categorically Exempt from the provisions of CEQA.

Best Regards,

Azeen Khanmalek

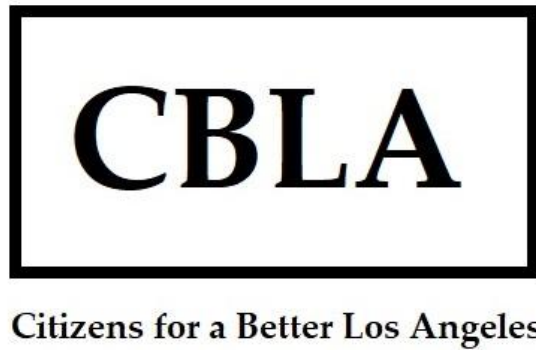
Azeen Khanmalek
AHLA Executive Director

Jaime Del Rio

Jaime Del Rio
AHLA Field Organizer

Tami Kagan-Abrams

Tami Kagan-Abrams
AHLA Project Director



February 5, 2024

City Planning Commission
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012
Sent via e-mail to: cpc@lacity.org

Re: 400 - 432 South San Vicente Boulevard
CPC-2023-2058-CU-DB-MCUP-CUW-SPR-VHCA
ENV-2023-2059-SCEA
Opposed to CUP for Sale and Dispensing of Alcohol with No Defined Parameters

Members of the City Planning Commission,

Citizens for a Better Los Angeles (CBLA) is a nonprofit public benefit corporation organized to protect the rights and promote the well-being of all people throughout Los Angeles County. One of our areas of focus is the alarming increase in alcohol density in the City of LA and the resultant impacts in terms of health harms and public safety.

While we were already disturbed to see a considerable increase in the approval of CUPs for the sale and dispensing of alcohol in recent years, the current request appears to be part of a push to erase any standards for awarding liquor permits. We are also concerned that the CPC agenda was posted/sent after the deadline for comments not limited as to volume had already passed. In this letter we address the following points:

- *The CPC agenda was distributed to the public after the deadline for comments not limited as to volume had already passed;*
- *The applicant requests a CUP for sale and dispensing of a full line of alcohol within the ground-floor commercial spaces without specifying the number or types of businesses that will occupy these spaces;*
- *The applicant requests a CUP for the sale and dispensing of a full line of alcohol in residential areas;*
- *The census tract where the project is located already has a high concentration of establishments that serve alcohol;*

- *Traffic deaths in LA continue to rise, and so does the number of DUIs.*

CPC agenda distributed to the public after deadline for comments not limited as to volume

The CPC agenda was distributed to the public after the deadline for comments not limited as to volume had already passed. We received the notification of the CPC hearing, which linked to the agenda, on Tuesday, January 30. (See Attachment A.) The agenda states:

Initial Submissions, not limited as to volume, must be received by the Commission Executive Assistant no later than by 4:00p.m. on the Monday prior to the week of the Commission meeting.

In other words, the deadline for submissions not limited as to volume was Monday, January 29. This means that members of the public were prohibited from submitting comments not limited as to volume. For this reason, we ask that Item 7 on the February 8, 2024 CPC agenda, requested actions related to 400 S. San Vicente, be rescheduled so that the public has the opportunity to submit comments not limited as to volume on this item.

Request for CUB without specifying number or types of businesses

The applicant requests a CUP for sale and dispensing of a full line of alcohol within the ground-floor commercial spaces, but the project description does not specify the number or types of businesses that will occupy these spaces. The paragraph under Proposed Project describes “an eight-story (100 feet above grade), mixed-use building with 126 residential dwelling units, and 11,615 square feet of ground floor commercial restaurant uses.” There does not appear to be any information about the number or type of restaurants to occupy the ground floor space. There is no information about hours of operation. We also question whether the developer actually intends to limit the 11,615 square feet of ground floor commercial space to restaurants only. Does this mean that they would reject prospective tenants that were not restaurants? Would all of these restaurants be bona fide eating establishments, or would they be crossing the line from restaurant to nightclub?

The request to grant a CUB for multiple establishments without even defining the specific number is absurd. It makes it impossible for the City to make the required findings for the approval of a CUB.

Request for CUB to serve full line of alcohol in residential areas

CBLA is extremely concerned about the request to serve alcohol in “residential common amenity areas”. This is one of two recent requests to allow the service of alcohol in residential structures, and we believe the City is crossing a very dangerous line here. The request states that service of alcohol would be limited to “residents and guests only”, but this is impossibly vague. Anyone within the premises could be considered a guest. And there is no information about how this would be enforced. But even if the applicant were to somehow limit service to residents only, this would still set a dangerous precedent.

We are concerned that if the City grants this request to allow alcohol service in residential areas it will set a precedent and that other developers will ask for the same. This will bring about a

significant increase in alcohol density. Decades of research show the harms associated with increased alcohol density. To cite just two examples:

Alcohol availability and intimate partner violence among US couples, McKinney Et Al, Alcohol: Clinical and Experimental Research, January 2009
<https://pubmed.ncbi.nlm.nih.gov/18976345/>

"We found that as alcohol outlet density increases so does the risk of MFPV [Male/Female Partner Violence] and that this relationship may differ for couples who do and do not report alcohol-related problems. Given that MFPV accounts for the majority of injuries related to intimate partner violence, policy makers may wish to carefully consider the potential benefit of limiting alcohol outlet density to reduce MFPV and its adverse consequences."

The LA County Department of Public Health has also weighed in on this issue repeatedly, and you can read their findings in this report:

Alcohol Outlet Density and Alcohol-Related Consequences by City and Community in Los Angeles County (LA County Department of Public Health, December 2022)
<http://publichealth.lacounty.gov/sapc/MDU/SpecialReport/AODReport2020.pdf>

Excessive alcohol consumption continues to be a serious public health concern with substantial implications for disease, violent crimes, traffic collisions, work loss, and social relationships. During 2020 in Los Angeles County, alcohol was involved in an estimated 4,060 motor vehicle crashes, 5,745 motor vehicle injuries, 123 motor vehicle fatalities, 50,600 ED visits, 45,726 hospitalizations, and 2,498 alcohol-attributable deaths.

So excessive consumption of alcohol doesn't just harm the individual who's doing the drinking. It has the potential to cause substantial harm to the community.

This census tract where the project is located already has high alcohol density

According to California Alcoholic Beverage Control, there are already 29 active licenses to sell alcohol in this census tract, and 11 of those are Type 47 licenses. (See Attachment B.) Clearly there is already an over-concentration of ABC locations in this area. Adding an undefined number of additional ABC locations will increase alcohol density even further. Years of research show an association of increased alcohol density with increased violent crime. Additionally, in 2014 LAPD Chief Charlie Beck noted a number of crimes associated with the increase of alcohol density in the Hollywood area, including traffic collisions with pedestrians, DUIs, assault and rape.

Letter from LAPD Chief Charlie Beck to City Planning, 2014
<https://drive.google.com/file/d/1p9TXCElwSI7H-pWgQe47r08IUq546Niu/view?usp=sharing>

Traffic deaths in LA are rising, and LAPD Chief Moore has pointed out rise in DUIs

It is no secret that traffic deaths in LA have been rising for years, and the City's efforts to stop this trend have so far been an utter failure. This year it was reported that traffic deaths for 2023 were higher than the number of homicides.

LAPD Reports Major Shift: Traffic Deaths Eclipse Homicides
<https://drive.google.com/file/d/1G0AD4t6WDJcNvBWxq7VeShAzwkah2p7s/view?usp=sharing>

An excerpt from the article:

Traffic Fatalities Concern: Moore noted a significant increase in traffic fatalities, including fatal hit-and-runs, and pedestrian and bicycle collisions in 2023.

Felony Hit-and-Runs and DUI Crashes: There was a 23% increase in felony hit-and-run crashes and a 32% rise in DUI-related crashes in 2023 compared to 2022.

We ask that you pay special attention to the fact that in this article Chief Moore notes that there has been a 32% rise in DUI-related crashes. Clearly drunk driving is a serious problem in LA, and increasing the number of establishments selling alcohol, with no regard for the consequences, will only exacerbate the problem.

For the reasons given above, CBLA urges the CPC to reject this request for the sale and dispensing of alcohol at 400 S. San Vicente.

Sincerely,
Casey Maddren
Citizens for a Better Los Angeles



Casey Maddren <cmaddren@gmail.com>

02/08/2024 08:30 AM - City Planning Commission Meeting Agenda

1 message

Ita Ensla <ita.ensla@lacity.org>

Tue, Jan 30, 2024 at 1:33 PM

Reply-To: ita.ensla@lacity.org

To: PLN_CITYPLNAGENDA@listserv.lacity.org

Attached is the new City Planning Commission document posted for Planning Department.

TITLE: City Planning Commission Meeting Agenda

DATE: 02/08/2024

TIME: 08:30 AM

To view the document online please visit: http://ens.lacity.org/pln/cityplnagenda/plncityplnagenda285177385_02082024.pdf

To unsubscribe from this list, please click on this link:

http://listserv.lacity.org/cgi-bin/wa.exe?SUBED1=pln_cityplnagenda&A=1

**plncityplnagenda285177385_02082024.pdf**

187K

ALCOHOL LICENSES CT 2148.00

ATTACHMENT B

FROM CA ABC

License Nu	Status	License Ty	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name
366484	ACTIVE	41	12/12/2000	11/30/2024	FOOD AND COMPANY INC	8350 W 3RD ST,LOS ANGELES, CA 90048	Census Tract: 2148.00 JOANS ON THIRD
442542	SUREND	41	2/26/2008	1/31/2025	TAIHEYO 3 CORPORATION	8420 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 IZAKA-YA BY KATSU-YA
517418	ACTIVE	41	1/27/2012	12/31/2024	SIMPLETHINGS 3RD STREET LLC	8310 W 3RD ST,LOS ANGELES, CA 90048-4311	Census Tract: 2148.00 SIMPLETHINGS SANDV
567630	ACTIVE	41	12/4/2017	11/30/2024	TAKEE INTERNATIONAL INC	8486 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 MANPUKU
571187	ACTIVE	41	8/15/2016	7/31/2024	NANDHA, SACHINDEEP SINGH	428 S SAN VICENTE BLVD,LOS ANGELES, CA 90048-4118	Census Tract: 2148.00 INDIA'S GRILL
574078	ACTIVE	41	12/12/2016	11/30/2024	PAELLA CORNER LLC	476 S SAN VICENTE BLVD,LOS ANGELES, CA 90048-4107	Census Tract: 2148.00 LA PAELLA
597583	ACTIVE	41	7/21/2019	6/30/2024	NOYON INC	8474 W 3RD ST, STE 106,LOS ANGELES, CA 90048-4142	Census Tract: 2148.00 SUSHI KOO
611812	ACTIVE	41	12/3/2019	11/30/2024	ENYA K CORPORATION	480 S SAN VICENTE BLVD,LOS ANGELES, CA 90048-4107	Census Tract: 2148.00 SUSHI ENYA
614989	ACTIVE	41	7/21/2020	6/30/2024	SWT CHINESE GOURMET CORP.	8386 BEVERLY BLVD,LOS ANGELES, CA 90048-2631	Census Tract: 2148.00 MANDARETTE CHINES
616782	ACTIVE	41	7/14/2021	6/30/2024	CHICAS TACOS BEVERLY GROVE 3 LLC	8312 W 3RD ST,LOS ANGELES, CA 90048-4311	Census Tract: 2148.00 CHICAS TACOS RESTAL
486990	ACTIVE	47	8/13/2010	7/31/2024	VIRGIL SB123 LLC	8334 W 3RD ST,LOS ANGELES, CA 90048-4311	Census Tract: 2148.00 GOAL SPORTS CAFE
502102	ACTIVE	47	11/5/2010	10/31/2024	BENEDIKT HILL L-PSHIP	8370 W 3RD ST,LOS ANGELES, CA 90048-4311	Census Tract: 2148.00
536078	ACTIVE	47	2/7/2014	1/31/2025	KNIGHTLIFE COLLECTIVE LLC	8450 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 TOCA MADERA
560241	ACTIVE	47	3/21/2016	12/31/2024	SUAYA, ADOLFO ALEXANDRO	8480 W 3RD ST ,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 PHOENIX THE
568621	ACTIVE	47	7/5/2016	6/30/2024	OLD TOWN RESTAURANT LLC	8408-8410 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 COD
573736	ACTIVE	47	8/28/2017	7/31/2024	MISTER 10 LLC	8436 W 3RD ST,LOS ANGELES, CA 90048-4163	Census Tract: 2148.00 N10 RESTAURANT
579342	ACTIVE	47	10/27/2017	4/30/2024	CHIPOTLE MEXICAN GRILL INC	8420 W BEVERLY BLVD,LOS ANGELES, CA 90048	Census Tract: 2148.00 CHIPOTLE MEXICAN GI
625147	SUREND	47	6/21/2021	5/31/2024	SERVED LA, LLC	8422 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 BARI
628687	ACTIVE	47	12/2/2021	11/30/2024	PALI FUND GP LLC	8384 W 3RD ST, GROUND LEVEL,LOS ANGELES, CA 90048	Census Tract: 2148.00 ORLANDO HOTEL, THE
629058	ACTIVE	47	12/16/2021	11/30/2024	BASBUSSA INC	8338 W 3RD ST,LOS ANGELES, CA 90048-4311	Census Tract: 2148.00 BASBUSSA
634733	ACTIVE	47	1/25/2023	12/31/2024	MR FURLEYS 3RD ST, INC.	8445 W 3RD ST,LOS ANGELES, CA 90048-4124	Census Tract: 2148.00 MR FURLEYS
366484	ACTIVE	58	12/12/2000	11/30/2024	FOOD AND COMPANY INC	8350 W 3RD ST,LOS ANGELES, CA 90048	Census Tract: 2148.00 JOANS ON THIRD
502102	ACTIVE	58	11/5/2010	10/31/2024	BENEDIKT HILL L-PSHIP	8370 W 3RD ST,LOS ANGELES, CA 90048-4311	Census Tract: 2148.00
536078	ACTIVE	58	2/7/2014	1/31/2025	KNIGHTLIFE COLLECTIVE LLC	8450 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 TOCA MADERA
560241	ACTIVE	58	3/21/2016	12/31/2024	SUAYA, ADOLFO ALEXANDRO	8480 W 3RD ST ,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 PHOENIX THE
568621	ACTIVE	58	7/5/2016	6/30/2024	OLD TOWN RESTAURANT LLC	8408-8410 W 3RD ST,LOS ANGELES, CA 90048-4112	Census Tract: 2148.00 COD
573736	ACTIVE	58	8/28/2017	7/31/2024	MISTER 10 LLC	8436 W 3RD ST,LOS ANGELES, CA 90048-4163	Census Tract: 2148.00 N10 RESTAURANT
628687	ACTIVE	66	12/2/2021	11/30/2024	PALI FUND GP LLC	8384 W 3RD ST, GROUND LEVEL,LOS ANGELES, CA 90048	Census Tract: 2148.00 ORLANDO HOTEL, THE
628687	ACTIVE	68	12/2/2021	11/30/2024	PALI FUND GP LLC	8384 W 3RD ST, GROUND LEVEL,LOS ANGELES, CA 90048	Census Tract: 2148.00 ORLANDO HOTEL, THE



February 5, 2024

Alice Okumura, City Planning Associate

alice.okumura@lacity.org

(213) 978-1356

Dear City Planning Commission,

We are writing to you in support of the proposed 77-unit mixed use development, including 8 affordable units, at 8331-8349 West 3rd Street, case numbers CPC-2023-4573-DB-CUHCA/ ENV-2023-4574-CE. We urge the city to approve the project with the Density Bonus and incentives and find it Categorically Exempt from the provisions of CEQA.

