



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Office: (951) 405-8127
Direct: (951) 542-2735
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

November 22, 2023

**RE: Appeal Justification for USC Soccer Stadium (944 W. 30th Street, 90007);
DCP Case Nos. CPC-2022-5429-GPA-VZC-HD-CUB, ENV-2009-271-EIR-ADD3;
Approval Made Effective by November 7, 2023 Letter of Determination**

On behalf of USC Forward (“**Appellant**”),¹ this office respectfully submits this appeal (“**Appeal**”) to the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”) involving the proposed construction of a women’s soccer/lacrosse stadium (“**Project**”) on the University of Southern California (“**USC**”) University Park Campus (“**UPC**”) located at the above-referenced address (“**Site**”).

In furtherance of the Project, applicant USC seeks various land use approvals from the City under the Los Angeles Municipal Code (“**LAMC**” or “**Code**”) for DCP Case No. CPC-2022-5429-GPA-VZC-HD-CUB, including: (i) a General Plan Amendment to change the land use designation on the subject property from Medium Residential to Community Commercial in the South Los Angeles Community Plan area (“**GPA**”); (ii) a Vesting Zone Change and Height District Change from R3-1-O to (T)(Q)C2-2D-O (“**VZC-HD**”); and (iii) a Conditional Use Permit to allow on-site sale and consumption of alcohol (“**CUB**”) (collectively “**Entitlements**”). Additionally, for environmental review under the California Environmental Quality Act (“**CEQA**”),² USC seeks approval under DCP Case No. ENV-2009-271-EIR-ADD3 of an “**Addendum**”³ to the USC Park Campus Specific Plan (“**Specific Plan**”) ⁴ Environmental Impact Report (SCH NO. 2009011101) (“**EIR**”).⁵

After the Project’s public hearing held on September 14, 2023, the City Planning Commission (“**CPC**”) adopted the Addendum, approved the CUB, and recommended approval of the remaining Entitlements (collectively “**Project Approvals**”) pursuant to the Letter of Determination mailed on November 7, 2023 (“**LOD**”),⁶ which identifies November 27, 2023 as the applicable appeal deadline. Appellant USC Forward hereby appeals.

REASON FOR THE APPEAL: Based on the review of the LOD and other relevant documents, the CPC’s granting of the Project Approvals violates the LAMC and CEQA. Appellant respectfully requests that the City grant this Appeal and deny the Project Approvals until the issues raised herein, and elsewhere in the Project’s administrative record, are adequately addressed. The City should not grant any further discretionary approvals until USC’s unabated student growth has been addressed

¹ Per LAMC § 48.08.8 disclosure requirement, this letter is sent by the attorney and law firm on behalf of its client(s) subject to the City’s lobbying registration requirement.

² Pub. Res. Code § 21000 et seq. and 14 Cal. Code Regs. (“**CEQA Guidelines**”) § 15000 et seq.

³ See DCP (9/14/23) CPC Staff Report, PDF p. 84 (Exhibit B, Addendum dated September 2023), https://planning.lacity.org/plndoc/Staff_Reports/2023/09-14-2023/CPC_2022_5429_Commission_Packet.pdf.

⁴ USC Specific Plan, [https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20\(as%20approved%20by%20City%20Council\).pdf](https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20(as%20approved%20by%20City%20Council).pdf).

⁵ Inclusive of the Draft EIR (“**DEIR**”) and the Final EIR (“**FEIR**”) retrieved from DCP website (<https://planning.lacity.org/development-services/eir/university-southern-california-development-plan>).

⁶ LOD (11/7/23), <https://planning.lacity.org/pdiscaseinfo/document/MTA3MTk0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>.

in a CEQA-compliant review, including consideration of mitigation and alternatives that would address its student housing impacts—including but not limited to utilizing the Project Site for student housing, consistent with its current general plan designation and zoning.

SPECIFIC POINTS IN ISSUE: As thoroughly discussed in comment letters attached hereto, reliance on the Addendum is improper for a variety of reasons in this case, and a subsequent or supplemental EIR is appropriate. First, as discussed in comments submitted in April 2023 (Exhibits A and B attached hereto), the Project is not within the scope of the prior EIR because the Project is not identified in the previous EIR and is located outside of the previously studied Specific Plan EIR boundary area.

Second, a supplemental EIR is required due to significant changes in circumstances and new information since the 2010 EIR was prepared—specifically as it relates to student enrollment. (See Pub. Res. Code § 21166; CEQA Guidelines § 15162.) As discussed further in the attachments (Exhibits A and B) and verbal testimony,⁷ in 2010, the Specific Plan anticipated only a “small annual increase in student enrollment” from approximately 31,000 students (2009) to 36,000 students (2030). However, USC’s numbers show that the university has grown to about 49,000 total students as of 2023. The Applicant disputes these enrollment concerns, suggesting enrollment projections were not part of the prior EIR and that the current 49,000 student population is not accurate since it includes enrollment at other campuses.⁸ Yet, the limited growth was a fundamental assumption to the EIR that relied on the technical analysis and appendices for the EIR, which clearly anticipated the UPC campus to accommodate only 36,000 students by 2030. Additionally, USC has failed to produce any evidence showing that enrollment at the UPC campus is below that figure, much less an accurate accounting of annual enrollment growth at the campus since the EIR was adopted more than ten years ago. Moreover, USC’s suggestion that enrollment growth is attributed to non-UPC campuses is in direct conflict with other statements/promises made by USC in other CEQA reviews—namely at its other major Health Science Campus (“HSC”).

