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Environmental Case No: ENV-2014-4706-EIR

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 To: alan.como@lacity.org

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 City of Los Angeles, Department of City Planning
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 Submitted electronically at alan.como@lacity.org

RE: Environmental Case No: ENV-2014-4706-EIR
 Comments on Draft Environmental Impact Report (DEIR) for the Hollywood Community Plan Update 2 (HCPU2) No. CPC-2016-1450-CPU

Dear Mr. Como,

I am writing as a resident of Hollywood regarding the Draft Environment Impact Report on the proposed development for 6220 West Yucca Street Project (ENV-2014-4706-EIR).

I insist that the Department of City Planning immediately withdraw the Draft EIR project review until 30 days after the City's Stay at Home order is lifted.

Community members received the Draft EIR notification for 6220 West Yucca Street Project (ENV-2014-4706-EIR) on April 23, 2020. According to the notification, tenants and community members have from April 23, 2020 to June 8, 2020 to submit public comment on the Draft EIR.

It is entirely unacceptable that the Department of City Planning post the public notice for the Draft EIR when we are still under a Stay at Home order due to the COVID-19 health emergency. The notification to the tenants announcing public comment invites community members to make an appointment with the Planning Dept to review the DEIR. The same letter also suggests going to the library to review the DEIR. However, according to the Planning Dept website (<https://planning.lacity.org/contact/public-counters>), no appointments are being taken at this time. All Los Angeles libraries are also closed at this time. The lack of public access to the DEIR violates the process of public comment as required under CEQA.

As a community member I ask for the following:

1. The DEIR review time should not start when a Stay-at-Home order is in place. The public cannot access documents in public places such as the library, the planning department, or City Hall. In fact, the action of opening review time when the public is barred from accessing documents for review is the kind of corruption that critics cite with regards to the City's favoritism towards developers over communities. The review and comment period must be closed and postponed until after the lifting of the order.
2. Upon my own review of the DEIR and Plan, there is a failure to acknowledge the affordable housing requirements demanded by CA HSC 33413 (2) (A) (i) to be implemented under CA AB 1505. *The total base number of affordable units must be increased prior to any density bonus being applied. This must be re-analyzed in all projects asking for entitlements under any specific or community plan in place prior to Palmer v. City of Los Angeles.*

3. The DEIR under Housing and Population and Aesthetics fails to acknowledge the surplus of market-rate housing in the Hollywood area. It also creates a conflict by citing the SCAG projections which cite a population plateauing for the area which conflicts with a demand for more housing. The housing needs must be re-analyzed to include any developments who have been granted their entitlements, smaller by-right units, and housing currently under construction.
4. The DEIR does not quantify the impacts of gentrification and displacement on tenants in the area. *Displacement has a direct link to homelessness*. The DEIR has failed to analyze that link. The DEIR also fails to analyze when there is a large vacancy rating and surplus of housing units as an aesthetics issue as well as a housing issue.
5. The landlord should not be allowed to invoke California Government Code Chapter 12.75. Demolition of units doesn't meet the qualifications of the property owner wanting to leave the rental market. In fact, the landlord has shown that they don't intend to leave the rental market by submitting this project for approval to create more rental housing. The DEIR and the 6220 West Yucca Street Project fail to include any Plan for Universal Right of Return in order to prevent a loss of population. Making the units RSO isn't enough to address the crisis of affordable housing, if the units are not qualifying for comparative affordable levels that are being charged to the current residents.

Based on the above five issues, I ask that Alternative #3 be selected and that the DEIR be revised in order to address all of the stated issues. A Universal Right of Return Plan must be adopted for the project while retaining the original certificate of occupancy, and then overlaying the additional certificate of occupancy in order to preserve the already existing RSO units by creating replacement units. Replacement units are not subject to California Government Code Chapter 12.75. By selecting Alternative #3, and by only constructing by-right with a Universal Plan of Right of Return, all housing and population issues would be addressed.