This project is in a great location for housing. It is close to bus stops, schools, restaurants, shopping, and museums. It is also walking distance to employment centers including Beverly Center, The Grove, and Cedars Sinai Medical Center.

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing. Creating new housing in this neighborhood will help to reduce issues of gentrification and displacement. Abundant Housing LA believes that these housing challenges can only be addressed if everyone in the region does their part. This project is a good project for Los Angeles and for the region and we urge the city to approve the project with the Density Bonus and incentives and find it Categorically Exempt from the provisions of CEQA.

Best Regards,

Azeen Khanmalek

Azeen Khanmalek
AHLA Executive Director

Jaime Del Rio

Jaime Del Rio
AHLA Field Organizer

Tami Kagan-Abrams

Tami Kagan-Abrams
AHLA Project Director



February 1, 2024

City of Los Angeles Planning Commission

Attn: Cecilia Lamas, Commission Executive Assistant II
200 North Spring Street
Los Angeles, CA 90012

**Re: RESPONSES TO COMMENT LETTERS FOR THE 3RD AND FLORES PROJECT
(PROJECT) [CPC-2023-4573-DB-CU-HCA; ENV-2023-4574-CE]**

Dear City Planning Commission,

On behalf of Flores Fund, LLC (Applicant), Parker Environmental Consultants prepared a detailed analysis and Justification to Support a Categorical Exemption, dated January 2024 (CatEx Justification), which is included in the City's Staff Report for the City Planning Commission hearing scheduled for February 8, 2024 (see Staff Report at pages 80-660). As noted in the City's Staff Report, several public comment letters were provided prior to the Hearing Officer hearing that was held virtually via Zoom meeting on Tuesday, January 9, 2024 (see Staff Report at pages 673-996). Based on our review of these comment letters, we are providing the following responses to address the public's concerns regarding the project's potential environmental impacts and CEQA review process. Many of the comment letters included generalized comments pertaining to the Project's parking, scale and massing, and historic resources. As such, these issues are generally addressed by topic below. Two comment letters (i.e., the Luna & Glushon letter representing the Flores Street Partnership and the Mitchel M Tsai letter representing the Western States Regional Council of Carpenters (WSRCC)) provided more specific comments and are appropriately addressed in more detail. In summary, the comments and arguments raised by the commenters do not provide any substantial evidence (or raise a fair argument supported by substantial evidence) that would require the preparation of a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA).

Parking

There is general concern with respect to spillover parking from the Project Site along adjacent roadways due to the Project providing only 38 parking spaces on-site. The Project Site is an infill site within a Transit Priority Area as defined under SB 743. Therefore, parking for the Project shall not be considered a significant impact on the environment.

Additionally, the Applicant is not required to provide parking spaces pursuant to State Bill AB 2097. AB 2097 prohibits a public agency from imposing or enforcing any minimum automobile parking requirement on any residential, commercial, or other development project. Thus, the Project is not required to provide any parking spaces and would provide 38 additional parking

spaces than required. As discussed on page 5 of the CatEx Justification, the Los Angeles Metropolitan Transportation Authority (Metro) and Los Angeles Department of Transportation (LADOT) operate multiple bus lines with multiple bus stops within walking distance from the Project Site. In the vicinity of the Project Site, bus stops are primarily located along 3rd Street, Beverly Boulevard, La Cienega Boulevard, and San Vicente Boulevard. Major transit stops that serve the Project Site include the Metro local bus lines 16 and 316, located on W. 3rd Street; Metro local bus line 14, located on Beverly Boulevard; and Metro local bus line 105, located on San Vicente Boulevard. Other Metro local bus lines not defined as a major transit stops include: Metro Lines 217, 218, and 617; LADOT DASH Fairfax line, and the West Hollywood Citylines Local East and Local West. The Project Site is also situated within easy walking distance to retail, restaurants, entertainment, and other commercial businesses located in the Los Angeles area. Thus, as a Transit Priority Project, the Project is in substantial conformance with parking requirements established for the Project Site pursuant to AB 2097. Moreover, no evidence was submitted that demonstrates there would be spillover parking from the Project.

Project Scale and Character

Commenters raised concerns regarding the proposed height and mass of the Project. The Project consists of a mixed-income mixed-use residential and commercial uses consisting of 77 residential units, including 8 restricted affordable units to be made available to extremely low-income households, and 11,026 square feet of ground floor commercial space. As part of the State Density Bonus Program, the proposed Project is allowed incentives to increase the floor area ratio (FAR), density, and height in exchange for providing restricted affordable housing units. These incentives are authorized by State and local law to incentivize developers to build affordable housing and to help alleviate the statewide housing shortage.

By providing 8 units set aside for Extremely Low Income Households (which is 15% of the base density), the Project qualifies for three incentives. The incentives sought are (1) an Off-Menu Incentive to permit a FAR of up to 4.66:1 in lieu of 1.5:1, (2) an Off-Menu Incentive to permit up to a 75% reduction in required open space and (3) an Off-Menu Incentive to permit a maximum building height of 100 feet (up to 5 additional stories) in lieu of 45 feet (3 stories) otherwise permitted. As discussed on pages 32 to 36 of the CatEx Justification, the proposed Project would not conflict with the applicable goals, objectives, and policies of the Wilshire Community Plan, adopted for the purpose of avoiding or mitigating an environmental effect. One role of the Wilshire Community Plan is to guide development by informing the general public of the City's planning goals, policies and development standards with the objective of creating a healthy and pleasant environment. The Project would redevelop an underutilized site that is currently vacant. Demolition previously occurred by the prior owner. There are no current residents. As a mixed-use project, the Project would provide a transition between the commercial uses along 3rd Street and the residential uses along Flores Street. Thus, the proposed Project's land uses would be consistent with the surrounding neighborhoods. The location, size, and type of project is a typical mixed-use residential project in the City, and there is no evidence to suggest that the proposed

Project has a feature that distinguishes it from others in the exempt classes. As such, there are no unique or unusual circumstances that exist in connection with the Proposed Project or surrounding environmental conditions that have the potential to result in a significant environmental impact upon the degradation of the surrounding environment.

Historical Resources

Commenters raised concerns with the historic significance of the structures on the Project Site and the proposed Project's impacts to historic districts. However, there are no structures on the Project Site. As stated on page 7 of the CatEx Justification, the Project Site was previously developed with a private school, which was approved for demolition in 2022 under the previous owner.¹ The current Applicant acquired the Project Site after demolition. Thus, the Project Site was recently demolished and is currently vacant and surface graded, which serves as the existing conditions baseline. Therefore, the Project Site currently does not contain any historic structures or resources on site. Furthermore, the Project Site is not located within a Historic Preservation Overlay Zone and is not indicated in the City's Zoning and Information Map Access System (ZIMAS) as requiring historic preservation review. Therefore, the Proposed Project will not result in a substantial adverse change to the significance of a historic resource or historic district.

Flores Street Partnership Letter (Comment Letter submitted by Luna & Glushon)

The law firm of Luna & Glushon letter submitted a comment letter on behalf of the Flores Street Partnership. This letter states the Flores Street Partnership's opposition to the Proposed Project and questions why the Hearing Officer hearing occurred prior to the release of the CEQA document. The Hearing Officer hearing was intended to provide information about the Project and receive public comments regarding any concerns or issues. No determination or approval was provided at the Hearing Officer hearing. A detailed analysis and Justification to Support a Categorical Exemption (CatEx Justification), is included in the City's Staff Report for the City Planning Commission hearing scheduled for February 8, 2024 (see Staff Report at pages 80-660).

The comments in the Glushon letter that raise issues with the Project's building height and size and spillover parking are addressed in the topical response above. With respect to the issues of privacy and shadow impacts, these environmental impacts are outside the scope of the Categorical Exemption. Individual privacy is not a CEQA impact issue. Impacts pertaining to shadows are not criteria to be addressed for infill development exempt from CEQA review. And even if further CEQA review was required, the Proposed Project is located within a Transit Priority Area (TPA) in the City² and as such, as per Senate Bill (SB) 743 and ZI No. 2452, aesthetic

¹ City of Los Angeles, Department of Building and Safety, Application Permit #22019-10000-04591, <https://www.ladbsservices2.lacity.org/OnlineServices/PermitReport/PcisPermitDetail?id1=22019&id2=10000&id3=04591>.

² City of Los Angeles, Department of City Planning, City of Los Angeles Zoning Information and Map Access System (ZIMAS), <https://zimas.lacity.org/documents/zoneinfo/ZI2452.pdf>.

impacts, including shade and shadow, “shall not be considered significant impacts on the environment.”

With respect to alleged exacerbation of “traffic in the area,” as per SB 743, a vehicle miles traveled (VMT) analysis was performed using the LADOT VMT Calculator and it was determined that with the implementation of TDM strategies (which include reducing the parking supply and providing bicycle parking), the Project would not result in a significant VMT impact. As part of the Traffic Assessment, it was determined there would not be a significant impact related to geometric design feature of incompatible use hazards. LADOT approved the Traffic Assessment. (See CatEx Justification, Attachment 2.)³ In addition a non-CEQA transportation analysis was conducted using level of service screening methodology and it was determined that the Project would not result in adverse circulation conditions.

The Luna & Glushon letter claims the elimination of commercial space and providing a 20-foot rear yard setback along the alleyway would mitigate the incompatibility of the Proposed Project but fails to provide any substantial evidence to support this claim. Pursuant to LAMC Section 12.14.1, the proposed building with mixed-use multi-family and commercial land uses are explicitly permitted uses in the C2 zone by right. The Applicant has complied with all applicable zoning and land use requirements and will pay all development impact fees required by local and state law. Additionally, pursuant to LAMC Section 12.22 A.18(c)(3), no yard requirements shall apply to the residential portions of buildings located on lots in a C2 zone used for combined commercial and residential uses, if such portions are used exclusively for residential uses, abut a street, private street or alley, and the first floor of such buildings at ground level is used for commercial uses or for access to the residential portions of such buildings. Therefore, the Proposed Project would not be required to provide setbacks abutting 3rd Street, Flores Street, and the alleyway. Furthermore, there is no basis to require subterranean parking let alone evidence of a significant environmental impact that subterranean parking would mitigate.

Luna & Glushon suggests a number of conditions to reduce impacts from the Project. However, the Project would already be in conformance with the conditions proposed by the commenter as many are already required through applicable building code and LAMC requirements relative to lighting, HVAC, and permissible hours of construction.

The Luna & Glushon letter claims the Project does not conform with the purpose, intent and provision of the General Plan and Wilshire Community Plan. Generally, plans reflect a range of competing interests, and agencies are given great deference to determine consistency with their own plans. A project must only be in “harmony” with the applicable land use plan to be consistent with it. (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 717-18.) As the court explained in *Sequoyah*, “no project could completely satisfy every policy stated in the [General Plan], and the state law does not impose such a requirement.” (*Id.* at 719.) To

³ LADOT Correspondence Letter dated August 24, 2023; KOA Corporation Transportation Assessment dated July 18, 2023.

be “consistent” with a general plan, a project must be “compatible with the objectives, policies, general land uses, and programs specified in the applicable plan,” meaning the project must be “in agreement or harmony with the applicable plan.” (*Id.* at 717-18.) Thus, a proposed project should be considered consistent with a general plan or elements of a general plan if it furthers one or more policies and does not obstruct other policies.⁴ As discussed on page 32 to 36 of the CatEx Justification, the Project would not conflict with the applicable goals, objectives, and policies of the Wilshire Community Plan, adopted for the purpose of avoiding or mitigating an environmental effect. As such, the Project does not need to be in perfect conformity with every plan policy, and the Project would not conflict with the general goals of the Community Plan. Further, the Project is located in the C2 (Commercial) zone and would not demolish any existing residential land uses. Thus, the Proposed Project would not displace any existing housing or residents. Therefore, the commenter submitted no evidence of adverse impacts.

Luna & Glushon’s assertion that a Class 32 Categorical Exemption does not apply for the Project is incorrect. The environmental analysis contained in the CatEx Justification is incorporated into the City’s Staff Report and appropriately addresses the criteria required to qualify as a Class 32 Infill Development. The CatEx Justification analysis also includes substantial evidence to support the finding that none of the exceptions to the exemptions identified in Section 15300.2 of the CEQA Guidelines apply in this case.

Western States Regional Council of Carpenters (WSRCC) Letter (Comment Letter submitted by Mitchell M. Tsai Law Firm, Mitchell M. Tsai, Esq.)

The law firm of Mitchell M. Tsai submitted comments on behalf of the WSRCC expressing several claims that are either unrelated to the environmental issues analyzed in the Categorical Exemption or are inaccurately categorized as applying to the Project.

First, the Tsai letter states that the Applicant should include additional community benefits such as requiring local hire and use of a skilled and trained workforce to build the Project. Pursuant to LAMC Section 12.14.1, the proposed building with mixed-use multi-family and commercial land uses are explicitly permitted uses in the C2 zone by right. The Applicant has complied with all applicable zoning and land use requirements and will pay all development impact fees required by local and state law. There are no additional zoning requirements, ordinances or land use policies that mandate additional community benefits for the Proposed Project.

Second, the Tsai letter claims that the hiring of local workforce for the Project’s construction would reduce environmental impacts and increase the economic impact of the Project. As discussed in the CatEx Justification, the Project would not result in significant greenhouse gas (GHG), air quality or transportation impacts, and no mitigation measures are required.

⁴ Office of Planning and Research [OPR], *State of California General Plan Guidelines* (2017).

The Tsai letter states that the Proposed Project should include training requirements to address public health risks related to a potential risk of COVID-19 spread during construction of the Proposed Project. However, the commenter incorrectly identifies public health risks associated with construction (like a pandemic) as requiring a mandatory finding of significance under CEQA. This is incorrect. COVID-19 is an existing environmental condition that is causing substantial public health-related concerns. Under Section 15065 of the CEQA Statute and Guidelines, public health risks from existing environmental conditions are not considered mandatory findings of significance and do not fall under any of the conditions defined as having a significant effect on the environment. The commenter does not provide any evidence to defend this claim.