Third, no reasonable person could conclude that USC’s unilateral and unabated growth is not attributed to either one, if not both, of its two major campuses (i.e., UPC or HSC). Similar concerns about USC enrollment have been raised in numerous comment letters submitted on another pending USC projects located on its HSC campus (i.e., the Eastlake Discovery and Translational Hub project).⁹ As thoroughly discussed in comment letters submitted in April through November of this year (see Exhibits C through F attached hereto), that project relies on a fifth addendum to an EIR draft in 2005 for the HSC campus. There, the 2005 EIR assumed that student enrollment would not increase due to development at the HSC campus. However, as discussed above, USC enrollment has ballooned to approximately 49,000 students, with a substantial increase in full-time and graduate students since 2005 (when the HSC campus EIR was prepared) and 2011 (when the UPC campus EIR was prepared). The Applicant similarly dismisses these enrollment numbers, suggesting they are somehow inaccurate¹⁰ despite being from USC’s own published reports.

⁷ DCP (8/16/23) Hearing Officer Agenda, Item 2, <https://planning.lacity.org/dcpapi/meetings/document/75062>; CPC (9/14/23) Item 6 Audio, hh:mm:ss 0:40:40 – 41:46, 48:10 – 49:15, 50:00 – 54:40, https://planning.lacity.org/plndoc/Audio/CPC/2023/09-14-2023/06_CPC_2022_549_GPA_VZC_HD_CUB.mp3.

⁸ Ibid., Item 6 Audio, hh:mm:ss 00:13:15 – 00:15:35; see also DCP Staff Report, supra fn. 3, PDF p. 3202-3206 (Exhibit D Applicant Response Letter).

⁹ Associated with DCP Case Nos. CPC-2022-9266-CU & ENV-2004-1950-EIR-ADD5.

¹⁰ CPC Hearing (11/2/23) Item 6 Audio, hh:mm:ss 00:14:40 – 00:17:20, https://planning.lacity.org/plndoc/Audio/CPC/2023/11-02-2023/06_CPC_2022_9266-CU.mp3; see also Secondary Submissions, PDF pp. 4-7, <https://planning.lacity.org/dcpapi/meetings/document/addtldoc/66306>.

Collectively, the HSC and UPC EIRs assumed zero growth at the HSC campus and a mere 5,000 increase in student enrollment at UPC campus by 2030, but USC's own numbers shows total enrollment has grown to roughly 49,000 students—that is nearly 17,000 more students since 2005 and 11,000 since 2011. No reasonable person could conclude that the increase is not attributed to either the HSC or UPC or both campuses, which is inconsistent with the assumptions of the EIRs. This logically leads to increased demand for student housing, which requires to be mitigated under CEQA. (See *Save Berkeley's Neighborhoods v. Regents of University of California* (2020) 51 Cal.App.5th 226, 239.) These impacts are exacerbated by the increased development at these campuses, such as new sports facilities that drive Division 1 student-athlete enrollment—like the new soccer stadium Project at the Site on the UPC Campus.¹¹ These impacts are further exacerbated by the recent demolition of existing on-site student housing units (e.g., Flour Tower, Trojan & Marks Residence buildings).

A supplemental CEQA review is required when a prior EIR fails to analyze significant changes in a future project or where there are previously unanalyzed or increased significant impacts. (CEQA Guidelines §§ 15162(a), 15163(a), 15164(a); *Ventura Foothill Neighbors v. County of Ventura* (2014) 232 Cal.App.4th 429, 436.) Here, neither the 2005 HSC campus EIR nor the 2011 UPC campus EIR analyzed the impacts associated with development that serves and enables the significant enrollment growth currently at USC, such as the induced traffic, vehicle miles traveled, mobile source emissions, noise, housing needs, and similar impacts to adjacent communities caused by adding thousands of more students at the UPC or HSC or both campuses. (*Save Berkeley's Neighborhoods*, supra at p. 241.) The impacts on the community are significant. At a minimum, the huge enrollment increase is a significant change in circumstances or new information that warrants a supplemental EIR.

Fourth, vague claims of community benefits should be more specific and negotiated with community organizations in a community benefits agreement (“CBA”). (LOD, pp. F-12.) As discussed in prior comments submitted in June 2023 (see Exhibits G attached hereto),¹² DCP has determined that USC is not in compliance with some of its public benefit obligations it agreed to as part of its 2013 Development Agreement (“DA”) with the City related to the USC Specific Plan for the UPC campus—such as requiring food vouchers (i.e., WIC vouchers) to be accepted at its grocery stores and annual public parks payments. So too, USC Forward has found inconsistency with the DA, such as the removal of some public benefits (i.e., removal of lines to the expanded shuttle service) and the City's failure to provide documentation of several mandatory DA annual reviews. This belies promises of public benefits that are not codified in enforceable conditions of approval or CBAs, with the public able to enforce such conditions/agreements.

Fifth, the assumption that the Project will only hold 20 games out of the year (LOD, pp. F-4, F-8) is not enforceable via a meaningful condition of approval.

Sixth, the issues mentioned above infect the LOD's Code-required findings, such as those related to public safety and good zoning practices. (Id., at pp. F-9 – F-14 [GPA findings under Charter § 558, VZC-HD findings under LAMC § 12.32]). So too, the generic reference to potential land still available to meet the City's Regional Housing Needs Assessment (“RHNA”) is too speculative and conclusory. (Id., at p. F-20.) Furthermore, the LOD and Addendum fail to consider the displaced housing in the

¹¹ Similarly, added classrooms spaces further increase graduate students at the HSC campus, which has not been analyzed in that project's HSC campus EIR or fifth addendum.

