

September 20, 2020

Vilia Zemaitaitis on behalf of
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Subject: **6220 West Yucca Project Proposal – Comment Letter**
CPC-2014-4705-ZC-HD-DB-MCUP-CU-SPR
ENV-2014-4706-EIR and VTT-73718
1756-1760 North Argyle Avenue; 6210-6224 West Yucca Street; and 1765-1779
North Vista Del Mar Avenue, Los Angeles, CA, 90028

Dear Planning Commissioners,

My elderly parents are the longtime property owners of the 1-1/2 story duplex at 1761-1763 Vista del Mar, directly adjacent to and the most impacted by the proposal. This small duplex is their only rental property, and the proposed five-story parking structure and amenity deck would abut our lot at the rear, while the proposed Building 2 for the original proposal would have been directly north on Vista Del Mar. As such, we adamantly opposed the original residential/hotel/commercial mixed-use proposal ("project") and rezoning application. We are grateful to see that Modified Alternative 2 (with the retention of existing residences on Vista Del Mar) is before the Planning Commission for your consideration. The mixed-use development will certainly create an active pedestrian experience along Argyle Avenue and Yucca Avenue, and provide needed housing. Nevertheless, we are greatly concerned with the impacts from the proposed 30-story, 348-foot residential tower and its directly adjacent parking structure behind our property and abutting the Don Carlos Historic District.

Excerpts from Exhibit A (project plans) of the Planning Commission staff report are included at the end of this letter to help identify our property's adjacency to the project. We sincerely hope the Planning Commissioners have visited the site and surrounding neighborhood to understand the context in person.

ENVIRONMENTAL IMPACTS

As part of this hearing, the Planning Commission must consider and recertify the Final EIR for the project, and adopt the Statement of Overriding Considerations and proposed Mitigation Measures and Mitigation Monitoring Program; these were originally certified and adopted by the Advisory Agency on August 19, 2020.

We submitted detailed comments regarding aesthetics, noise, vibration, shade shadow, cultural resources, and land use on the Draft EIR, and we will not repeat them again. Our comments (IND 2B) and the prepared response to comments can be found on pages 2-198 to 2-205 of the Final EIR's Chapter 2 Responses:

<https://planning.lacity.org/eir/6220Yucca/Feir/files/2.%20Responses%20to%20Comments.pdf>

While the environmental consultants and attorneys no doubt prepared legally defensible responses to our comments, and the Advisory Agency already certified the comprehensive Final EIR and adopted a State of Overriding Considerations, we cannot help but have grave concerns regarding the "mitigatable impacts" associated with Air Quality and Noise (Operation; Groundborne Vibration Structural Damage - Construction), and especially the significant and unavoidable impacts related to Noise (Construction; Groundborne Noise and Vibration Human Annoyance - Construction) with regards to our property.

In the Final EIR's Chapter 3 – Revisions, Clarification and Corrections in the FEIR, due to our comments regarding possible damage to our duplex from construction groundbourne vibration, mitigation measure MM-NOI-4 was clarified and modified to read: "Monitoring shall be conducted at a feasible location between the Project Site and the residential buildings along Vista Del Mar Avenue adjacent to the Project Site as near to the adjacent residential structures as possible." Amendments to the mitigation measure also call out – "Any such repair work shall be conducted in accordance with the Secretary of Interior's Standards for Rehabilitation pursuant to CEQA Guidelines Section 15064.5, subsection (b)(3)." (underlining added)

Response to Comment No. IND 2B-4 continues, "The modification of MM-NOI-4 to require that monitoring be conducted at a feasible location between the Project Site and the residential buildings along Vista Del Mar Avenue adjacent to the Project Site *as near to the adjacent residential structures as possible* removes the need to obtain the other property owners' consent and ensures that MM-NOI-4 can be implemented to reduce the Project's potentially significant groundborne vibration impacts on the residential buildings... to a less than significant level." (italics added). Why would we not grant consent to the most applicable testing locations for maximum mitigation of groundbourne vibration? "As near...as possible" is too vague, since that could mean at the street or another location farther from the source of vibration.

Yes, while such amplifications and clarifications appear to be legally irrefutable, such corrections still clearly do nothing to alleviate our concerns on the daily impacts of the construction. True, as noted in the Response to Comment No. IND 2-B-6, "MM-NOI-3 prohibits the use of high-vibration generating equipment near specified structures to avoid damage. The combination of required monitoring and repairs if damage occurs, along with the prohibition of high-vibration generating equipment near specified structures would ensure the Project would create less than significant impacts to the District Contributor." (the "District Contributor" being our subject duplex). Nevertheless, such repairs would be after the fact. It seems we should be reassured to know that all such repairs will be at the developers' expense and in compliance with the Secretary of Interior's Standards.