Additionally, any workers who are employed for the construction of the Project would be protected by existing Occupational Safety and Health Administration (OSHA) laws and regulations, which are required to address the potential spread of COVID-19 and to ensure worker safety during construction. OSHA is required to update policies to reflect standard operating procedures that follow the Centers for Disease Control (CDC), OSHA, State/territorial, and local guidelines for preventing the spread of COVID-19 infection, including providing training for employees on the spread of the disease in the geographic areas in which they work, and screening calls when scheduling indoor construction work to assess potential exposures and circumstances in the work environment, before worker entry.⁵ As such, the Project's compliance with updated OSHA regulations during construction would not exacerbate existing conditions related to COVID-19.

Tsai's letter asserts that an EIR should have been prepared for the Project and provides information from case law and the State CEQA Guidelines regarding the basic purpose of CEQA and EIRs. The commenter asserts that a Class 32 Categorical Exemption does not apply for the Project but does not provide any substantive fact or evidence to support this assertion. The lead agency's determination that the Proposed Project is exempt from CEQA is supported by the detailed environmental analysis contained in the CatEx Justification, which is provided in the City's Staff Report. This analysis appropriately addresses the criteria required to qualify as a Class 32 Infill Development and includes substantial evidence to support the finding that none of the exceptions to the exemptions identified in Section 15300.2 of the CEQA Guidelines apply in this case.

Further, it should be noted that under CEQA case law, it is well established that a public agency's determination that when a project falls within the classifications of projects that have been determined to be exempt from CEQA and the lead agency's determination is supported by substantial evidence, the courts apply the substantial evidence standard in reviewing the agency's findings. (See *Protect Tustin Ranch v. City of Tustin* (2021) 70 Cal.App.5th 951 and *Holden v. City of San Diego* (2019) 43 Cal.App.5th 404.)

⁵ OSHA, COVID-19 Control and Prevention, Construction Work, website: <https://www.osha.gov/coronavirus/control-prevention/construction>.

Tsai's letter asserts the Project is inconsistent with the General Plan, Zoning Regulations, and Municipal Code. As discussed on page 32 to 36 of the CatEx Justification, the Project would be consistent with the applicable goals, objectives, and policies of the Wilshire Community Plan. The Project would reserve 15 percent of the base units at the "Extremely Low Income" level (8 units total) and would thus, utilize the Density Bonus Affordable Housing Incentive Program contained in LAMC Section 12.22 A.25 and seek incentives to allow an increase in FAR, density, and height, and a reduction in open space. With approval of the proposed discretionary actions and Density Bonus incentives, the Proposed Project would not be inconsistent with the LAMC. Furthermore, the California Court of Appeal has held that a project that included incentives and waivers of development standards under the Density Bonus Law for height, FAR, and setbacks was still eligible for a Class 32 categorical exemption. (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1347–50.) The court held that, due to the application of the Density Bonus Law, the general plan and zoning regulations in question were not "applicable" to the site, and therefore the project still met the criterion for a Class 32 categorical exemption. (*Id.* at 1349.)

The commenter claims that the Project will result in anticipated impacts relating to traffic, noise, and air quality and should quantify impacts. However, those claims are incorrect, and the commenter submitted no evidence, substantial or otherwise. The Justification to Support a Categorical Exemption provides supporting analysis demonstrating that the Project would not result in any significant effects relating to traffic, noise, and air quality. As discussed on page 54 of the Categorical Exemption, the temporary construction-related noise impacts would be considered less than significant in accordance with City requirements and standards. The temporary constructed-related air quality impacts would not exceed any regional SCAQMD significance thresholds for criteria pollutants during the construction phases, and localized emissions would not exceed the applicable construction localized significance thresholds for the Project Site (see CE analysis at pages 58-60. Therefore, the Project would not result in air quality and noise impacts to nearby sensitive receptors, including the Palihouse West Hollywood Hotel. Additionally, the Categorical Exemption analysis incorporates a detailed VMT assessment, which concluded that the Project's traffic impacts would be less than significant pursuant to the study methodology and significance thresholds as detailed in the City's Transportation Assessment Guidelines (TAG). The VMT Assessment and DOT's correspondence of approval are included in Attachment 2 to the Categorical Exemption. Therefore, substantial evidence supports the Lead Agency's determination that the Proposed Project is exempt from CEQA.

The Tsai letter incorrectly claims that the Project would not be adequately served by utilities and public services. However, the commenter does not provide any evidence to support this claim. The CatEx Justification provides supporting analysis demonstrating that the Project would be adequately served by utilities services (water, wastewater, and solid waste) and public services (fire protection, police protection, schools, and libraries). Although the Project Site is currently vacant and graded, this condition is recent. Up until demolition of the Project Site's buildings in 2022, the Project Site contained a private school which was adequately served by all required

utilities and public services. Therefore, the Applicant provided substantial evidence to support the Lead Agency's determination that the Proposed Project is exempt from CEQA.

The Tsai letter asserts that the Project may result in cumulative impacts and suggests other related projects that should have been identified when analyzing cumulative impacts. The CatEx Justification provides detailed supporting analysis of potential cumulative impacts. The CatEx Justification utilized the related projects provided in the Transportation Study, dated July 2023, that fell within a ½ - mile of the Project Site and accounted for more recent related projects filed with the City. As shown in Table 17 of the CatEx Justification, the related project at 400 S. San Vicente Blvd. was included as Related Project No. 4. The project located at 8550 W. 3rd St. was filed in June 2023 and was not on file when the related projects list was acquired for the Transportation Study. Accordingly, all proposed, recently approved, under construction, or reasonably foreseeable projects that could produce a related or cumulative impact on the local environment, when considered in conjunction with the Project, were identified for evaluation. The CatEx Justification appropriately analyzes cumulative impacts of the Project based on the baseline of the existing conditions of the Project Site and surrounding land uses at the time the application was filed and when the related projects list was prepared.

Furthermore, typically projects located within 500 feet of the Project Site would create a local impact, such as noise or air quality emissions. However, these two projects are located approximately 1,370 feet and 2,070 feet from the Project Site, respectively, with numerous land uses located between these future sites and the Project Site. Thus, these two projects are not located within 500 feet and would not create a local impact in conjunction with the Proposed Project. Therefore, the commenter fails to provide any evidence that these additional projects would result in a specific cumulative environmental impact. Therefore, the commenter's assertion is speculative and unsubstantiated.

Tsai's assertion that these two projects "signal" that the Project is unnecessary ignores the current housing crisis, including the significant need for affordable housing. The Project would be in conformance with the goals of the City by providing much needed housing and affordable housing units. Pursuant to LAMC Section 12.22 25(a), the purpose of the State Density Bonus requirements is to increase the production of affordable housing, consistent with City Policies. In any event, "necessity" is not a Class 32 Exemption criterion.

Tsai's comment letter incorporated a technical report prepared by Soil Water Air Protection Enterprise (SWAPE), dated March 8, 2021, to demonstrate that a local workforce hiring mandate would reduce the Project's greenhouse gas emissions. However, SWAPE's technical report was prepared for another project and is not related in any way to the Proposed Project. The SWAPE report is based on an older version of CalEEMod, Version 2016.3.2, which is no longer recommended by the California Air Resources Board or the South Coast Air Quality Management District for purposes of CEQA review. Further, SWAPE's report is not sufficient evidence that local hire provisions actually reduce impacts in the City of Los Angeles, especially when the example is

from another city altogether. Also, it is important to note (even though the issue of local hire is beyond the scope of the Categorical Exemption) that local hire provisions are typically embodied in project labor agreements between unions and developers. In general, these agreements often contain goals and not mandates for local hiring. From a practical standpoint, even agreements with local hire provisions may end up resulting in a fraction of the labor force being hired from the "local" area because the labor force is more dispersed than a certain local area or zip code. Therefore, the comment is based on speculation that a local hire goal could even be satisfied, let alone result in changes in environmental impact analysis. Additionally, as analyzed in the Categorical Exemption, the Project would not result in a significant GHG impact. Therefore, the Project does not warrant mitigation measures to reduce VMT and construction-related GHG emissions.

Conclusion

Based on our review of the comment letters summarized above, the comments and arguments raised by the commenters do not provide any substantial evidence (or raise a fair argument supported by substantial evidence) that would require the preparation of a MND or an EIR pursuant to CEQA. Pursuant to Public Resource Code (PRC) Section 21082.2 (b), "[t]he existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment." Section 21082.2(c) also provides that "[a]rgument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts."

Further, the comment letters contained in the City's Staff Report do not identify any deficiencies, inadequacies, or significant environmental impacts in the CatEx Justification that would warrant the implementation of project mitigation measures. Thus, the CatEx Justification satisfies the environmental review requirements pursuant to CEQA, the State CEQA Guidelines, and the City of Los Angeles' policies for implementing CEQA, and no further analysis is required.

Should you have any questions regarding any of the responses please contact me at (661) 257-2282 or by email at shane@parkerenvironmental.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shane E. Parker".

Shane E. Parker, Principal



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February 5, 2024

Via Email

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Comment on Proposed Class 32 CEQA Exemption (“Infill Development”) for the 10626 Venice Boulevard Project – (2021-3405-TOC-SPR-HCA, ENV-2021-3407-CE)

Dear President Millman and Honorable Members of the Planning Commission,

I am writing on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”) regarding the proposed Class 32 Infill Development Categorical Exemption (“Categorical Exemption” or “Class 32 Exemption”) for a seven-story mixed-use project proposed at 10602-10646 W. Venice Boulevard in the City of Los Angeles (“Project”). On August 30, 2023, the Hearing Officer determined that the Project is exempt from California Environmental Quality Act (“CEQA”) pursuant to the Class 32 Exemption, and as a result, no additional review of the Project’s environmental impacts is required.

After further review, SAFER appeals the City of Los Angeles (“City”) Hearing Officer’s determination which will exempt the Project (DIR-2021-3405-TOC-SPR-HCA, ENV-2021-3407-CE) from review under the California Environmental Quality Act (“CEQA”). As discussed below, the Project does not qualify for the Class 32 Exemption. Since the Project is not exempt from CEQA, an Initial Study must be prepared and circulated to determine the appropriate level of CEQA review required, be it an Environmental Impact Report (“EIR”) or a Mitigated Negative Declaration (“MND”).

PROJECT DESCRIPTION

The Applicant, Isaac Cohanzad of Wiseman Residential, seeks to develop the Project at 10602-10646 W. Venice Boulevard. The project involves the construction, use, and maintenance of a new seven-story, approximately 73 feet high, mixed-use building with 214 residential units above approximately 15,804 square feet of commercial space on the ground floor. The project proposes to provide 238 vehicle parking spaces within two subterranean levels and a portion of the ground floor. The Project is directly adjacent to a daycare center and a couple of the parcels were currently uses/formerly used for automotive repair services.

LEGAL STANDARD

CEQA identifies certain classes of projects which are exempt from the provisions of CEQA, called Categorical Exemptions. (14 CCR §§ 15300, 15354.) “Exemptions to CEQA are narrowly construed and “[e]xemption categories are not to be expanded beyond the reasonable scope of their statutory language.” (*Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 125.) The determination as to the appropriate scope of a categorical exemption is a question of law subject to independent, or de novo, review. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School Dist.*, (2006) 139 Cal. App. 4th 1356, 1375 (“[Q]uestions of interpretation or application of the requirements of CEQA are matters of law. (Citations). Thus, for example, interpreting the scope of a CEQA exemption presents ‘a question of law, subject to de novo review by this court.’ (Citations).”.)

Here, the City is relying on the Class 32 Exemption pursuant to CEQA Guidelines section 15332, which exempts infill development projects from CEQA where the following conditions are met:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value, as habitat for endangered, rare or threatened species.
- (d) ***Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.***
- (e) The site can be adequately served by all required utilities and public services.

(14 CCR § 15332 [emph. added].)

As discussed below, the Project does not qualify for the Infill Exemption because the Project will have significant noise and air quality impacts. As a result, the Project is not exempt from CEQA and the City must prepare an Initial Study followed by an EIR or MND prior to approval of the Project.

DISCUSSION

I. The Project Cannot be Exempted from CEQA Because it is Listed on the Cortese List.

CEQA makes it clear, “[n]o project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code [Cortese List] shall be exempted from this division pursuant to subdivision (a) [categorical exemptions].” (PRC § 21084(c).) The provisions in Government Code Section 65962.5 are commonly referred to as the “Cortese List.” A Cortese listing can be effected for “underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.” (Govt. Code § 65962.5(c)(1).) The GeoTracker list is one of the lists in the Cortese List.

As the Court of Appeal has stated, “[w]e agree that the Legislature intended that projects on these [Cortese List] sites should not be categorically exempt from CEQA because they may be more likely to involve significant effects on the environment.” *Parker Shattuck Neighbors v. Berkeley City Council*, 222 Cal. App. 4th 768, 781 (2013); *McQueen v. Mid-Peninsula Board*, 202 Cal.App.3d 1136, 1149, (“the known existence of....hazardous wastes on property to be acquired is an unusual circumstance threatening the environment” and the project may not be exempted from CEQA review); *Association for a Cleaner Environment v. Yosemite Comm. College*, 110 Cal.App.4th 629 (2004) (presence of hazardous materials makes CEQA exemption improper).

Here, the parcel where an active gas station currently operates is on the Cortese List. The Project site is listed on the State of California’s Cortese list as a closed site under GeoTracker due to its extensive soil contamination which has been remediated.¹ The GeoTracker listing notes extensive soil contamination and the City

¹ https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0603701260.

is made aware of this fact due to its receipt of the 2008 Letter from the State Water Resources Control Board (“SWRCB”):

“A portion of the Project Site was once listed as a Leaking Underground Storage Tank (LUST) Cleanup Site in the State Water Resources Control Board (SWRCB) GeoTracker database (1994– 2008). However, the site underwent remediation, and the Cleanup Status of the site has been deemed “Completed – Case Closed as of 4/17/2008.” Thus, the Project would not create a hazard to the public or the environment as a result of being listed on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this Exception does not apply to the Project.”

(Categorical Exemption, p. 34.)

Even if the status on the Geotracker lists the site as “Closed”, the City does not refute the fact that the site is still included on the Cortese List. Additionally, the closure letter cannot be conclusive evidence that no additional remediation is necessary, especially since the analysis was performed under the assumption that the site will continue serving its purpose as an active gasoline service station, and not for residential development. In fact, the letter was issued way before the Applicant purchased and owned the property, **and the letter itself requires notification and a report to the SWRCB if the site were to be abandoned for other uses.** Nowhere in the letter does it explain that the remediation analysis would be sufficient for future residential use, for which the Project will primarily be developed for.