¹² See Exhibit G, Attachment 1 thereto (SEIU Local 721 letter dated June 16, 2023).

community caused by USC's failure to provide commensurate on-site housing, that has led to the loss of long-term housing in surrounding communities, which has seen existing long-term/affordable housing demolished, converted, or otherwise lost by redevelopment of co-living, dorm-like student housing facilities, such as those numerous developed/managed by Tripalink and other similar co-living facilities developers. These types of developments subvert the City's zoning rules and weaken the effectiveness of the City's affordable housing incentive programs like the Transient Orient Community ("TOC") program. For example, as discussed in USC Forward letters submitted in October and November 2022 (Exhibits H and I attached hereto), Tripalink has numerous buildings in and around USC's UPC campus nearly exclusively built, managed, and marketed to USC students and not the general public—like its proposed 96-bedroom/96-bathroom project claimed to be just ten single-family homes. There, in January and February of 2023, the City Council granted USC Forward's appeal in part due to the project's failure to use and analyze an accurate project description.¹³ These type of projects are a direct result of USC's unabated growth in enrollment without commensurate housing being built on campus. These properties could be used for genuinely affordable housing projects, such as those encouraged under the City's TOC program.

In sum, the City should not grant any further discretionary approvals until USC's unabated student growth has been addressed in a CEQA-compliant review, including consideration of mitigation and alternatives that would address its student housing impacts—including but not limited to utilizing the Project Site for student housing, consistent with its current general plan designation and zoning.

By this reference, USC Forward incorporates all prior comments attached hereto (Exhibits A through J) into this Appeal and reserves the right to supplement these comments and specific appeal points in the future. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during the EIR comment period].)

HOW ARE YOU AGGRIEVED BY THE DECISION: Appellant is a broad coalition of students, community organizations, and union members (including SEIU Local 721) united to make USC a better neighbor and accountable to its surrounding communities. Its members live and/or work in the vicinity of the Project Site, breathe the air, suffer traffic congestion, and will suffer other environmental impacts of the Project unless it is properly analyzed and mitigated. Additionally, Appellant is committed to ensuring responsible development in Los Angeles, that local land-use rules/regulations are followed, and informed decision-making by public officials regarding projects that may significantly impact the environment in the City of Los Angeles. This Project removes increasingly rare multi-family residentially zoned land that could be used to mitigate the impacts of USC's unabated enrollment growth that must be considered and mitigated under CEQA. (*Save Berkeley's Neighborhoods, supra*, 51 Cal.App.5th at 239.) These impacts include the induced traffic, vehicle miles traveled, mobile emissions, noise, housing needs, and similar impacts to adjacent communities caused by adding thousands of more students at the UPC or HSC or both campuses. (*Id.*, at p. 241.) These impacts negatively impact Appellant members residing, living, and recreating in communities near USC campuses, such as those near the UPC campus where the Project Site is located. Hence, granting this Appeal will confer a substantial benefit to USC Forward and the public, including citizens, residents, businesses, and taxpayers affected by the Project, and will result in the enforcement of important public rights.

¹³ See e.g., Council File No. 22-1055, <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=22-1055-S1>; see also CEQA Findings of Fact, https://clkrep.lacity.org/online/docs/2022/22-1055-S1_misc_01-26-2023.pdf.

HOW DID THE DECISIONMAKER ERR OR ABUSE ITS DISCRETION? The CPC abused its discretion because it improperly granted the Entitlements in violation of the Code and relied on an inadequate CEQA review. More detail is included in Exhibits A through I, which are attached hereto and incorporated into this Appeal in their entirety.

Finally, on behalf of the Appellant, this Office requests, to the extent not already on the notice list, all notices of CEQA actions, Appeal hearings and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§ 21092.2, 21167(f) and Gov. Code § 65092 and LAMC § 197.01.F.) Please send notice by electronic and regular mail at the address provided on page one of this letter.

Sincerely,

LAW OFFICE OF GIDEON KRACOV



Jordan R. Sisson
Attorney for Appellant

ATTACHMENTS:

Exhibit A:	USC Forward Comment RE Soccer Stadium (4/19/23)
Exhibit B:	SEIU Local 721 Comment RE Soccer Stadium (4/19/23)
Exhibit C:	USC Forward Comment RE HSC Project (4/19/23)
Exhibit D:	SEIU Local 721 Comment RE HSC Project (4/19/23)
Exhibit E:	USC Forward Comment RE HSC Project (10/12/23)
Exhibit F:	USC Forward Comment RE HSC Project (11/1/23)
Exhibit G:	USC Forward Comment RE USC Specific Plan DA Review (6/16/23)
Exhibit H:	USC Forward Comment RE 1840 W Adams (10/11/22)
Exhibits I:	USC Forward Appeal Justification RE 1840 W Adams (11/28/22)

EXHIBIT A



April 19, 2023

Stephanie Escobar, City Planning Associate
Department of City Planning, City of Los Angeles
stephanie.escobar@lacity.org

RE: USC Women's Sports Stadium (3025 S. University Ave., 90007) (CPC-2022-5429)

Dear Ms. Escobar:

We, USC Forward,¹ respectfully provide the following comment² to the City of Los Angeles ("City") Department of City Planning ("DCP") regarding the University of Southern California's ("USC" or "Applicant") proposed construction of a women's soccer/lacrosse stadium ("Project") located at the above-referenced addresses ("Site"). The Project includes the request for two Conditional Use Permits to allow: i) a stadium in the R3 zone and ii) the sale of alcoholic beverages (collectively "Entitlements").³

USC Forward understands that, for purposes of the Project's environmental analysis under the California Environmental Quality Act ("CEQA"), USC intends to prepare an addendum to the USC Park Campus Specific Plan ("Specific Plan")⁴ Environmental Impact Report (SCH NO. 2009011101) ("EIR").⁵ For the reasons discussed below, we urge the City instead to: (1) require a subsequent or supplemental EIR, not an addendum; and (2) provide a minimum 30-day public notice and comment period on the any Project CEQA document including any addendum before any action is taken on the Entitlements.

