

## Communication from Public

**Name:** Casey Maddren/UN4LA  
**Date Submitted:** 06/12/2024 11:12 PM  
**Council File No:** 19-1496-S1  
**Comments for Public Posting:** United Neighborhoods for Los Angeles submits the attached comments in support of its CEQA appeal of the project proposed for 1719 N. Whitley Ave. in Hollywood.

June 12, 2024

Planning & Land Use Management Committee  
Los Angeles City Hall  
200 N. Spring St.  
Los Angeles, CA 90012

Re: 1719 - 1731 North Whitley Avenue  
ENV-2016-4921-CE-1A  
DIR-2016-4920-SPR; Related Case: DIR-2016-4920-SPR-1A  
Council file No. 19-1496-S1  
Additional Comments from Appellant in Support of Appeal

Members of the Planning & Land Use Management Committee,

UN4LA submits the following additional comments in support of our appeal of the categorical exemption for the project referenced above. We first present a brief summary, followed by detailed comments below:

#### Categorical Exemption

- The project does not qualify for a categorical exemption:
  - > The project is inappropriately relying on a Class 32 infill exemption;
  - > The applicant is relying on a 2016 CE which is invalid due to the passage of time;
  - > In their April 24, 2024 LOD, the Central APC imposed an additional condition, Condition No. 18, which requires the developer to build housing to replace the existing 40 RSO units, as mandated by AB 1218/CA Gov. Code 66300.6. Until the applicant produces a plan for the required replacement housing, there is no way to determine whether the project qualifies for a CE.

#### Other Considerations

- The Mayor has declared a housing emergency. Allowing the demolition of 40 RSO units for a hotel during a housing emergency shows a total disregard for the Mayor's declaration;
- The City has consistently failed to meet the Hollywood Redevelopment Plan's requirements for the production of affordable housing;
- The City has failed for the last two RHNA cycles to produce anywhere near State targets for Very Low, Low and Moderate Income housing.

## **The Project Does Not Qualify for a Categorical Exemption**

### **Class 32 Infill Exemption Is Inappropriate**

The project is inappropriately relying on a Class 32 infill exemption. Unlike an MND or EIR, a Class 32 exemption cannot rely on project-specific mitigation measures and must, among other things: 1) Be consistent with all applicable general plan and zoning policies and regulations; 2) Have no significant traffic impacts; and 3) Have no noise impacts.

Here, however, the project fails on all accounts. The project fails to conduct any noise analysis to determine the actual impacts on adjacent residents. Nevertheless, the project relies on a variety of project-specific noise mitigation measures, such as erecting noise barriers, which are warranted for MNDs, not exemptions.

The project relies on a 2017 traffic study that lacks any VMT analysis. LADOT traffic guidelines make clear that hotel visitor VMTs must be considered. (LADOT Transportation Assessment Guidelines, 2022, [https://drive.google.com/file/d/1hqmpAR\\_HleB1gj4QK8ZEkSU1ggKO6BhZ/view](https://drive.google.com/file/d/1hqmpAR_HleB1gj4QK8ZEkSU1ggKO6BhZ/view)) Here, the old Air quality report claims that this hotel will generate nearly 2.9 million annual VMT.

### **2016 Categorical Exemption Is Invalid**

The applicant is relying on a 2016 CE which is invalid due to the passage of time. City Planning must undertake a new assessment to determine what level of environmental review is appropriate.

### **Environmental Assessment Must Include Replacement Units Required by AB 1218**

In their April 24, 2024 LOD, the Central APC imposed an additional condition, Condition No. 18, which requires the developer to build housing to replace the existing 40 RSO units, as mandated by AB 1218/CA Gov. Code 66300.6. So far we have seen no proposal from the applicant for the required replacement housing, which, pursuant to CA Gov. Code 66300.6(2)(B), must be built prior to or concurrently with the project. Neither have we seen a determination from LAHD regarding the construction of replacement units. Until the applicant produces a plan for the required replacement housing, there is no way to determine whether the project qualifies for a CE.

*CA Gov. Code 66300.6.*

*(b) Notwithstanding any other law and notwithstanding local density requirements, **an affected city or an affected county shall not approve a development project that will require the demolition of occupied or vacant protected units**, or that is located on a site where protected units were demolished in the previous five years, unless all of the following requirements are satisfied:*

*(1) (A) The project will replace all existing protected units and protected units demolished on or after January 1, 2020. [Emphasis added.]*

This law bears directly on the case at hand, as it says a city “shall not approve a development project that will require the demolition of occupied or vacant protected units” unless ALL existing units are replaced. The law also specifies that replacement units will be built prior to or concurrent with the proposed project.

*(2)(B)*

*If the project is not a housing development project, the proponent will ensure that any required replacement housing is developed prior to or concurrently with the development project.*

## **Other Considerations**

### **The Mayor Has Declared a Housing Emergency**

The Mayor has declared a housing emergency. Allowing the demolition of 40 RSO units for a hotel during a housing emergency shows a total disregard for the Mayor’s declaration, and a disturbing level of hypocrisy on the part of City Planning. How can City Hall credibly claim that a housing emergency exists and at the same time allow the demolition of 40 RSO units to make way for a hotel?

### **City Has Consistently Failed to Meet Hollywood Redevelopment Plan Requirements for Production of Affordable Housing**

The City has consistently failed to meet the Hollywood Redevelopment Plan’s requirements for the production of affordable housing. Section 410.4 of the HDR states:

*At least thirty percent (30%) of all new or rehabilitated dwelling units developed within the Project Area by the Agency, if any, shall be for persons and families of low or moderate income; and of such thirty percent, not less than fifty percent (50%) thereof shall be for very low income households. At least fifteen percent (15%) of all new or rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and*

*families of low or moderate income; and of such fifteen percent, not less than forty percent (40%) thereof shall be for very low income households. The percentage requirements set forth in this Section shall apply in the aggregate to housing in the Project Area and not to each individual case of rehabilitation, development or construction of dwelling units. [Emphasis added.]*

While the current project is not an HRP project, it's important to note that the percentage requirements set forth in the HRP apply to "aggregate housing in the Project Area". The City has consistently failed to meet the requirement that 30% of new or rehabbed housing shall be for low or moderate income households. And while the City has failed to provide anywhere near the amount of low and moderate income housing required by the HRP, it now contemplates the demolition of existing RSO housing that has served low income families for decades.

#### City Has Consistently Failed to Meet RHNA Targets for Affordable Housing

The City has failed for the last two RHNA cycles to produce anywhere near State targets for Very Low, Low and Moderate Income housing. It is difficult to understand how the Department of City Planning, which is well aware of the City of LA's failure in this regard, now adds insult to injury by approving a hotel project which involves the demolition of existing RSO units.

We hope that the members of the PLUM Committee will ask themselves how they can credibly argue that the City is experiencing a "housing emergency" if the City moves forward with the approval of a hotel project that involves the demolition of 40 RSO units. UN4LA asks that PLUM members recall their own, repeated statements about the need for housing that serves low-income families. And we ask that the PLUM Committee grant our appeal to preserve existing housing that has the potential to provide shelter to members of the Hollywood community for years to come.

Sincerely,  
Casey Maddren, President  
United Neighborhoods for Los Angeles