Therefore, the Project cannot proceed under a Class 32 Exemption, a Phase I ESA must be prepared pursuant to the Environmental Assessment form, and at the very least, the City must direct staff to prepare an Initial Study to determine what level of environmental review is truly required for this Project.

II. The Unusual Circumstances Exception Precludes Reliance on the Class 32 Exemption.

The Class 32 Exemption cannot apply because unusual circumstances on and around the Project site create a reasonable possibility of the Project’s potentially significant environmental impacts. A categorical exemption is inapplicable “where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (14 CCR 15300.2(c).) In *Berkeley Hillside Preservation v. City of Berkeley*, the California Supreme Court explained that there are two ways a party may invoke the unusual circumstances exception. First, “a party may establish an unusual circumstance with evidence that the project *will* have a significant environmental effect. That evidence, if convincing, necessarily also establishes ‘a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.’” (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1105 [emph. added].) Alternatively, “[a] party invoking the exception may establish an unusual circumstance without evidence of an environmental effect, by showing that the project has some feature that distinguishes it from others in the exempt class. In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance.” (*Id.*)

As applied, there are unusual circumstances that preclude reliance on the Categorical Exemption. Here, the Project is proposed on land that is or was developed with an existing gas station, and such use on the Project site may have resulted in site contamination that must be remediated. (April 2021 Environmental Assessment, p. 4.) At the time this comment was submitted, no such remediation plan had been prepared or performed on the Project site. Despite the presence and/or high likelihood of soil contamination and the Applicant’s commitment to remediating the Project site, a Phase I Environmental Site Assessment (“Phase I ESA”) was still not prepared or included into the record. The only document that mentions the vague remediation activities performed on the site is a 2008 Closure Letter from the Los Angeles Regional Water Quality Control Board explaining that the site was remediated. In spite of the letter, neither the City nor the Applicant can rely on a decision made over a decade ago as substantive evidence that no further remediation activities are required, especially since the Applicant was neither the owner of the Project site at the time remediation activities were undertaken nor when the closure letter was prepared.

Additionally, as shown in the graphic below, further inspection of the Project site reveals that not only a gas station, but two automobile repair shops are located on the Project site. While the Applicant notes the presence of the gas station, the Applicant failed to identify and address the two automobile repair shops on the Project site. Pictures of the Project site captured on November 7, 2023 shows the current operations and confirms the Project site's existence of automobile repair shops. (Exhibit D.) As such, there was no analysis prepared that considered the impacts that results from both automotive repair shops.



Table 1: Yellow boxes indicating an active gas station to the left and two automotive repair stations to the right. Blue box indicates a family childcare business adjacent to the Project site.

Furthermore, the Project site is located adjacent to a daycare center, as evidenced in the above Table 1 (See also, picture on Exhibit D regarding Child Care Center's proximity to Project site.) In a September 2021 Letter addressed to the City, the Palms Neighborhood Council expressed opposition to the Project as it related to the health and safety of the young students at Perez Family Child Care. (Exhibit D.) As expressed in their letter, "Several stakeholders, the preschool's owners among them, are concerned about the safety of the children in the preschool and also the financial impact that extended construction activity would have on the business. Wiseman Residential has another project in Palms at 3741 Motor that is next to Tree House School and it has violated agreements made with that school, putting its students at risk, so we have heightened concerns about another project next to another preschool." (2021 Palms Neighborhood Council Letter.)

Lastly, as explained above, the Project site is within the Methane Buffer Zone. While the City acknowledges this fact and has conceded that regulatory measures will prevent any significant impacts, it has neither required any mitigation measures to be implemented to the Project design as a Condition of Approval nor are there any Project plans that specify how its design will reduce the Project's impacts below a level of significance. Without any guarantee that the mitigation measures will be implemented, significant impacts related to methane will remain.

As such, there are existing unusual circumstances that preclude reliance on a Categorical Exemption. Clearly, without any safeguards, not only is the City's decision to proceed with the Project a clear violation of its own municipal code, but doing so under a CEQA Exemption violates the law. Provided the clear presence of hazards and hazardous materials on the Project site, the Project cannot qualify for a Class 32 Exemption, and the City must perform additional environmental review under CEQA to proceed with the Project.

III. The City Cannot Rely on a Class 32 Exemption Because There is a Fair Argument that there are Significant Adverse Impacts that Necessitate an EIR.

The Project cannot proceed under a Class 32 Exemption because soil contamination at a proposed Project site creates a fair argument that there may be significant adverse impacts, which necessitates the preparation of an EIR. In *ACE v. Yosemite*, 116 Cal.App.4th 629, the court held that an EIR was required to disclose, analyze, and cleanup existing lead contamination on a site from an old shooting range. The court stated that CEQA review was required because “lead contamination could spread at the removal site as well as the site receiving the salvageable portions. ...cars driving on lead-contaminated soil could lift lead-contaminated dust into the air. Students and staff walking through the area could pick up lead contamination on their shoes and clothing, potentially spreading it throughout the campus or taking it to their homes.” (*Id.* at 640 (emphasis added).) Other contamination cases, and CEQA’s legislative history, hold similarly. (See *McQueen v. Mid-Peninsula Board*, 202 Cal.App.3d 1136, 1149 (site contaminated with PCBs could not be exempted from CEQA review and CEQA analysis was required to propose cleanup plan for public review and scrutiny); *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1599 (petitioners raised, but court did not reach issue of “toxic contamination on the subdivision property”).)

Here, the Environmental Assessment prepared around April 2021 explains that a Phase I ESA is required to be prepared and that the area will be remediated due to an existing gas station that currently occupies the Project site. (2021 Environmental Assessment, p. 4.) However, in preparing the Categorical Exemption, neither the City nor the Applicant prepared a Phase I Environmental Site Assessment (“ESA”) for the Project site, even when such Phase I assessments are a routine step taken in CEQA matters. At the time of filing this comment, there is no evidence in the record that such Phase I ESA was ever prepared. Because a Phase I ESA is required but not provided, the Hearing Officer could not have relied on any substantial evidence to support its conclusion that the Project will not expose workers and individuals to potentially hazardous materials. As such, the City cannot approve the Class 32 Exemption until further environmental review is completed.

Additionally, there is a fair argument that the Project will have significant adverse impacts independent of the existing gas station on the Project site. As shown in an October 18, 2023 map of the Project site, the Project includes parcels where automotive repair shops currently exist such as Smog Solutions (smog inspection station, 10622 Venice Blvd) and E & J Foreign Cars (auto repair): 10602 Venice Blvd. Furthermore, there is a child care center that directly abuts the Project site, located along 3819 Keystone Ave (“Perez Family Child Care”).

It is well-established that CEQA requires analysis of toxic soil contamination that may be disturbed by a Project, and that the effects of this disturbance on human health and the environment must be analyzed. CEQA requires a finding that a project has a “significant effect on the environment” if “the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” (PRC §21083(b)(3).) As the Court of Appeal stated, “[a] new project located in an area that will expose its occupants to preexisting dangerous pollutants can be said to have substantial adverse effect on human beings.” (*Cal. Building Industry Assn. v. Bay Area Air Quality Mgm’t Dist.* (“*CBIA v. BAAQMD*”), 2013 Cal. App. LEXIS 644, *46 (Cal. Ct. App. 2013).) The existence of toxic soil contamination at a project site is a significant impact requiring review and mitigation in the EIR. (*McQueen v. Bd. of Dirs.* (1988) 202 Cal.App.3d 1136, 1149; *Assoc. For A Cleaner Env’t v. Yosemite Comm. College Dist.* (“*ACE v. Yosemite*”) (2004) 116 Cal.App.4th 629.) This mitigation may not be deferred until a future time after Project approval. (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, 306; *Citizens for Responsible Equitable Env’tl Dev. v. City of Chula Vista* (“*CREED*”) (2011) 197 Cal.App.4th 327, 330-31.)

The Categorical Exemption’s baseline for this potential impact is flawed for failure to identify and remediate existing soil conditions at the site. Without knowing the presence and levels of these chemicals, the Categorical Exemption cannot justify its conclusion that human exposure impacts are unlikely, and that the Project poses no significant risks from the release of hazardous materials into the environment. The Class 32 Exemption should be denied, or additional environmental review must be prepared and recirculated to include the results of soil sampling in the Project area to ensure protection of human health and the environment.

IV. Exemptions from CEQA are Prohibited Where Mitigation Measures are Required to Reduce a Project's Significant Impacts.

A project that requires mitigation measures cannot be exempted from CEQA, nor can the agency rely on mitigation measures as a basis for determining that one of the significant effects exceptions does not apply. (*Salmon Pro. & Watershed Network v. County of Marin* (2004) 125 Cal.App4th 1098, 1102 (“*SPAWN*”).) The Court in *SPAWN* thoroughly explained why projects that require mitigation are not eligible for an exemption from CEQA. (*Id.* at 1106-08.) If mitigation measures are required, the public has a right to review and comment on the adequacy of those mitigation measures, which can only be accomplished through the public review process provided for an MND or EIR.

Here, the Project site is located within a Methane Buffer Zone, which the City of Los Angeles has identified as “zones [which] are mostly a result of naturally surfacing tar and crude oil. Similarly, these subsurface hazards occur by other soil contamination issues, such as historical oil wells.”² As such, “properties within these map areas are **subject to Methane Buffer Zone Testing and Methane Mitigation.**” (emph. added.)³ Ordinance No. 175790 was adopted in response to the City’s efforts to mitigate methane gas intrusion in areas where there exists a possible potential hazard of methane gas. The ordinance amended the City’s Municipal Code to otherwise require site testing, systems installation, and other methane mitigation measures in order to ensure the risks of potential methane impacts have been remediated. (LAMC sec. 91.7103.) Additionally, the City’s municipal code provides that “[a]ny abandoned oil well encountered during construction shall be evaluated by the Fire Department and may be required to be re-abandoned in accordance with applicable rules and regulations of the Division of Oil, Gas and Geothermal Resources of the State of California. Buildings shall comply with these provisions and the requirements of LAMC Section 91.6105, whichever is more restrictive.” (*Id.* at sec. 91.7109.)

The City admittedly concedes the use of mitigation measures such that the Project “will be required to **comply with all applicable regulatory measures governing construction in such areas, which will prevent any significant impacts.**” (October 6, 2023 Letter of Determination, p. 14. (emph. added).) As such, compliance with these regulatory requirements, without which the impacts would be significant, constitute mitigation measures that must be adopted. However, it is well-settled that future formulation of mitigation measures is prohibited under CEQA, because it effectively precludes public input into the development of these measures. (*CREED*, 197 Cal.App.4th at 332; *Sundstrom v. Mendocino*, 202 Cal.App.3d at 306; *Gentry v. Murietta*, 36 Cal.App.4th at 1396 (condition requiring applicant to comply with mitigation measures that might be recommended in future report on Stephens kangaroo rat was improper). As the Court recently held: “[R]eliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA’s goals of full disclosure and informed decisionmaking; and[,] consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment.” *Comtys. for a Better Env’t v. City of Richmond* (2010) 184 Cal.App.4th 70, 92 (deferred formulation of greenhouse gas mitigation measures improper, particularly where delayed due to agency’s reluctance to make finding early in EIR process that emissions generated by project would create significant effect on the environment).

Also, the Letter of Determination fails to require project compliance with methane plan preparation and approval requirements, and instead assumes such compliance. Neither are the Project plans in which the City relies on show any evidence of typical methane mitigation methods that will be incorporated into the design, meaning that the potential for methane related impacts will remain. Given these facts, future residents and employees of the Project site may experience and exacerbate health impacts and increased risk to explosions and fires due to the presence of methane impacting air quality.

The City cannot exempt the Project because the public has a right to know the unmitigated Project impacts and comment on the adequacy of the analysis and proposed mitigation measures. Absence of such review and

² <https://www.geoforward.com/los-angeles-methane-zones/>.

³ <https://www.geoforward.com/los-angeles-methane-buffer-zone-map/>.

comment period is improper because the City evaluated the Project conditionally rather than evaluating whether the Project could result in a significant impact without the mitigation described in the Exemption. (See *SPAWN*, supra, 125 Cal.App.4th at 1103-04, 1107-09.) The City's mitigated categorical exemption violates CEQA and the Project cannot proceed with the Class 32 Exemption.

V. The Project Does Not Qualify for CEQA's Infill Exemption Due to Potentially Significant Air Quality Impacts that Were Inadequately Analyzed.

A project cannot qualify for CEQA's Class 32 Exemption if the project results in significant air quality impacts. (14 CCR § 15332(d).) Matt Hagemann and Paul Rosenfeld of the environmental consulting firm SWAPE carefully reviewed the Project, including the Class 32 Exemption and accompanying materials prepared by Cadence Environmental Consultants ("Cadence"). SWAPE concludes that the Class 32 Exemption cannot be relied on due to its failure to adequately evaluate the Project's hazards, hazardous materials, air quality, health risk, and greenhouse gas ("GHG") impacts. SWAPE's comments and CVs are attached as Exhibit A.

a. The Project will have Significant Air Quality Impacts related to Methane.

There is a strong inference that the Project's location within the Methane Buffer Zone will lead to significant air quality impacts. In fact, the City admits that the Project "will be required to comply with all applicable regulatory measures governing construction in such areas, **which will prevent any significant impacts.**" (October 6, 2023 Letter of Determination, p. 14. (emph. added).) Given how there is no mention of methane mitigation measures in the Project's letter of determination and accompanying conditions of approval, the City, at best, assumes compliance with its own municipal code. In the absence of any clear methane mitigation plans or designs, the potential for methane related impacts will remain. As such, future residents and employees of the Project site will be exposed to higher rates of methane and will likely experience health impacts due to the presence of methane impacting air quality. The City is no stranger to the disastrous effects of methane, including both the significant environmental and health impacts associated with its failure to address methane emissions.⁴

b. The City Failed to Adequately Analyze the Project's Air Quality.

SWAPE explains that the Project's estimated air quality and greenhouse gas ("GHG") emissions are underestimated and inadequately supported. SWAPE reviewed the CalEEMod output files – the underlying data files used to estimate a project's air emissions. SWAPE determined that several model inputs used to generate a project's construction and operation emissions were unsubstantiated and inconsistent with information disclosed in the Categorical Exemption Analysis. As a result, the Project's construction and operational emissions are underestimated. Additional environmental review should be prepared to include an updated air quality and GHG analysis. SWAPE's expert comments and CVs are attached as Exhibit A.

Specifically, SWAPE identified several values used in Cadence's air quality analysis that were found to be either inconsistent with information provided in the Categorical Exemption or otherwise unjustified, including:

Air Quality

1. The Exemption relies upon an incorrect and unsubstantiated air model;
2. The Exemption fails to adequately evaluate diesel particulate matter emissions; and
3. SWAPE's screening-level HRA indicates a potentially significant health risk impact.