First, the Project should require a subsequent or supplemental EIR because the Project is not within the scope of the prior Specific Plan EIR. The Site is located east of the Hoover/30th Street intersection—outside the USC Specific Plan EIR area. (Compare Figure 1 with Figure 2

¹ <https://uscforward.org/about/>.

² Herein, page citations are either the stated pagination (i.e., "p. #") or PDF-page location (i.e., "PDF p. #").

³ See Project Application, p. 2, <https://planning.lacity.org/pdiscaseinfo/document/MzgwNjM0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

⁴ USC Specific Plan, [https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20\(as%20approved%20by%20City%20Council\).pdf](https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20(as%20approved%20by%20City%20Council).pdf).

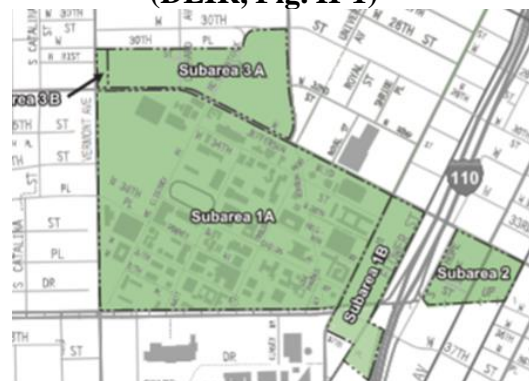
⁵ Inclusive of the Draft EIR ("DEIR") and the Final EIR ("FEIR") retrieved from DCP website (<https://planning.lacity.org/development-services/eir/university-southern-california-development-plan>).

[following page].) The Specific Plan in no way mentions a new massive women's soccer/lacrosse stadium at the Project Site next to residential neighbors. An agency's decision to use an addendum to approve a different project not contemplated or within the geographic area of the original project violates CEQA.⁶

**Figure 1: Project Site
(Applicant Project Plans)⁷**



**Figure 2: USC EIR Project Area
(DEIR, Fig. II-1)⁸**



Second, the Project should require a subsequent or supplemental EIR because there has been a significant change in the circumstances (i.e., enrollment) involving the USC Specific Plan. Under CEQA, once an EIR has been prepared, a subsequent or supplement EIR is required for granting a later discretionary approval when there have been: (i) substantial changes to the project, (ii) substantial changes in the circumstances involving the project, or (iii) significant new information involving the project. (See Pub. Res. Code § 21166; CEQA Guidelines⁹ § 15162.) Here, in 2010, the Specific Plan anticipated only a “small annual increase in student enrollment” from approximately 30,828 students (2009) to 36,000 students (2030).¹⁰ However, based on USC’s enrollment figures disclosed in its Common Data Set (“CDS”) and Annual Financial Reports from 2009 through 2021 (summarized in “Exhibit A” attached hereto), USC has grown

⁶ See e.g., *Concerned Citizens of Costa Mesa, Inc. v 32nd Dist. Agric. Ass'n* (1986) 42 C3d 929, 937 (plans for approved amphitheater project changed to increase seating significantly, expand the site, and reorient the stage to face nearby residences); *Save Berkeley's Neighborhoods v Regents of Univ. of Cal.* (2020) 51 CA5th 226, 237 (claim that university changed project described in campus long-range development plan by approving increases in student enrollment well beyond development plan and EIR projections, without considering whether further CEQA review was required, alleged violation of CEQA).

⁷ Project Plans, PDF p. 2, <https://planning.lacity.org/pdiscaseinfo/document/MzgwNjU0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

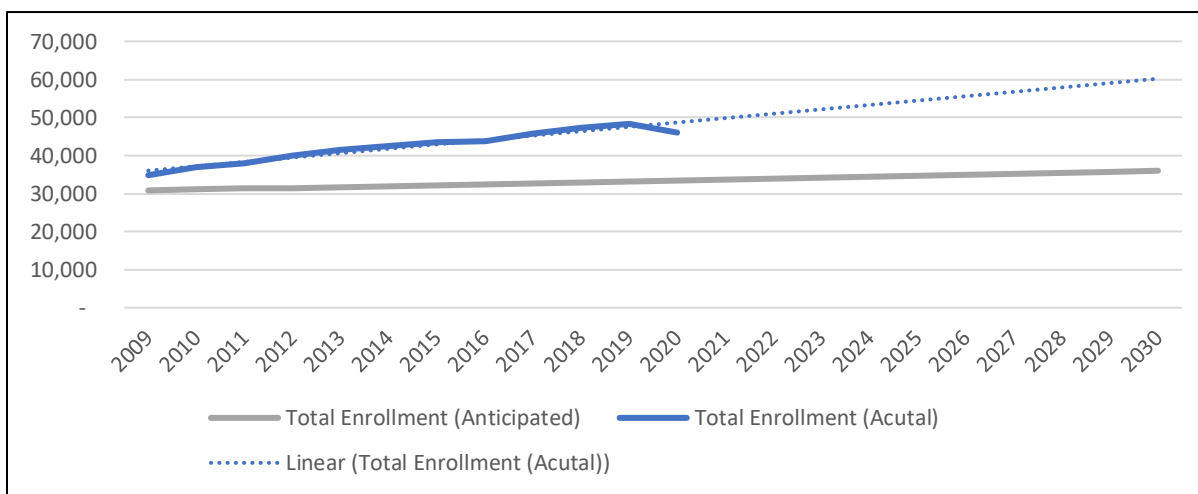
⁸ DEIR, PDF p. 3, https://planning.lacity.org/eir/USC/Feir/files/II.%20%20Project_Description.pdf.