The largest conflict in this DEIR is in the Findings of Housing, Population, and Jobs in the proposed Hollywood Community Plan:

"Displacement of low-income renters is also a concern, but it is a social and economic impact, which is not a CEQA impact unless it results in an indirect physical impact. To the extent that the CEQA Guidelines could be interpreted as calling for an analysis of social and economic impacts or create a threshold that is a social and economic impact that does not involve a physical impact to the environment, the CEQA Guideline would be invalid. Based on this, an impact from displacement and/or gentrification is only a CEQA impact if it results in a physical impact to the environment. As identified in Appendix G, those physical impacts could be from construction of new housing. It may also be from transportation or other impacts related to people driving a farther distance. The CEQA Guidelines require a lead agency to consider the reasonably foreseeable indirect environmental consequences of a project's economic or social impacts. To require an analysis of the indirect physical impacts, the social and economic impacts must be supported by substantial evidence. An EIR would be required to analyze reasonably foreseeable, not speculative impacts, resulting from social and economic impacts."

The above statement raises the question: do we have too much housing and have we met our housing needs if we are not going to look at RHENA—the current City housing element—and State law for affordability categories with a massive 12.2% vacancy rate as determined by the U.S. Census? Have we not met our housing needs with a 12.3% County-wide vacancy rating? Or an 8% City-wide vacancy rate? Isn't a massive overstock of empty housing a direct environmental impact leading to blight and other foreseeable environmental conditions such as the current homelessness where the issue is not supply but affordability? *Without analyzing affordable housing requirements correlating with the housing needs then we aren't abiding by state law.*

There is no legal reason to disobey the requirements for inclusionary zoning. The proposed 6220 West Yucca Street Project sits within the boundaries of the Hollywood CRA redevelopment plan area. The requirement to have 15% area-wide *affordable housing* has not been met. This project will only serve to exacerbate the problem as we are on a trajectory of failure to meet the state law. DEIR fails to analyze the required level of affordable housing in the specific Hollywood CRA redevelopment plan area by claiming that affordable housing categories aren't an environmental issue. *However, affordable housing categories are required under state law, which means that the DEIR is not in compliance with all State, Community, and Specific Plans if the DEIR doesn't analyze the affordable categories.*

This DEIR and the 6220 West Yucca Street Project then is meant to be non-equitable as it is based only on the highest income bracket and intends to create an area only accessible for high-income earners. The plan fails to acknowledge if any other income level of renters will be displaced thru gentrification, or how it would affect low-income renters. The DEIR doesn't examine when too many types of units are created for one income level and the high vacancy rates that follows. This DEIR also fails to examine the blight that is induced by a high vacancy rate. Blight is then a conflict established under Aesthetics.

Another issue and conflict with Aesthetics is Goal 5A of the City of Los Angeles General Plan Framework Chapter 5, 2001. Goal 5A states:

“A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.”

How can a DEIR for a Community Plan claim to benefit existing and *future* residents while also claiming that it can't analyze speculative impacts that would protect current residents; but this DEIR can analyze speculative impacts for future residents? *How can a DEIR for a project call for diversity while creating economic discrimination by refusing to even analyze the refusal to incorporate the required affordable housing needs prior to invoking a density bonus?*

Based on the issues brought up in this letter, the DEIR is incomplete and conflicts with itself. The DEIR is not in compliance with State, Community, and Specific Plans. The DEIR needs to be re-written in order to address these issues. Or, the City must select Alternative #3 in conjunction with a Universal Right of Return Plan to become a by-right project in order to address the core of the housing needs in this community that are centered around displacement and not production.

As has been shown by the COVID-19 crisis, Hollywood has plenty of luxury housing sitting empty. We need to stop creating more luxury housing at the expense of displacing our community members.

Finally, it is outrageous that the Department of City Planning expects the community to contribute public comment during the COVID-19 crisis. I join with many other community members in demanding that this notice and the review period be withdrawn until 30 days after the governor and mayor lift the Stay at Home order and that the DEIR be redrafted to address the above issues.

Nadia Sadeghpour