(Ex. A, pp. 2-11.)

⁴ https://ww2.arb.ca.gov/sites/default/files/2020-07/arb_aliso_canyon_methane_leak_climate_impacts_mitigation_program.pdf. See also, <https://www.carbonbrief.org/aliso-canyon-how-bad-is-the-california-gas-leak-disaster/#:~:text=As%20a%20result%2C%20this%20leak,of%20U.S.%20anthropogenic%20methane%20emissions.>

As a result of these shortcomings in Cadence’s analysis, the construction and operational emissions conclusions in the Project’s Categorical Exemption cannot be relied upon to determine the significance of the Project’s air quality or GHG impacts. As SWAPE explains, “the CalEEMod User’s Guide requires any changes to model defaults be justified.” (Ex. A, p. 4.) Here, the analysis does not provide a justification for making such substantial changes. Therefore, without information to support the changes made to the CalEEMod inputs, the City lacks substantial evidence to conclude the Project will not have significant air quality and GHG impacts.

c. The Project Will Have Significant Greenhouse Gas Impacts That Were Inadequately Analyzed.

Furthermore, SWAPE found that the City failed to adequately evaluate greenhouse gas (“GHG”) impacts. Specifically, SWAPE analyzed the Project using the Exemption’s model to review the Project’s mitigated GHG emissions. SWAPE estimates that when dividing the Project’s GHG emissions with its service population of 397 people (residents), the Project’s emissions would emit approximately 3.5 MT CO₂e/SP/year. As shown in the table below, SWAPE’s findings reveal that the Project emissions would exceed the South Coast Air Quality Management District’s 2035 efficiency target of 3.0 MT CO₂e/SP/year (Ex. A, p. 12.)

SWAPE Annual Greenhouse Gas Emissions	
Project Phase	Proposed Project
<i>Total Construction</i>	<i>504.12</i>
Construction (amortized over 30 years)	16.80
<i>Area</i>	<i>2.35</i>
<i>Energy</i>	<i>366.57</i>
<i>Mobile</i>	<i>887.14</i>
<i>Waste</i>	<i>33.22</i>
<i>Water</i>	<i>69.79</i>
Annual Operational	1,359.06
Total Net Annual GHG Emissions (MT CO ₂ e/year)	1,375.87
Service Population	397
Service Population Efficiency (MT CO ₂ e/SP/year)	3.5
SCAQMD 2035 Target	3.0
<i>Exceeds?</i>	Yes

(Table 1, Ex. A, p. 12.)

As such, these findings constitute significant impacts that preclude reliance on a Class 32 Exemption. Therefore, the City cannot rely on this Project to proceed and must instead prepare reviews pursuant to CEQA.

VI. The Project Will Lead to Increased Exposure of Cancer Risks.

A project cannot qualify for CEQA’s Class 32 Exemption if the project results in significant air quality impacts. (14 CCR § 15332(d).) Both SWAPE and Mr. Offermann reviewed the Project’s air quality analysis and concluded that the Project will expose both future residents and commercial employees to cancer risks that must be mitigated.

a. The Project Will Have a Potentially Significant Health Risk Impact.

SWAPE performed a preliminary health risk assessment (“HRA”) by inputting the Project’s information into AERSCREEN. SWAPE found that the model, when calculating the excess cancer risk to the nearest sensitive receptor using applicable HRA methodologies prescribed by OEHHA, indicates that infant, child, adult, and lifetime cancer risks exceed the SCAQMD threshold of 10 in one million, resulting in a potentially significant impact not previously addressed or identified by the Exemption.” (Ex. A, p. 10.)

The City has not offered any substantial evidence regarding a less than significant impact on health risk, let alone provided any HRA for this Project. Because these results indicate a potentially significant impact, the City cannot rely on the Class 32 Exemption. SWAPE explains that “a full CEQA analysis should be prepared to include a refined health risk analysis which adequately and accurately evaluates health risk impacts associated with both Project construction and operation. If the refined analysis similarly concludes that the Project would result in a significant health risk impact, then mitigation measures should be incorporated, as described below in the ‘Feasible Mitigation Measures Available to Reduce Emissions’ section.” (Ex. A, p. 11.)

Therefore, the City must not approve the Project under a CEQA Exemption and must instead prepare an EIR or MND pursuant to CEQA.

b. The Project Will Have Significant Indoor Air Quality Impacts.

Certified Industrial Hygienist, Francis “Bud” Offermann, PE, CIH conducted a review of the Project and relevant documents regarding the Project’s indoor air emissions. Mr. Offermann is a leading expert on indoor air quality and has published extensively on the topic. Mr. Offermann concludes that it is likely that the Project will expose residents and commercial employees of the Project to significant impacts related to indoor air quality, and in particular, emissions of the cancer-causing chemical formaldehyde, a known human carcinogen. Mr. Offermann’s expert comments and CV are attached as Exhibit B. Mr. Offermann explains that “[t]he primary source of formaldehyde indoors is composite wood products manufactured with urea-formaldehyde resins, such as plywood, medium density fiberboard, and particleboard. These materials are commonly used in building construction for flooring, cabinetry, baseboards, window shades, interior doors, and window and door trims.” (Ex. B, p. 3.)

Here, the City failed to perform an adequate analysis concerning the cancer risks associated with long-term exposure to carcinogenic TACs because of the Project, for both residents and workers. Mr. Offermann states that future residents of the Project will be exposed to a cancer risk from formaldehyde of approximately 120 per million, even assuming all materials are compliant with the California Air Resources Board’s (“CARB”) formaldehyde airborne toxics control measure. (Ex. B, p. 3.) In addition, Mr. Offermann states that employees of the Project’s commercial spaces will be exposed to a cancer risk of 17.7 per million from formaldehyde emissions. (*Id.*, p. 5.) These risk levels both exceed SCAQMD’s CEQA significance threshold for airborne cancer risk of 10 per million. (*Id.*) It is important to note that that even if the Project is stipulated to comply with CARB’s standards, even with compliance of CARB standards the Project will still exceed significance thresholds, yet the Project unfortunately does not address these cancer risk impacts.

Furthermore, the City failed to analyze the additional impacts of motor vehicle traffic and the subsequent increase in exposure to particulate matter (“PM2.5”). Mr. Offermann notes that the high cancer risk that may be posed by the Project’s indoor air emissions will be exacerbated by the additional cancer risk that exists as a result of the Project’s location within the South Coast Air Basin, a state and federal non-attainment area for PM2.5, and in an area with moderate to high traffic. (Ex. B, p. 2.) Specifically, he notes that “the SCAQMD’s MATES V study cites an existing cancer risk of 482 per million at the Project site due to the site’s high concentration of ambient air contaminants resulting from the area’s high levels of motor vehicle traffic.” (*Id.*, p. 4.) Formaldehyde emissions from composite wood products will exacerbate this pre-existing cancer risk.

Mr. Offermann predicts that the projected traffic noise levels, the annual average PM2.5 concentrations will exceed both state and federal standards, thereby necessitating both additional air quality analyses to determine PM2.5 concentrations as well as the installation of technology in order to reduce the impacts to a less-than-

significant level. (*Id.*, pp. 11-12.) However, the City again failed to analyze these issues, as well as the cumulative impacts associated with the Project's emissions. Mr. Offermann identifies mitigation measures that are available to reduce these significant health risks, including the installation of air filters and a requirement that the applicant use only composite wood materials (e.g. hardwood plywood, medium density fiberboard, particleboard) for all interior finish systems that are made with CARB approved no-added formaldehyde (NAF) resins or ultra-low emitting formaldehyde (ULEF) resins in the buildings' interiors. (*Id.*, pp. 12-14.)

These significant environmental impacts preclude the use of a Categorical Exemption for the Project. These impacts should be reviewed in a full CEQA analysis and mitigation measures should be imposed to reduce the risk of formaldehyde exposure.

VII. The Project Does Not Qualify for CEQA's Infill Exemption Due to Potentially Significant Noise Impacts that Were Inadequately Analyzed.

A project cannot qualify for CEQA's Class 32 Exemption if the project results in significant noise impacts. (14 CCR § 15332(d).) John Meighan of the expert noise and vibration consulting firm Wilson Ihrig carefully reviewed the Project, including the Class 32 Exemption and accompanying materials. Wilson Ihrig concludes that the Class 32 Exemption cannot be relied on due to Project's baseline noise not being properly established, failure to update operational noise impacts analyses, and the potentially significant impacts related to noise and vibration from the Project. Wilson Ihrig's comments and CVs are attached as Exhibit C.

Wilson Ihrig explains that the Categorical Exemption does failed to consider the damage threshold for the existing commercial building at 10606 Venice Boulevard. Studies show that at the threshold of 0.5 PPV, the impacts "would be exceeded during use of a Vibratory Roller, Large Bulldozer or Loaded Truck [at a distance of six feet, where construction will occur compared to the commercial building's location]. As such, this development is not eligible for a categorical exemption and a full environmental impact report should be developed." (Ex. C, p. 4.) Similarly, Wilson Ihrig highlighted how "there is potential for both the damage threshold and the annoyance threshold to be exceeded." *Id.*

Lastly, Wilson Ihrig points to the fact that the Project's will cause substantial temporary increases in ambient noise levels because "[d]emolition of the existing smog check facility at 10620 Venice Blvd is 19 feet from the nearest sensitive residence, meaning construction noise levels will be over this 80 dBA threshold. Using a distance correction, this 83 dBA level is over 90 dBA at 20 feet, which is 30 dBA above the measured ambient levels. A 30 dBA increase can be perceived as eight times as loud." (Ex. C, p. 4.)

These noise and vibrational impacts are substantial evidence proving that the Project will have noise impacts that exceed the significance threshold. Therefore, it is improper for the Project to be approved under a Categorical Exemption and a Class 32 Exemption must be denied.

CONCLUSION

In light of the above comments, the Project does not meet the requirements of the Class 32 Categorical Exemption due to its potential noise impacts, air quality/GHG, and public health risk impacts. The Exemption is also improper where the Project requires mitigation measures and where unusual circumstances apply. SAFER's findings indicate that the Project will violate multiple requirements under CEQA. The City must instead prepare an initial study followed by an EIR for the Project, or at least an MND, and the draft CEQA document should be circulated for public review and comment in accordance with CEQA. Thank you for considering these comments.

Sincerely,



Marjan R. Abubo
Lozeau Drury LLP

DAY OF HEARING SUBMISSIONS



Planning CPC <cpc@lacity.org>

Wilmington plan comment

Ashley Hernandez <ashley@cbeal.org>

Wed, Feb 7, 2024 at 10:31 AM

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

Cc: Laura Gracia <laura@cbeal.org>

Hello Commissioners,

Thank you for the opportunity to comment. My name is Ashley Hernandez.

I am a member with Communities for a Better Environment and a resident of Wilmington.

On January 20, there was an oil rupture in my neighborhood- we have yet to learn more information about the incident. To ensure that this doesn't happen again, we urge the CPC to direct DCP to adequately zone in compliance of the Oil and Gas Drilling Ordinance.

We do not support a Statement of Overriding Considerations because I am concerned that the Wilmington Community Plan did not have sufficient community engagement and truly consider the risks residents face. Hybrid zoning is not enough for frontline communities. No more commercial land give us parks!



Planning CPC <cpc@lacity.org>

Call to Action 20Jan2024 Oil Rupture

Ana Molina <amolina1014@outlook.com>

Tue, Feb 6, 2024 at 5:17 PM

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

Cc: Ashley Hernandez <ashley@cbecal.org>, "laura@cbecal.org" <laura@cbecal.org>

Hello Commissioners,

Thank you for the opportunity to comment. My name is Ana. I am a member of Communities for a Better Environment and a resident of Wilmington. There was an oil rupture on January 20th and there is yet to still know more about the incident that occurred on that day. To ensure that does not happen again, we urge the CPC to direct DCP to zone in compliance of the Oil and Gas Drilling Ordinance in an adequate manner as expected.

In addition, the CPC should instruct the DCP to remove the Hybrid Industrial zoning near residential neighborhoods and especially those that have oil and gas operation as the Hybrid Industrial zoning is not sufficient to buffer between homes and industry. I anticipate that there will be something done to ensure the safety of the residents of Wilmington per your regulations and compliance.

Kind Regards,
Ana Molina.



Planning CPC <cpc@lacity.org>

(no subject)

Allison Soria <allisonsoria06@gmail.com>

Wed, Feb 7, 2024 at 11:45 AM

To: ashley@cbeal.org, cpc@lacity.org, laura@cbeal.org

Hello Commissioners, Thank you for the opportunity to comment. My name is Allison Garcia. I am a member with Communities for a Better Environment and a resident of Wilmington. On January 20, there was an oil rupture in my neighborhood- we have yet to learn more information about the incident. To ensure that this doesn't happen again, we urge the CPC to direct DCP to adequately zone in compliance of the Oil and Gas Drilling Ordinance. We do not support a Statement of Overriding Considerations because I am concerned that the Wilmington Community Plan did not have sufficient community engagement and truly consider the risks residents face. I am a member who lives near Warren and believe we deserve green space.



TIM McOSKER
Councilmember, 15th District

February 7, 2024

Department of City Planning
City Planning Commission
200 N. Spring Street, Room 272
Los Angeles, CA 90012

RE: Item 6; Plan Area: Harbor Gateway; Wilmington – Harbor City

Dear City Planning Commissioners:

After thoughtful consideration and discussion with residents and the business community, I support the Harbor LA Community Plan with the modification below.

I recommend in the Implementation Programs section - Small Business Assistance Programs, Program 24, the inclusion of the following: Continue and expand subcontracting goals on local projects of at least: 15% Small Business Enterprise goals (SBE), 5% Service Disabled Veterans goals (SDVBE) and 10% minority business goals (MBE).

These are standard goals utilized by City of Los Angeles departments and would greatly improve the Harbor LA Community Plan.

Should you have any questions, please contact my Planning Director, Pamela Thornton, at (213) 473-7015.

Sincerely,

TIM McOSKER
Councilmember, 15th District

cc: Vince Bertoni, Director, City Planning



Craig Lawson & Co., LLC

Land Use Consultants

February 8, 2024

City Planning Commission
City of Los Angeles
Planning Department
200 N. Spring Street, Room 532
Los Angeles, CA 90012

Re: Harbor Gateway Community Plan Update – CPC-2018-6404-CPU

Dear Members of the City Planning Commission:

I represent Vermont Holding Company, LLC, the owner of industrial property within the Harbor Gateway Community Plan area. We appreciate your review of this letter regarding the proposed Harbor Gateway Community Plan Update (“HGCPU”) in the City of Los Angeles (the “City”).

We urge the City to amend the Draft Harbor LA Community Plans to continue to allow current uses and encourage the modernization of existing and economically vital industrial sites in order to improve sustainability and minimize impacts to surrounding neighborhoods.