⁹ California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387.

¹⁰ DEIR, Appendix J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf; DEIR, Appendix C-2, Historic Resources Evaluation University Park Campus, PDF p. 118, 156 <https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20C-2%20Historic%20Resources%20Evaluation%20University%20Pa.pdf>.

well beyond these anticipated levels. The USC Specific Plan analysis is no longer good and cannot be relied on for new discretionary project approvals, such as this discretionary stadium Project. Figure 3 below is a chart that reflects the anticipated growth in total enrollment from the USC Specific Plan (grey line) to the actual growth in total enrollment (blue line) and the trajectory of USC enrollment if the current rate of growth continues through 2030 (blue dashed line).

Figure 3: USC Actual Enrollment Compared to Anticipated Enrollment



As shown above, USC’s enrollment has clearly far exceeded what it promised and studied in 2010, and USC is not doing enough to address its growth.¹¹ For example, while the compound annual growth rate (“CAGR”) of undergraduate and graduate enrollment was anticipated to be 0.50 percent and 0.99 percent (respectively) under the EIR, the actual growth of undergraduate and graduate enrollment has been 1.44 percent and 3.54 percent CAGR (respectively)—roughly three times more than anticipated. This has serious community impacts in many ways. USC’s apparent aggressive expansion over the last ten years undermines the EIR’s fundamental assumptions just like the case of *Save Berkeley’s Neighborhoods v. Regents of University of California*, (2020) 51 Cal.App.5th 226, where the university made several discretionary decisions leading to the increased enrollment without analyzing and mitigating new impacts. (Id., at p. 237.)

Here, the stadium Project was not even contemplated in the old environmental analysis and is not in the same geographic area. An addendum is grossly improper. The impacts of the proposed stadium need to be studied in a bona fide project-specific subsequent/supplemental EIR—not an abbreviated addendum shortcut.

/ / /

¹¹ See also USC Annenberg Media (9/14/21) Freshmen, sophomores struggle to get on-campus housing (“‘It was kind of a crazy process,’ said sophomore Kaelyn Moses, a global health major living in the USC Village. ‘Honestly, the housing application was really confusing.’”), <https://www.uscannenbergmedia.com/2021/09/14/freshmen-sophomores-struggle-to-get-on-campus-housing/>.

Third, while public review of an addendum is not mandatory, the City must consider any addendum along with the original Final EIR before deciding on a proposed discretionary project. (See CEQA Guidelines §15164(d).) Here, that means the City must consider the addendum with the Final EIR to the USC Specific Plan. Collectively, this includes thousands of pages of environmental analysis. USC Forward respectfully requests that the City use its discretion to make all these documents—including any new addendum—available for at least 30 days before acting on the Entitlements. USC should not use an addendum to shortcut public notice and comment.

In sum, USC Forward respectfully disagrees with the City and Applicant's decision to prepare an addendum instead of a subsequent or supplemental EIR for the above-stated reasons. Please reconsider this decision. Moreover, in furtherance of CEQA's purpose of informed decision-making (see CEQA Guidelines § 15002(a)(1)), USC Forward asks the City to ensure no action is taken on the Entitlements before making the CEQA document or addendum available for review and comment at least 30 days.

USC Forward reserves the right to supplement these comments at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) This Office requests, to the extent not already on the notice list, all notices of CEQA actions and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§, 21092.2, 21167(f) and Gov. Code § 65092 and Los Angeles Municipal Code § 197.01.F.) Please send notice by electronic and regular mail to Felipe Caceres, 1545 Wilshire Blvd., Ste. 100, Los Angeles, CA 90017 (felipe.caceres@seiu721.org).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,

USC FORWARD

Felipe Caceres

Felipe Caceres
(213) 361-7848
felipe.caceres@seiu721.org

ATTACHMENT:

EXHIBIT A: USC Enrollment Table (Anticipated v. Actual)

EXHIBIT A

EXHIBIT B: USC ENROLLMENT (ANTICIPATED V. ACTUAL)

ACADEMIC PERIOD		ANTICIPATED ENROLLMENT [a]			ACTUAL ENROLLMENT		
		Undergraduate	Graduate	Total	Undergraduate	Graduate	Total
2009	2010	16,023	14,805	30,828	16,751	18,073	34,824 [b]
2010	2011	16,103	14,951	31,055	17,380	19,516	36,896 [c]
2011	2012	16,184	15,099	31,283	17,414	20,596	38,010 [d]
2012	2013	16,266	15,248	31,514	18,316	21,642	39,958 [e]
2013	2014	16,347	15,399	31,746	18,445	22,923	41,368 [f]
2014	2015	16,429	15,551	31,980	18,740	23,729	42,469 [g]
2015	2016	16,512	15,705	32,216	18,810	24,591	43,401 [h]
2016	2017	16,595	15,860	32,454	18,794	25,077	43,871 [i]
2017	2018	16,678	16,016	32,694	19,170	26,517	45,687 [j]
2018	2019	16,762	16,175	32,936	19,907	27,403	47,310 [k]
2019	2020	16,846	16,334	33,180	20,351	27,970	48,321 [l]
2020	2021	16,930	16,496	33,426	19,606	26,501	46,107 [m]
2021	2022	17,015	16,659	33,674	19,889	27,439	47,328
2022	2023	17,101	16,823	33,924	20,175	28,411	48,586
2023	2024	17,187	16,990	34,176	20,466	29,417	49,883
2024	2025	17,273	17,157	34,431	20,761	30,459	51,219
2025	2026	17,360	17,327	34,687	21,060	31,537	52,597
2026	2027	17,447	17,498	34,945	21,363	32,654	54,017
2027	2028	17,535	17,671	35,206	21,671	33,810	55,481
2028	2029	17,623	17,846	35,468	21,983	35,007	56,991
2029	2030	17,711	18,022	35,733	22,300	36,247	58,547
2030	2031	17,800	18,200	36,000	22,622	37,530	60,152
CAGR		0.50%	0.99%		1.44%	3.54%	