As for adoption of the Statement of Overriding Consideration regarding the significant, unavoidable impacts related to Noise (Construction; Groundborne Noise and Vibration Human Annoyance - Construction), it seems that our tenants will have endure the temporary nuisances of extreme noise, vibrations and dust while living directly next to a construction site for the next few years (that is, if they even stay).

PROJECT DESIGN

Clearly the immediate area is redeveloping and the mixed-use, high-rise project requires the Zone Change, Density Bonus, Master CUP for alcohol and even the CUP for live entertainment/dancing to maximize its development potential in the heart of Hollywood. Although we have no specific comments on the Zone Change, the Density Bonus Compliance Review, the Master CUP for alcohol, and the CUP for live entertainment/dancing before the Planning Commission, we do have a two issues with the Site Plan Review for the proposed Modified Alternative 2 project.

Green screen areas of parking podium:

What is exactly proposed for the podium elevations facing the properties along Vista Del Mar? Are the five-story high green screens shown on the elevation drawings on sheets A3.01 and A3.03 of Exhibit A currently proposed? Are there elevations showing what the garage podium will look like without the green screens?

According to the staff report, the City Planning's Urban Design Studio noted that "Green screen areas of parking podium will help soften the sides facing smaller-scale homes, however these may struggle to survive on the south exposure." (page A-19 of the staff report). We certainly concur. Yet the staff report goes on to read that in response to the Urban Design Studio's comments: "The

vertical green screens will now be primarily on the eastern façade facing the ground-level public amenity space as well as helping to soften the façade for the adjacent single-family residences. The green screens were largely removed from the southern façade and replaced instead with protruding concrete panels and an alternating rhythm of trapezoidal glass shapes that employ the same green colored glass that is used for the inset accents on the tower façade.” Which is correct – the elevation drawings in Exhibit A or the statements in the staff report with regards to said changes? We wholeheartedly support the green screens to help soften the tall parking podium and add dimension to those podium elevations facing the low-scale residential neighborhood to the east, but what guarantee do we have that the final product will resemble the elevation drawings? Furthermore, the vertical green screens and trailing vines are not even accurately reflected in the project's Landscape plan (L 5.00). Accidental or intended? We sincerely hope this is not a bait and switch by the applicant in order to obtain approval using pretty illustrations, only to then have the residential, historic Vista Del Mar neighborhood look at a blank, five-story parking garage wall if or when the green screen fails to thrive. The actual podium elevation should match the underlining character of the other facades, should the green screen not mature. This needs to be addressed and we ask that the Planning Commission do so as part of your deliberations and decision making for the site plan review.

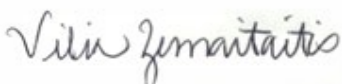
Furthermore, what is proposed in the south-east corner of central project site where Building 1 is notched out 15 feet to the west from the garage of residences to be maintained on Vista Del Mar? The plans do not identify its treatment. Will this area be paved over, or can landscaping, such as trees with a tall canopy, be installed to help soften the base of the podium parking structure? Installing trees in this space would also serve to fill in that area while the proposed trailing vines of the green screen grow downwards to cover the five-story parking structure.

Pocket Park

The 2,820 square-foot pocket park on the ground floor at the corner of Yucca Street and Vista Del Mar Avenue will replace a parking lot eyesore, providing public open space with outdoor seating, landscaping, and public art. As such, it will act as a complementary gateway to and appropriate transition between the project and the low-scale Don Carlos Historic District south of Yucca. According to the entitlement conditions (page C-4), this publicly accessible open space area will be gated between 10 pm and 6 am. Will this area also be patrolled and maintained indefinitely by the developer? One only needs to walk down on Yucca to see the homeless encampment a block away at Yucca and Gower below the 101 Freeway underpass, so we hope this pocket park does not become another such gathering spot.

Aside from the concerns above, the Togawa, Smith and Martin design for the mixed-use project appears well thought-out and original, with its trapezoidal pattern of green glass, vertical panels of blue panels, undulation of various materials and balconies, green screens, etc. It is our sincere hope that the finished development will look like the proposed elevations and not just be “in substantial conformance” with the approved plans (i.e. possibly “dumbed down” given all the value engineering involved following approval).

Thank you for considering our concerns and comments.



Vilia Zemaitytis, on behalf of Romas and Marija (Marie) Zemaitytis



VEST YUCCA Los Angeles, CA 90028 (APN 5546-031-007, -008, -027, -031)

EAST ELEVATION (