In December of 2007, the Los Angeles City Planning Department (“LACP”) and the Community Redevelopment Agency of Los Angeles (“CRA-LA”) issued a report² detailing the importance of industrial land to Los Angeles’ economy. Referenced in this report was the City’s General Plan Framework Land Use Goal which states that the City must “actively ensure that the City has sufficient quantities of land suitable to accommodate existing, new and relocating industrial firms.”

In this report, LACP noted that only 6% of the City’s total land area was available in 2007 for active industrial uses. Similarly, the proposed HGCPU states that:

Plan policies will support the preservation of established industrial districts to promote equitable jobs/housing balance and help ensure appropriately located land accommodates existing, new and relocating industrial firms, including small-scale or niche manufacturing and emerging industries.¹

However, the current draft of the HGCPU and New Code would further reduce the land area for industrial uses as it not only prohibits many industrial and port related uses at sites where they are currently allowed, but also heavily regulates building and site design regardless of the intended use of a building or site. This makes it difficult or impossible to redevelop many sites with an economically viable use and therefore makes it less likely that such sites will be redeveloped in ways that will be less impactful to the surrounding community.

¹ 2024 Proposed Community Plan, Page 33. [HG CPU Policy Document 2024 Proposed Plan.pdf \(lacity.gov\)](#)

Prohibiting industrial uses on lots where they make the most sense (existing industrial sites near existing industrial infrastructure) and where they create the least impact to adjacent neighborhoods will only create larger environmental impacts as these uses are pushed further away from existing industrial uses and infrastructure. If these uses are forced to relocate farther away from the ports, then cargo will just need to be transported farther to and from the ports, causing more traffic and air quality issues both for the Harbor LA communities, and the region. This also adds more stress to local and regional road and rail infrastructure and may cause cargo to be diverted to other ports, impacting the numerous LA County jobs that are directly or indirectly related to and dependent on the success of LA and Long Beach Ports.

In addition, while the Existing Code provides flexibility for developers to adapt a project design to uniquely suit an intended use, the New Code requires any intended use to adapt to a strictly regulated project design. Examples of proposed development standards that will make industrial projects infeasible include:

- Amenity/Open Space requirements on-site (15% minimum in most zones).
- Increased Setbacks, Façade transparency and Active Ground Floor space requirements that are not consistent with typical industrial development.
- Building width limits (280 feet in most zones).
- Restrictive tenant size limits (10,000-50,000 sf in most zones).
- Required paseos through large industrial sites connecting two streets, which would invite the public onto industrial sites, creating safety and security concerns, and further limit buildable area.
- In certain zones, Wholesale Trade & Warehousing uses will now require approval from City Planning Commission, and outdoor storage for containers and commercial vehicles will be prohibited.

While the HGCPU states that its policies are aimed at “revitalizing and repurposing established industrial districts into more environmentally sensitive employment centers”², if an industrial property that is impacting a residential neighborhood cannot be redeveloped because industrial uses are prohibited and allowable uses are not financially feasible, then the property will stay as it is, rather than be redeveloped in ways to reduce impacts to the neighborhood. This will lead to disinvestment and job losses and will not advance the City’s goals pertaining to environmental justice and improving the urban landscape as owners/developers will be discouraged from modernizing their properties.

We recommend that the City amend the Draft Harbor LA Community Plans to continue to allow current uses and encourage the modernization of existing industrial sites and minimize impacts to surrounding neighborhoods by adding features like screens, walls, buffers and landscaping rather than prohibiting industrial uses on existing industrial sites.

Sincerely,

Josh Kreger

Craig Lawson & Co., LLC

² 2024 Proposed Community Plan, Page 32. [HG CPU Policy Document 2024 Proposed Plan.pdf \(lacity.gov\)](#)



Planning CPC <cpc@lacity.org>

LA City planning commission, Wilmington

Emilza Guzman <guzmanemilza@gmail.com>

Wed, Feb 7, 2024 at 12:41 PM

To: ashley@cbecal.org, cpc@lacity.org, laura@cbecal.org

Hello Commissioners, Thank you for the opportunity to comment. My name is Emilza Guzman. I am a member with Communities for a Better Environment and/or a resident of Wilmington. On January 20, there was an oil rupture in my neighborhood- we have yet to learn more information about the incident. To ensure that this doesn't happen again, we urge the CPC to direct DCP to adequately zone in compliance of the Oil and Gas Drilling Ordinance. We do not support a Statement of Overriding Considerations because I am concerned that the Wilmington Community Plan did not have sufficient community engagement and truly consider the risks residents face.



Planning CPC <cpc@lacity.org>

oil and gas

JORDYN HUNTER <jhunter0045@mymail.lausd.net>

Tue, Feb 6, 2024 at 5:07 PM

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

Hello commissioners ,
Thank you for the opportunity to comment. My name is Jordyn

I am a member with communities for a better environment and a resident in wilmington ca

on january 20, there was an oil rupture in my neighborhood I have yet to learn more information about the incident .To ensure this doesn't happen again i urge the cpc to direct Dcp to adequately zone in compliance of the oil and gas drilling ordinance

I also urge for the planning commission and city planners to make a commitment to solar renewable energy rather than hydrogen

February 7, 2024

City Planning Commission
City of Los Angeles
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012
Sent via e-mail to: cpc@lacity.org

Re: 02-08-2024 Agenda Item No. 6, CPC-2018-6404-CPU (HG);
CPC-2018-6402-CPU (W-HC)

Honorable Commissioners,

With over 1,300 Members, NAIOP SoCal is the leading nonprofit organization for developers, owners, investors and brokers of industrial, office, retail and mixed-use real estate across Southern California. NAIOP SoCal represents dozens of long-term industrial property owners, who serve as stakeholders in areas located within the Harbor LA Community Plans – namely the Harbor Gateway and Wilmington-Harbor City communities.

We thank Los Angeles City Planning staff for engaging with NAIOP SoCal and its member companies over proposed changes to existing industrial zones in the Harbor LA Community Plans update. We stand in opposition to staff's recommended changes to existing industrial zones and land uses until the City produces an economic impact study on the viability of the proposed zone changes.

We have broad concerns with the Harbor Gateway as well as Wilmington-Harbor City Community Plans update. Logistics, warehousing and related uses currently comprise over 40 percent of both Community Plan areas. Such a usage mix befits an area adjacent to the largest port area in the country, which includes the Ports of Los Angeles and Long Beach, and is proximate to LAX and several major freeways (e.g., the 91, 110, 405 and 710). The Harbor Gateway area, in particular, plays a key role in Los Angeles and neighboring communities' supply chain infrastructure and serves as a major regional employer. In fact, according to recent data from California's Employment Development Department, at the end of 2023, commercial real estate industry-related jobs in Southern California surpassed 800,000, with a 12-month gain of 24,300 positions.

We are especially troubled over the proposed update to the Harbor Gateway Community Plan because it essentially downzones large swaths of existing industrial uses. It would significantly limit standard industrial uses – including outdoor storage uses – and push them further inland. This is not only problematic for current and future property owners. Such a significant zone change would exacerbate regional traffic and greenhouse gas emissions, increase costs for goods (as drayage and fuel costs increase proportionally to distance from ports), and force industrial uses into neighborhoods that are not optimized to accommodate them.

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Courtney Wing, Newcastle Partners

YPG Liaison: **Ivan Kustic**, MetroGroup Realty Finance

NAIOP SoCal EXECUTIVE STAFF

Timothy Jemal, Chief Executive Officer

Jose Cornejo, Senior Director of Government Relations

Mihran Toumajian, Government Relations Manager

Becky Ezell, Director of Administration

Shelby Donine, Marketing & Communications Manager

Dianna Xochitiotzi, Coordinator, Programs and Events

On par with recent societal trends, e-commerce will continue to grow and the Harbor Gateway is ideally situated for online retailers, who are looking for locations that are in proximity to the ports and intermodal freight transport nodes, in order to keep delivery costs low.

Several property owners with assets in the Harbor LA Community Plan areas, who are NAIOP SoCal Members, oppose the Community Plans update. For one of our member companies, a property is used as a commercial office and industrial laboratory space yet zoned for heavy manufacturing uses in the M3-1 zone. Under the proposed Harbor Gateway Community Plan update and corresponding zoning update, the property would be rezoned as Industrial 4 (or Light Industrial). This presents a significant challenge for the owner, who wants to preserve the ability to convert the property to an industrial use, but is currently in a holding pattern until interest rates and construction costs become more optimal.

Under current zoning regulations in the City of Los Angeles, a wide range of uses is allowed on properties by-right, including logistics, fulfillment and distribution centers, warehousing and various outdoor storage uses. This allows multiple types of owner/occupiers, developers and tenants to pursue the property, as they have a clear and timely development path with potentially minimal discretionary entitlements. The proposed zone change, however, from heavy industrial to light industrial significantly limits the types of uses, as well as its appeal to owner/occupiers, developers and tenants. Under the proposed zone changes, indoor storage, wholesale trade and warehousing uses must be operated in conjunction with another allowed use and, if such uses are operated near certain sensitive receptors, a discretionary Conditional Use Permit is required. Outdoor storage uses and heavy manufacturing are prohibited outright, per the proposed zone changes.

Finally, NAIOP SoCal is concerned over the City's proposal of a new zone – the "Hybrid Industrial" areas – in the Harbor LA Community Plans update. We are concerned about the non-existence of standard industrial uses in the Hybrid Industrial area and the concomitant proposal of Live/Work uses in the new zone. What is most concerning is that, over time, residents benefiting from Live/Work uses could complain about the existence of nearby and permitted standard industrial uses. Thus, conflicts between residents and owner/occupiers, developers and tenants could arise where none exist today.

Such proposed zone changes often have substantial deleterious impacts on a property's value, and, more importantly, reduce the chance that a property will be developed as the best and highest use in an existing, appropriately zoned area.

For the above reasons, NAIOP SoCal requests the City to conduct an economic impact study and work with industrial stakeholders to amend the Harbor LA Community Plans update and corresponding zone changes. We also ask that the City Planning Commission consider revisions that bring the City's well-intentioned streamlining measures in line with actual uses in both Harbor LA Community Plan areas for the benefit of all stakeholders – the City, its residents and the industrial real estate community.

Respectfully,



Timothy Jemal
CEO
NAIOP SoCal

CC: Los Angeles City Councilmember Tim McOsker - councilmember.mcosker@lacity.org
Christopher Piña, City Planner (HG) – christopher.pina@lacity.org
Jessica Alvarado, City Planner (W-HC) – jessica.alvarado@lacity.org
Cecilia Lamas, Commission Executive Assistant II – cpc@lacity.org



Planning CPC <cpc@lacity.org>

CPC

Romeo Clay <Romeo@cbecal.org>

Wed, Feb 7, 2024 at 12:40 PM

To: Ashley Hernandez <ashley@cbecal.org>, "cpc@lacity.org" <cpc@lacity.org>, Laura Gracia <laura@cbecal.org>

"Hello Commissioners,
Thank you for the opportunity to comment. My name is Romeo Clay.

I am a member with Communities for a Better Environment and/or
a resident of Wilmington.

On January 20, there was an oil rupture in my neighborhood- we have yet to learn more information about the incident. To ensure that this doesn't happen again, we urge the CPC to direct DCP to adequately zone in compliance of the Oil and Gas Drilling Ordinance.

We do not support a Statement of Overriding Considerations because I am concerned that the Wilmington Community Plan did not have sufficient community engagement and truly consider the risks residents face."

Best regards,
Romeo Clay



Planning CPC <cpc@lacity.org>

Caltrans Lot 17236 S. Hoover Street

Ronald Robinson <robinsonronald370@gmail.com>

Mon, Feb 5, 2024 at 4:59 PM

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

Cc: Ronald Robinson <robinsonronald370@gmail.com>

I agree with the proposed plans and protections for the lot to very low residential with zoning changes to HE3-RG3-1L, along with the buffer zones between residential and industrial uses. Zoning changes are crucial to ensure that new developments are in line with the existing neighborhood homes and do not cause overcrowding. By implementing zoning changes, city planners can regulate the type of buildings and their use in a specific area. This helps to maintain the character of the neighborhood and ensures that new development blends seamlessly with the existing structures. Zoning changes also play a key role in preventing overcrowding, which can lead to a host of problems such as increased traffic congestion, strain on infrastructure and public services, and a decline in the quality of life for residents. By ensuring that new developments adhere to zoning regulations, we can create sustainable and harmonious communities that benefit everyone.

Thank you.

--

Ronald Robinson
Contract Examiner
Texas Comptroller of Public Accounts
LOIA No. RFQ 225o - 4
Telephone: (424) 266-9604
Email: robinsonronald370@gmail.com

IMPORTANT NOTICE: This communication and attachments may contain privileged or confidential information under the Texas Public Information Act or other applicable state and federal laws. If you have received this message in error, please notify the sender immediately and delete this email from your system.-RG#-1L3



February 8, 2024

City Planning Commission, City of Los Angeles
200 N. Spring Street
Los Angeles, California 90012

Re: Wilmington-Harbor City Community Plan Update
Case No. CPC-2018-6402-CPU (W-HC)
February 8, 2024 City Planning Commission Meeting – Agenda Item No. 6

Dear Commissioners,

Voltera Power (Voltera) sites, builds, owns, and operates strategically located, fit-for-purpose electric vehicle (EV) charging facilities for light, medium, and heavy-duty vehicles. Voltera is encouraged by the Department of City Planning and Councilmember McCosker's office for their effort in preparing the Wilmington-Harbor City Community Plan (Community Plan or Plan), inclusive of a pathway to support electric vehicle (EV) charging.

The Community Plan update directly impacts Voltera's ability to construct and operate EV-charging facilities for drayage trucks, which enable the zero-emission movement of goods to and from the Ports of Los Angeles and Long Beach (Ports). Sound planning practices and environmental justice principles recommend that electric truck charging facilities be sited in proximity to the Ports with easy access to the regional freeway network, where they can help facilitate the transition away from diesel trucking and the associated health risks posed by diesel emissions. Once implemented, the proposed Community Plan will represent a significant step forward in facilitating the shift to electric trucking. This is clear from both the Community Plan's stated policy objectives and the proposed zoning to implement the Community Plan.

As highlighted in the Staff Report, "support[ing] a climate-resilient built environment that reduces energy and water usage, carbon footprint, and greenhouse gas emissions and promotes renewable energy and low/zero emission vehicles" in order to "improve community health and foster climate resilience and regional efficiency" is one of the guiding principles of the Community Plan.¹ The Plan will "advance environmental justice goals" and "foster a harmonious and beneficial relationship between the community and industrial uses", which are also guiding principles of the Community Plan.² To that end, the Plan's environmental goals and programs explicitly promote the installation of electric vehicle charging stations to improve both air quality and economic development.³

Approximately one-third of greenhouse gas emissions are generated by the transportation sector. Currently, there are several federal, state and local laws and regulations that compel the

¹ Staff Report, A-4.