NOTES:

a: Draft EIR, APP-J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf.

b: USC 2010 Financial Report, PDF p. 15, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101238/2010-USC-Financial-Report.pdf>.

c: USC 2011 Financial Report, PDF p. 16, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101237/2011-USC-Financial-Report.pdf>.

d: CDS 2011-2012, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2011-2012-public1.pdf; USC 2012 Financial Report, PDF p. 21, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101236/2012-USC-Financial-Report.pdf>.

e: CDS 2011-2012, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/10/CDS-2012-2013-public_new3.pdf.

f: CDS 2013-2014, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2013-2014_public.pdf.

g: CDS 2014-2015, PDF p. 2, <https://oir.usc.edu/wp-content/uploads/2015/11/CDS-2014-15.pdf>.

h: CDS 2015-2016, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2017/05/CDS-2015-2016_2.pdf; USC 2016 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2016-USC-Financial-Report.pdf>.

i: CDS 2016-2017, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2015/10/CDS_2016-2017.pdf.

j: CDS 2017-2018, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2018/03/CDS_2017-2018_FINAL_2.pdf; USC 2017 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2017-USC-Financial-Report.pdf>.

k: CDS 2018-2019, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2019/06/CDS_2018-2019_FINAL1.pdf; USC 2018 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101233/2018-USC-Financial-Report.pdf>.

l: CDS 2019-2020, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2020/07/CDS_2019-2020_FINAL.pdf; USC 2019 Financial Report, PDF p. 5, <https://about.usc.edu/files/2020/07/USC-2019-Annual-ReportFINAL.pdf>.

m: CDS 2020-2021, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2021/07/CDS_2020-2021.pdf; USC 2020 Financial

EXHIBIT B



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Office: (951) 405-8127
Direct: (951) 542-2735
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

April 19, 2023

VIA E-MAIL:

Stephanie Escobar, City Planning Associate (stephanie.escobar@lacity.org)
Department of City Planning, City of Los Angeles

**RE: USC WOMEN'S SPORTS STADIUM (3011-3025 S. UNIVERSITY AVENUE, 90007);
DCP CASE NOS. CPC-2022-5429, ENV-2009-271;
REQUEST FOR SUPPLEMENTAL/SUBSEQUENT EIR AND/OR 30-DAY PUBLIC REVIEW OF ADDENDUM**

Dear Ms. Escobar:

On behalf of SEIU Local 721 and its members ("Local 721"), this office respectfully requests that the City of Los Angeles ("City") Department of City Planning ("DCP") provide no less than 30 days of public review of any addendum to a previously certified environmental impact report ("EIR") involving the above-referenced University of Southern California ("USC") women's sports stadium project ("Project") located at the USC University Park Campus ("UPC").

Local 721 understands that, for purposes of the stadium Project's environmental review under the California Environmental Quality Act ("CEQA"), USC intends to use an addendum to a 2010/2013 Environmental Impact Report (State Clearinghouse No. 2009011101) ("EIR") involving the USC Park Campus Specific Plan ("Specific Plan") redevelopment of the USC UPC campus (associated with DCP Case No. ENV-2009-271).

Here, using an addendum raises both substantive and procedural issues. For example, we question the continued validity of this outdated Specific Plan analysis. For example, the stadium Project is not mentioned in the Specific Plan EIR and the stadium site is not located within the EIR project boundary. Additionally, the EIR's fundamental enrollment assumptions and on-site housing demands are no longer valid. For example, the EIR assumed only a small annual increase in student enrollment from roughly 30,828 students (2009) to 36,000 students (2030).¹ Yet, according to USC's Common Data Set 2021-20 (see excerpts following page [highlights added]), USC had 49,318 total students as of October 15, 2021 (in yellow)—42,631 of which were full-time students (in green).² The USC Specific Plan analysis is no longer good and cannot be relied on for new discretionary project approvals, such as this discretionary stadium Project. The impacts of the proposed stadium need to be studied in a bona fide project-specific subsequent/supplemental EIR—not an abbreviated addendum shortcut.

/ / /

¹ See Draft EIR, [Appendix J](#), p. 22; see also Draft EIR, [Appendix C-2](#), PDF pp. 118, 156.

² https://oir.usc.edu/wp-content/uploads/2022/06/CDS_2021-2022_FINAL.pdf.