² *Ibid.*

³ See e.g., EJ Goal 7 (Plan, p. 45), Policy EJ 7.8 (Plan, P. 46) and Program P32 – *Incentives for Emission-Reducing Uses* ((Plan, p. 74) and Program P43 – *Alternative Fuel Vehicles* (Plan, p. 76)

trucking industry to transition to zero emission vehicles at a rapidly accelerating pace. Notably, last year the California Air Resources Board adopted the Advanced Clean Fleets Regulation, which requires phasing in electric trucking in 2024 and will require 100% zero emissions truck use in just over a decade.⁴ This mandate is well aligned with both the *San Pedro Bay Ports Clean Air Action Plan*⁵ and the *City of Los Angeles Green New Deal*⁶ which require 100% zero emission drayage trucking by 2035. Additionally, the existing requirements of state law (AB 1236 and AB 970) implicate a streamlined ministerial permitting and approval process for these EV charging facilities that provides the clarity and certainty needed by the EV sector to make the substantial, multi-year investment in these projects.⁷

The Community Plan and the proposed zoning code amendments (as reflected in the February 2, 2024 *Technical Modification* issued by Planning Staff) expressly provide that EV charging facilities for drayage trucks (*i.e., Electric Vehicle Charging Facility, Large Vehicle*) will be a permitted use in most industrial zones (I4, I5, I7 and I8) throughout the Plan area, subject to standards that will protect nearby sensitive uses and buffer against any potential aesthetic concerns. The inclusion of EV charging is necessary to further support the necessary transition to zero-emission vehicles.

Voltera is excited about investing in Los Angeles and helping the City meet its climate and air quality goals while enhancing the well-being of the communities that have for too long been adversely impacted by diesel emissions.

Voltera supports the Community Plan update and draft zoning code amendments and encourages the Commission to approve and recommend adoption of the Staff Recommendation, including the proposed code amendments that permit EV charging for drayage trucks in industrial zones.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amira Streeter', with a long horizontal line extending to the right.

Amira Streeter

Sr. Government Affairs and
Community Engagement Manager
astreeter@volterapower.com

⁴ <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets/about>

⁵ <https://www.portoflosangeles.org/environment/air-quality/san-pedro-bay-ports-clean-air-action-plan>

⁶ https://plan.lamayor.org/sites/default/files/pLAn_2019_final.pdf

⁷ See Govt. Code Secs. 65870.7 and 65870.71.



Wilmington Neighborhood Council

544 N. Avalon Blvd., Suite 103, Wilmington, CA 90744

(310) 522-2013 wilmingtonnc@empowerla.org

wilmingtonneighborhoodcouncil.com

Gina Martinez, Chair

Gayle Fleury, Co-Chair

Jaime Bedolla, Treasurer

Alicia Baltazar, Secretary

Trishie Salas, Parliamentarian

November 14, 2023

Community Impact Statement Additional Comments Wilmington-Harbor City Community Plan

The Wilmington Neighborhood Council, an elected entity under the City of Los Angeles, and the eyes, ears and voice of the community submits the following information to be added to our previously submitted Community Impact Statement. We cannot reiterate enough how very concerned our Council and stakeholders are with the currently proposed Community plan. We understand we are a port servicing community and realize there will always be some degree of industrial use but industrial and residential zones need to be clearly separated. We have always supported the growth of the Port but ***our position has always been that our community needs to be protected during these times of growth.***

Many people keep stating that we are an industrial community with residents who live here and that there should be more industry. Those statements typically come from those who do not live here in Wilmington, and do not have to live with the consequences of the decisions that are made at a city level. The people who make these assertions are usually affiliated with the business itself and live outside of Wilmington comfortably enjoying their neighborhoods while ours gets ravaged. We remind those who so carelessly make such statements that our residents were here first. It isn't as if industry was already here and residents chose to build their homes next to heavy industrial because in any normal community there would never be a co-mingling of residences sitting next to a heavy industrial use property. No one we have come across purchased their home or moved to Wilmington because they wanted to have container yards just pop up around their home and certainly no one we have encountered has advised us that they think not having a proper truck route and having big rigs block their driveways and homes is a good thing for a community.

Our Planning and Land Use committee have spent countless hours giving input in trying to separate residential from heavy industrial areas to avoid this happening in the future. The areas we requested to be changed from heavy industrial to hybrid industrial directly abut residences and without changing these areas to hybrid industrial, the city will perpetuate these zoning failures that are currently in effect. A prime example of this failure in the 800 block of Dominguez Avenue where despite an ICO and CUGU ordinances a chassis yard was approved to be set up next to residences and where, for the past several years, illegal container yards have popped up

due to a lack of enforcement.

We were extremely disappointed that ***not a single one of our recommendations was implemented.*** We understand that should our zone changes be granted some businesses such as the refineries and some other currently heavy industrial facilities will continue to operate, in a legally non-conforming status or what is referred to as grandfathered, but in the event should these businesses close those areas that are directly abutting residences should not stay as heavy industrial; they should be downgraded or taken down a notch to hybrid industrial. If this zoning isn't changed then it simply allows for another heavy industrial industry to move right in next to our residences. ***We again request that the following areas be changed as we previously requested as well as our reasonings:***

- Change the area currently occupied by Phillips 66 Refinery from existing heavy industrial zoning to Hybrid Industrial. Residents currently abut up against the refinery
- Change the existing heavy industrial in the Watson Junction Area to a Hybrid Industrial Land Use to transition away from heavy industrial uses. The major industrial use is the storage of containers and chassis, a large amount that will never be used again.
- Change the proposed Light Industrial along Broad Ave., Lakme Ave., Harry Bridges Blvd to E St. to Medium Residential. This is currently located at the first major intersections nearest to where the new Waterfront Development Project will be located and has been sitting vacant for years. Residents should be able to walk to and from our new waterfront development just like any other community that sits at the waterfront.
- Change the proposed Light Industrial along Lagoon Ave., Figueroa St. from W. C Street, South to Harry Bridges to Low Residential. It is because of this terrible zoning that we have a food processing plant sitting in the middle of the Waterfront Park. If this plant were to ever close without change another industrial company would just move into the middle of our park.
- Change the industrial area along Harry Bridges and Broad Ave., Avalon Blvd and Pier A to Medium Residential. This area has been vacant for close to a decade. These are the nearest intersections to our new waterfront development project. People should be able to live next to this beautiful development and be able to walk from their homes to enjoy it.
- Change the industrial area along Figueroa from Harry Bridges to F Street to Medium Neighborhood Residential. Currently Homes sit on one side of the Street and trucking facilities sit on the other side.
- 600 E. L Street should transition to Open Space as opposed to the Public Facilities. It is currently used as a community Garden.
- Change the green public facilities area between Island and Neptune bordering C Street to Open Space. This area currently intersects with Wilhall and Waterfront Parks
- Change 900 Block of L Street to Low Residential
- Change area of 200 block of King Avenue to Open space. Currently a food processing plant sits in the middle of Waterfront Park
- Change the property at 1700 Figueroa St. from Lomita Blvd to Q St. and Figueroa to Eudora from existing zoning of Public Facilities to Open Space. This area is currently the

Wilmington Athletic Complex, and we would like it to remain an open space for public use and not later on changed. It has been used for public use since 1983.

- Currently (proposed) zoned industrial area along the perimeter of Shore Rd and Anchorage to the Dominguez Channel to the 47 Fwy to be changed to a 25 yd perimeter of open space and 75 yards of Neighborhood Center. This is part of our Marina. People live in this area, and it should be changed to a Neighborhood Center. There needs to be clear separations between industry and those who live in the area

In closing we submit attachment A to illustrate some of the areas where we requested a downgrade in zoning from heavy industrial so the planning department itself can visually see what our community is experiencing. We also invite the planning department to tour our community as we feel so often decisions are made by those who have not seen personally how we are affected. We would like to provide you with a personal guide to explain each of the areas in question as you visit them. The many national and international newspapers, E-zines, TV and radio stations that have visited and interviewed our council ALL stated that seeing the situation we deal with, and speaking directly to the residents was much more powerful than seeing pictures and reading about it. We also request that it be made abundantly clear that CUGU is NOT going away. Mailers were sent to our stakeholders stating it was being removed and then used the term "embedded" this has given our stakeholders great concern that the protections we have are being stripped or watered down we were advised at the presentation this was not the case.

Respectfully Submitted,



Gina Martinez

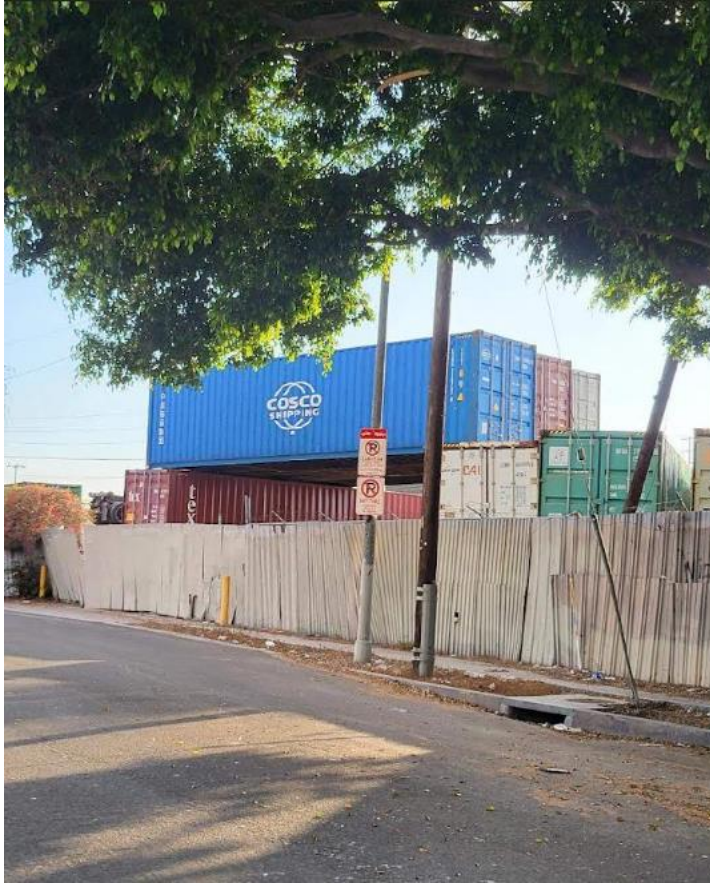
Chair, Wilmington Neighborhood Council

On Behalf of the Wilmington Neighborhood Council

ATTACHMENT A

800 Block of Dominguez





Residents have been in the area since at least the 1940's. Illegal container yards less than 20 and A chasis yard approved in September 2022

Residences Abutting Phillips 66

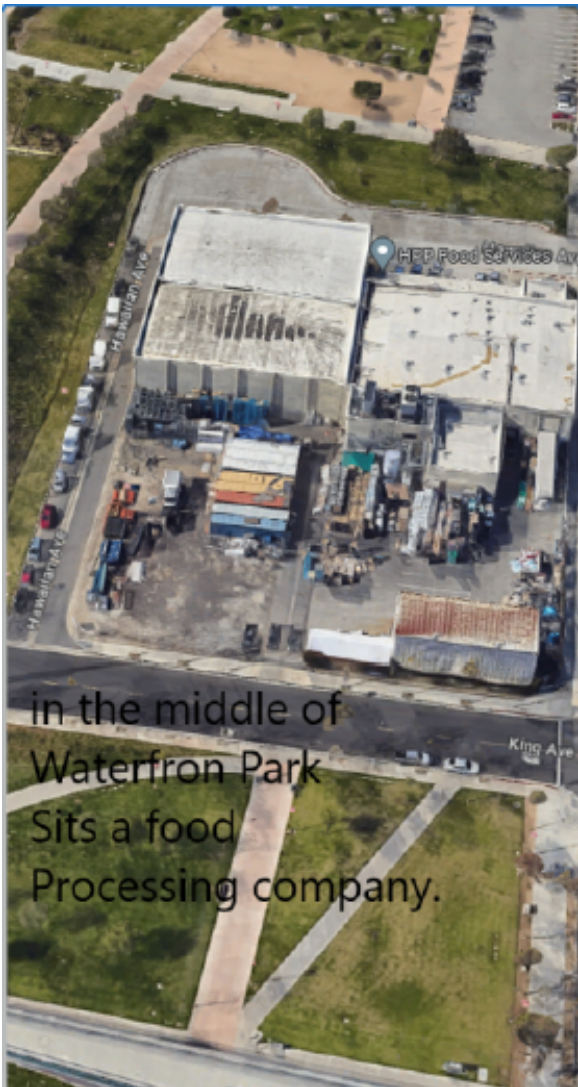




East Wilmington-Watson Junction

Residences have been in the area since late 1920's. Containers have been allowed to pile up for the last 20 plus years







Feb 7, 2024

**City of Los Angeles
City Planning Commission
LOS ANGELES CITY HALL
200 NORTH SPRING STREET, LOS ANGELES, CA 90012**

**Re: Proposed Residential Project at 400-432 S. San Vicente Blvd,
CPC-2023-2058-CU-DB-MCUP-CUW-SPR-VHCA**

By email: cpc@lacity.org

Cc: David Woon, Planning Assistant, david.woon@lacity.org; City Clerk's Office, clerk.cps@lacity.org; City Attorney's Office, cityatty.help@lacity.org

Dear Los Angeles City Planning Commission,

The California Housing Defense Fund ("CalHDF") submits this letter to remind the Commission of its obligation to abide by the Housing Accountability Act ("HAA") when evaluating the proposed 126-unit housing development project, including 14 units for Very Low Income households, at 400, 406, 410, 414, 418, 420, 424, 426, and 432 South San Vicente Boulevard.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project's density unless, again, such written findings are made. (*Id.*) The project here conforms with all applicable objective zoning, subdivision, and design review standards, and therefore the HAA's protections apply. The Commission cannot reject the project without violating the HAA, unless it makes the written findings described above.

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by housing very low-income residents, it will mitigate the state's homelessness crisis; it will bring new customers to local businesses; it will grow the City's tax base; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on

**360 Grand Ave #323, Oakland 94610
www.calhdf.org**

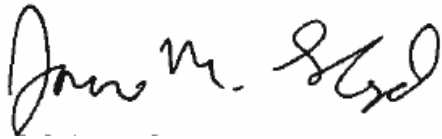
transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the Commission to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,



Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations

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
GREGORY T. WITTMANN

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

*ALSO Admitted in Texas

February 7, 2024

VIA EMAIL

City Planning Commission
200 N. Spring Street, Suite 525
Los Angeles, CA 90012
cpc@lacity.org

Re: Agenda Item 7 - Project at 400, 406, 410, 414, 418, 420, 424, 426, 432 South San Vicente Boulevard; CPC-2023-2058-CU-DB-MCUP-CUW-SPR-VHCA; ENV-2023-2059-SCEA

Dear City Planning Commission:

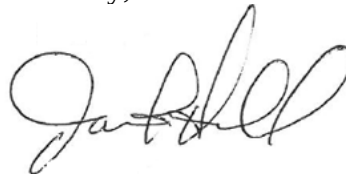
This firm represents Beverly Wilshire Homes Association ("Association" or "BWHA") with regard to the Project located at 400-432 South San Vicente Boulevard. The Association has had extensive discussions with the Developer (400 S. San Vicente LLC or "SV") and is willing to accept this Project if the developer agrees to accept the following eleven (11) conditions of approval in the entitlements for the Project. These conditions should run with the land.

1. **Construction Hours:** SV shall restrict hours of construction for exterior work on the Project, including, but not limited to, demolition, excavation, building structure, and building exterior, from 7 a.m. to 7 p.m. on Monday through Friday. Construction hours on weekends shall be as permitted by the Los Angeles Municipal Code ("LAMC"). Once the building exterior is completed, interior construction hours are as permitted by the LAMC. Notwithstanding the above, SV is authorized to request and obtain specific permit(s) from the City to allow a limited number of extraordinary construction tasks that require extended construction hours, such as a one-time foundation concrete pour.
2. **Jobsite Concerns:** During Construction, SV shall cause its contractor to post and maintain a sign on the project site with a phone number for people to report jobsite concerns.
3. **Construction Parking:** All construction contracts for work on the Project shall include a provision prohibiting construction workers from parking within the

- District 34 Preferential Parking District or within the residential neighborhood east of the Site along 4th Street and Colgate Avenue.
4. **Operational Parking:** SV shall include a provision in each residential and commercial lease that prohibits project residents and commercial tenants and their employees from obtaining a District 34 Preferential Parking permit from the City's Department of Transportation and parking within the adjacent residential neighborhood.
 5. **Alley Vehicular Egress:** SV shall install signage on the project site at the alley driveway exit that prohibits left turns out of the Project onto the alley.
 6. **Alley Signage:** SV shall apply for necessary City approvals for the installation in the right-of-way a no right turn sign at the alley and 4th Street, and a no left turn sign at the alley and Colgate Street.
 7. **4th Street Right of Way Plantings:** SV shall apply for necessary City approvals to install and maintain landscape planters within the existing no turn area along 4th Street after issuance of Certificate of Occupancy for the Project. At SV's discretion, SV may alternatively install grass and/or other plant material and physical barriers, subject to City approval.
 8. **Restaurant Outdoor Hours:** No food and beverage service or music shall be permitted after 11:00 p.m. within the outdoor patio space of the restaurant tenant space located at the corner of 4th Street and San Vicente Boulevard.
 9. **Resident Rooftop Outdoor Hours and Operations:** No food and beverage service or music shall be permitted after 11:00 p.m. within the outdoor rooftop amenity spaces.
 10. **Commercial Use Restrictions:** No nightclub shall be permitted within the ground floor commercial tenant spaces.
 11. **Short-Term Rentals:** No residential tenant shall be permitted to rent their unit for Short Term Rental, as such term is defined in LAMC 12.22.A.32.b.

Thank you for your consideration of this matter. I may be contacted at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

Cc: paralegal@channellawgroup.com
admin@channellawgroup.com
scott@rynderscorp.com
kdp8453@gmail.com

Gonzalez Professional Dental Corporation

Dr. Gonzalez

Los Angeles City Planning
200 N Spring St., Room 763
Los Angeles, CA 90012

Hello Sophia Kim,

I am the owner of Gonzalez Professional Dental Corporation at 400 San Vicente. I have been at this center and in this community since 2007. My dental business has grown since its inception, and I am thankful for the many years this location has given me.

When the new property owners bought the building in March 2022, I was treated with kindness and respect. I was issued a 360-day notice to move out in June 2022, as was stipulated in my lease agreement. Kennedy Wilson, the property manager made sure to keep an open line of communication with me at all times. They were very respectful and gave me more than enough notice of their plans to building housing at the site and replace the current strip mall.

By May of this year, I was fully moved out. While moving is not easy, the landlord and their team made it a smooth transition. I appreciate their expertise and management. I trust the property owners will create an exceptional project and be great landlords to both new residential and commercial tenants.

I can vouch for the good faith efforts of the new property owners to be upstanding people who operate in good faith. I strongly believe their new proposal for the site will be a positive for the immediate and the broader community. I can vouch for them as landlords, and I think that says a lot.

Thank you for the opportunity to share my experiences.



VAL V. GONZALEZ, DMD

Gonzalez Professional Dental Corporation
426 S. San Vicente Blvd.
Los Angeles, CA 90048



Feb 7, 2024

**City of Los Angeles
City Planning Commission
LOS ANGELES CITY HALL
200 NORTH SPRING STREET, LOS ANGELES, CA 90012**

**Re: Proposed Residential Project at 8331-8349 West 3rd Street,
CPC-2023-4573-DB-CU-HCA**

By email: cpc@lacity.org

Cc: Alice Okumura, City Planning Associate, alice.okumura@lacity.org; City Clerk's Office, clerk.cps@lacity.org; City Attorney's Office, cityatty.help@lacity.org

Dear Los Angeles City Planning Commission,

The California Housing Defense Fund ("CalHDF") submits this letter to remind the Commission of its obligation to abide by all relevant state housing laws when evaluating the proposed 77-unit housing development project at 8331, 8335, 8337, 8339, 8343, and 8349 West 3rd Street, which includes eight units for Extremely Low Income Households. These laws and regulations include the Housing Accountability Act ("HAA") and California Environmental Quality Act (CEQA) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project's density unless, again, such written findings are made. (*Id.*) The project here conforms with all applicable objective zoning, subdivision, and design review standards, and therefore the HAA's protections apply. The Commission cannot reject the project without violating the HAA, unless it makes the written findings described above.

Additionally, pursuant to CEQA Guidelines § 15332, Class 32, the project is entitled to an infill exemption from CEQA, as it is an environmentally benign infill project that is consistent with local general plan and zoning requirements and does not fall under any of the exceptions outlined in § 15300.2.

**360 Grand Ave #323, Oakland 94610
www.calhdf.org**

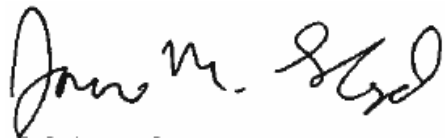
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by housing extremely low-income residents, it will mitigate the state's homelessness crisis; it will bring new customers to local businesses; it will grow the City's tax base; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the Commission to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Casey', with a long horizontal line extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read 'James M. Lloyd', with a long horizontal line extending to the right.

James M. Lloyd
CalHDF Director of Planning and Investigations

P: (626) 314-3821
F: (626) 389-5414
E: info@mitchtsailaw.com



139 South Hudson Avenue
Suite 200
Pasadena, California 91101

VIA E-MAIL

February 5, 2024

Alice Okumura, Planning Associate
City of Los Angeles Department of City Planning
200 North Spring Street, Room 621
Los Angeles, CA 90012
Em: alice.okumura@lacity.org

RE: **City of Los Angeles, 8331 West 3rd Street – Beverly Grove Project**

Dear Ms. Okumura:

On behalf of the Western States Regional Council of Carpenters (“**Western Carpenters**” or “**WSRCC**”), my Office is submitting these comments regarding the City of Los Angeles’ (“**City**”) February 8, 2024, City Planning Commission hearing concerning the 8331, 8335, 8337, 8339, 8343, 8349 West 3rd Street, 90048 project (Beverly Grove) (“**Project**”).

WSRCC would like to express its support for this Project and withdraw their prior January 8, 2024, Comment Letter. After receiving clarification and further information about this Project, the issues raised in our previous comment letter have been adequately addressed.

Should the City have any questions or concerns, please feel free to contact my Office.

Sincerely,



Mitchell M. Tsai, Esq.

Attorneys for Western States Regional Council of Carpenters



February 7, 2024

More Song, City Planner

more.song@lacity.org

(213) 978-1319

Dear City Planning Commission,

We are writing to you in support of the proposed 136-unit mixed use development, including 14 affordable units, at 10602 – 10646 West Venice Boulevard, case numbers DIR-2021-3405-TOC-SPR-HCA-1A/ ENV-2021-3407-CE. We urge the commission to reject the appeal, find the project exempt from CEQA, and approve the Density Bonus and incentives.

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing. Creating new housing in this neighborhood will help to reduce issues of gentrification and displacement. This project is in a great location for housing, next to a bus stop, a grocery store across the street, and schools, restaurants, shopping, and a recreation center less than a mile away. By replacing a gas station, various commercial buildings, and vacant residences, this new housing will not result in any residential displacement.

This project is a good project for Los Angeles and for the region. Again, we urge the city to reject the appeal, find the project exempt from CEQA, and approve the Density Bonus and incentives.

Best Regards,

Azeen Khanmalek

Azeen Khanmalek
AHLA Executive Director

Jaime Del Rio

Jaime Del Rio
AHLA Field Organizer

Tami Kagan-Abrams

Tami Kagan-Abrams
AHLA Project Director



Feb 7, 2024

**City of Los Angeles
City Planning Commission
Los Angeles City Hall
200 North Spring Street, Los Angeles, CA 90012**

**Re: Proposed Residential Project at 10602 – 10646 West Venice Boulevard,
DIR-2021-3405-TOC-SPR-HCA-1A**

By email: cpc@lacity.org

**Cc: More Song, City Planner, more.song@lacity.org; City Clerk's Office,
clerk.cps@lacity.org; City Attorney's Office, cityatty.help@lacity.org**

Dear Los Angeles City Planning Commission,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the Commission of its obligation to abide by all relevant state housing laws when evaluating the appeal against the proposed 136-unit housing development project at 10602–10646 West Venice Boulevard, which includes 14 units for Extremely Low Income Households. These laws and regulations include the Housing Accountability Act (“HAA”) and California Environmental Quality Act (CEQA) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Id.*) The project here conforms with all applicable objective zoning, subdivision, and design review standards, and therefore the HAA’s protections apply. The Commission cannot reject the project without violating the HAA, unless it makes the written findings described above.

Additionally, pursuant to CEQA Guidelines § 15332, Class 32, the project is entitled to an infill exemption from CEQA, as it is an environmentally benign infill project that is consistent with local general plan and zoning requirements and does not fall under any of the exceptions outlined in § 15300.2. As the City’s staff report states, the site’s remediation was

**360 Grand Ave #323, Oakland 94610
www.calhdf.org**

completed as of April 2008 and development must comply with all applicable regulatory measures.

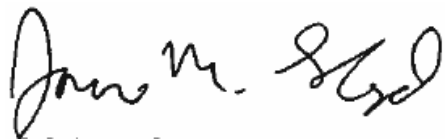
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by housing extremely low-income residents, it will mitigate the state's homelessness crisis; it will bring new customers to local businesses; it will grow the City's tax base; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the Commission to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Casey', with a long horizontal line extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read 'James M. Lloyd', with a stylized, cursive script.

James M. Lloyd
CalHDF Director of Planning and Investigations



Planning CPC <cpc@lacity.org>

FW: Comment re: 10626 Venice Blvd Project - CPC 2/8/24 Mtg Agenda Item No. 9

Matthew Hayden <matthew@haydenplanning.com>

Tue, Feb 6, 2024 at 1:59 PM

To: "cpc@lacity.org" <cpc@lacity.org>, More Song <more.song@lacity.org>

Cc: "Michael Cohanzad - Wiseman Residential (michael@wisemanresidential.com)" <michael@wisemanresidential.com>,

Dave Rand <Dave@rpnllp.com>, Kerrie Nicholson <kerrie@ceqa-nepa.com>

Good afternoon Commission Office / More,

Thanks for the information below. Given the significant additional information/materials provided at this late time, we'd request that the City Planning Commission continue this item to their April 11th meeting. This will allow us time for fully review the appellant's last minute submittal and then have our consultants respond, as well as give you time to then review the applicant's response information. It's unfair for the appellant to do this at this late point – we need to be properly prepared.

Please let us know.

Also, as the item is last on the Agenda for Thursday, if we need to make this request verbally to the Commission, might we be able to do so over Zoom?

Regards,

Matthew

Matthew Hayden

[Hayden Planning](#)

PLEASE NOTE OUR NEW ADDRESS

[13101 W. Washington Boulevard, #401](#)

[Los Angeles, CA 90066](#)

Ph. 310-614-2964

Em. matthew@haydenplanning.com

From: More Song <more.song@lacity.org>
Sent: Tuesday, February 6, 2024 7:39 AM
To: Matthew Hayden <matthew@haydenplanning.com>
Subject: Fwd: Comment re: [10626 Venice Blvd](#) Project - Agenda Item No.

FYI

Mr. More Song

City Planner

Los Angeles City Planning

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1319 | Planning4LA.org

Please note that on January 22, 2024 the Processes and Procedures Ordinance will become operative. Applications filed on or after this date are required to use the new forms available on the Department's [Forms page](#).

----- Forwarded message -----

From: **Marjan Kris Abubo** <marjan@lozeaudrury.com>
Date: Mon, Feb 5, 2024 at 17:55
Subject: Comment re: [10626 Venice Blvd](#) Project - Agenda Item No.
To: Planning CPC <cpc@lacity.org>, More Song <more.song@lacity.org>
CC: Richard Drury <richard@lozeaudrury.com>, Madeline Dawson <madeline@lozeaudrury.com>, Layne Fajeau <layne@lozeaudrury.com>, Chase Preciado <molly@lozeaudrury.com>

Hello More,

On behalf of Supporters Alliance for Environmental Responsibility ("SAFER"), attached please find comments on the proposed mixed-use project located at [10626 Venice Blvd](#). in the City of Los Angeles. This appeal is scheduled to be heard at the February 8, 2024 Planning Commission hearing. I've attached a conforming 10-page letter and a longer letter that includes exhibits. Please distribute accordingly.

If you have any questions or concerns, let me know. And at your earliest convenience, please confirm receipt of this email.

As an aside, I know that as an Appellant, we need to attend the PC hearing in person. Given the recent storms here in LA, I do think that for safety reasons I would like to attend the hearing remotely. If that is possible, I would appreciate it. If not, please let me know as soon as possible so I can plan accordingly.

Thank you,

Marjan R. Abubo
Lozeau | Drury LLP

2/8/24, 5:52 AM

City of Los Angeles Mail - FW: Comment re: 10626 Venice Blvd Project - CPC 2/8/24 Mtg Agenda Item No. 9

1939 Harrison St., Suite 150
Oakland, CA 94612
Office: 510.836.4200
Direct: 510.607.8238
marjan@lozeaudrury.com