B. ENROLLMENT AND PERSISTENCE				
B1 Institutional Enrollment - Men and Women				
Provide numbers of students for each of the following categories as of the institution's official fall reporting date or as of October 15, 2021 .				
• Note: Report students formerly designated as "first professional" in the graduate cells. For information on reporting study abroad students please see this link .				
	FULL-TIME		PART-TIME	
	Men	Women	Men	Women
Undergraduates				
Degree-seeking, first-time freshmen	1,736	1,928	1	3
Other first-year, degree-seeking	655	688	1	9
All other degree-seeking	7,311	7,792	270	225
Total degree-seeking	9,702	10,408	272	237
All other undergraduates enrolled in credit courses	54	42	46	29
Total undergraduates	9,756	10,450	318	266
Graduate				
Degree-seeking, first-time	3,763	4,430	510	744
All other degree-seeking	5,940	7,818	2,051	2,469
All other graduates enrolled in credit courses	211	263	158	171
Total graduate	9,914	12,511	2,719	3,384
Total all students	19,670	22,961	3,037	3,650
Total all undergraduates	20,790			
Total all graduate	28,528			
GRAND TOTAL ALL STUDENTS	49,318			

Furthermore, because CEQA does not require circulation of an addendum (CEQA Guidelines § 15164), an addendum does not provide sufficient public review when it could be released just 72 hours before the City acts on the requested conditional use permits ("CUP(s)") under the Brown Act (Gov. Code § 54957.5). Thus, at minimum, we respectfully request that the City exercise its discretion and provide the public with at least 30 days to review any CEQA document or addendum for this USC stadium project before acting on any of the requested CUPs. The community needs appropriate time to review the impacts of this project – there should be no rush job.

Local 721 thanks you for your consideration of these comments and reserves the right to supplement these comments in the future. Please add us to the notification list for any zoning/CEQA actions involving the above-referenced project, as required by law (see e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; Los Angeles Municipal Code § 197.01.F). Please send notice by electronic and regular mail to Jordan R. Sisson, Esq., 801 S. Grand Avenue, 11th Floor, LA, CA 90017 (jordan@gideonlaw.net).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,



 Jordan R. Sisson
 Attorney for Local 721

EXHIBIT C



April 19, 2023

Esther Ahn, City Planner
Department of City Planning, City of Los Angeles
esther.ahn@lacity.org

**RE: USC Discovery & Translational Hub (1590 N. Eastlake Ave., 90033)
DCP Case No. CPC-2022-9266-CU**

Dear Ms. Ahn:

We, USC Forward,¹ respectfully provide the following comment² to the City of Los Angeles (“City”) Department of City Planning (“DCP”) regarding the University of Southern California’s (“USC” or “Applicant”) proposed construction of a 7-story, 220,000 square foot research/lab building referred as the Discovery and Translational Hub (“Project”) located at the above-referenced addresses (“Site”).³ The Project includes a Conditional Use Permit request to allow 206,293 square feet of nonresidential floor area in the C2 zone (“CUP”).

USC Forward understands that, for purposes of the Project’s environmental analysis under the California Environmental Quality Act (“CEQA”), USC intends to prepare an addendum to a previously prepared Environmental Impact Report (“EIR”). Under CEQA, the City must consider any addendum along with the original Final EIR before deciding on a proposed discretionary project. (See CEQA Guidelines⁴ §15164(d).) Here, that means thousands of pages based on the Project Site’s entitlement history, which includes: (i) a 2006 EIR analyzing between 585,000 and 765,000 square feet of academic, medical research, and clinical medical facility space at the USC Health Sciences Campus (“HSC”); (ii) 2013 addendum to modify the HSC project to include a hotel and student housing;⁵ and (iii) this new forthcoming addendum.

USC Forward respectfully requests that the City use its discretion to make all these documents—including any new addendum—available for at least 30 days before conducting any hearings or

¹ <https://uscforward.org/about/>.

² Herein, page citations are either the stated pagination (i.e., “p. #”) or PDF-page location (i.e., “PDF p. #”).

³ See Project Plans, PDF p. 1, <https://planning.lacity.org/pdiscaseinfo/document/NDU5MTg0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

⁴ California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387.

⁵ See Council File No. 14-0267-S1 (5/29/14) Environmental Documents, PDF pp. 711-716 [addendum, pp. 5-10 discussing original HSC project, projects built at the time of the March 2013 addendum, and modified project]), https://clkrep.lacity.org/online/docs/2014/14-0267-S1_misc_g_05-29-14.pdf.

acting on the CUP. This will further CEQA’s purpose of informed decision-making (CEQA Guidelines § 15002(a)(1)), as well as provide adequate time to consider whether a Project-specific CEQA review is necessary in light of Pub. Res. Code § 21166, which requires a subsequent or supplement EIR for later discretionary projects when there have been either: (i) substantial changes to the original project; (ii) substantial changes in the circumstances involving the project; or (iii) significant new information involving the original project. (See also CEQA Guidelines § 15162.)

Here, after nearly 20 years since the HSC Draft EIR was prepared (i.e., May 2005) and ten years since the last addendum was prepared (i.e., March 2013), much of the HSC has been constructed,⁵ and it is critical to thoroughly analyze whether the new Project fits within the scope of the previous EIR and addendum.⁶ Additionally, much has changed in the manner in which vehicle miles traveled (“VMT”)⁷ and greenhouse gas (“GHG”)⁸ emissions are analyzed in CEQA documents, which also must be considered by the City. Furthermore, as discussed below, there have been substantial changes in circumstances and new information regarding USC student/faculty/staff growth. This all makes reliance on the 2005/2006 EIR improper.

While the 2005/2006 EIR and 2013 addendum assumed student enrollment would not increase due to the original or modified HSC project,⁹ USC enrollment has grown significantly in the ensuing years based on USC’s enrollment figures. For example (and summarized in the chart on the following page), USC’s annual financial reports from 1999 and 2005 (i.e., roughly the time of the Draft EIR) indicate total USC enrollment grew during those six years at a compound annual growth rate (“CAGR”) of 1.89 percent (i.e., from 28,739 to 32,160), with the percentage of graduate students growing by five percentage points (i.e., from 46% to 51%). This trend accelerated during the subsequent seven years from 2005 to 2012 (i.e., roughly the time of the last addendum), where USC total enrollment grew at a 2.41 percent CAGR (i.e., from 32,160 to 38,010) with the percentage of graduate students increasing an additional three percentage points

⁶ See e.g., *Save Berkeley's Neighborhoods v Regents of Univ. of Cal.* (2020) 51 CA5th 226, 237 (claim that university changed project described in campus long-range development plan by approving increases in student enrollment well beyond development plan and EIR projections, without considering whether further CEQA review was required, alleged violation of CEQA).

⁷ See *IBC Business Owners for Sensible Development v. City of Irvine* (2023) 88 Cal.App.5th 100, 124 (discussing VMT guidelines became operative by July 2020 [well before the application for this USC Project]).

⁸ The 2013 addendum’s “business-as-usual” methodology to analysis GHG impacts is akin to the “BAU” analysis struck down by the California Supreme Court. (*Compare* Environmental Documents, supra fn. 4, PDF p. 741 *with* *Center for Biological Diversity v. Cal. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204, 227 [noting “analytical gaps” “left in the analysis].)

⁹ See e.g., Environmental Documents, supra fn. 4, PDF p. 166 (DEIR stating: “... educational/academic space is not anticipated to be enrollment enhancing” [emph. added]), PDF p. 619 (FEIR stating: “It is not anticipated that an associated increase in student enrollment as a result of the Project would occur... (i.e., neither an increase or decrease) in demand for student housing.” [emph. added]), PDF p. 2037 [2013 addendum stating: “The graduate student housing component will serve the existing student population at USC HSC and is not envisioned to increase student enrollment.” [emph. added]).

(i.e., from 51% to 54%).

	6/30/1999 ^[a]		6/30/2005 ^[b]		6/30/2012 ^[c]	
	Head Count	Split	Head Count	Split	Head Count	Split
Graduate	13,186	46%	16,474	51%	20,596	54%
Undergraduate	15,553	54%	15,686	49%	17,414	46%
Total	28,739	100%	32,160	100%	38,010	100%
Notes:						
a: 1999 Financial Report, PDF p. 1, https://comptroller.usc.edu/files/2019/02/1999-USC-Financial-Report.pdf .						
b: 2005 Annual Financial Report, PDF p. 4, https://comptroller.usc.edu/files/2019/02/2005-USC-Financial-Report.pdf .						
c: 2012 Annual Financial Report, PDF p. 21, https://comptroller.usc.edu/files/2019/02/2012-USC-Financial-Report.pdf .						

As shown in the chart below, this trend of extensive enrollment growth beyond the EIR projections continued in the subsequent nine-year period from 2012 to 2021 (i.e., latest data available from USC’s Common Data Set [“CDS”]).¹⁰ During this time, USC total enrollment grew at a 2.36 percent CAGR (i.e., from 39,958 to 49,318) with the percentage of graduate students increasing by an additional four percentage points (i.e., from 54% to 58%). This trend begs the question that this enrollment growth be in part attributed to HSC campus development.

	10/15/2012 ^[a]		10/15/2021 ^[b]	
	Head Count	Split	Head Count	Split
Graduate	21,642	54%	28,528	58%
Undergraduate	18,316	46%	20,790	42%
Total	39,958	100%	49,318	100%
Notes:				
a: 2012-2013 CDS, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/10/CDS-2012-2013-public_new3.pdf .				
b: 2021-2022 CDS, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2022/06/CDS_2021-2022_FINAL.pdf .				

Similarly, the 2005 Draft EIR also anticipated a modest growth of 487 jobs in the HSC area under the original HSC project, which was reduced to 343 total jobs for the modified HSC

¹⁰ After the 2012 Annual Financial Report, total enrollment numbers were no longer included in the annual financial report. (Compare 2012 Annual Financial Report, PDF p. 21 [<https://comptroller.usc.edu/files/2019/02/2012-USC-Financial-Report.pdf>] with 2013 Annual Financial Report, PDF p. 27 [<https://comptroller.usc.edu/files/2019/02/2013-USC-Financial-Report.pdf>].)

project in the 2013 addendum.¹¹ Yet, in just the seven years from 2005 and 2013, USC's numbers show an increase of 4,399 faculty/staff jobs (i.e., from 12,224 to 16,623). (See chart below.).

	6/30/2005 ^[a]	6/30/2012 ^[b]	Difference	CAGR
Faculty	4,390	5,017	627	1.92 %
Staff	7,834	11,606	3,772	5.77 %
Total	12,224	16,623	4,399	4.48 %
Notes:				
a: 2005 Financial Report, PDF p. 4, https://comptroller.usc.edu/files/2019/02/2005-USC-Financial-Report.pdf .				
b: 2012 Financial Report, PDF p. 23, https://comptroller.usc.edu/files/2019/02/2012-USC-Financial-Report.pdf .				

Clearly, student enrollment and faculty/student population has significantly grown since 2005 and 2013, which has dramatically increased the housing needs of the USC population at both the HSC and Downtown Los Angeles Village campus. Absent commensurate development of on-campus housing, USC's apparent unilateral growth has damaged the community, including added traffic, greater parking demands, noise, and the displacement and loss of genuine housing stock by private development of student housing projects. These are significant environmental impacts that must be analyzed in a new CEQA document – not an addendum to a stale, outdated 2005-2006 EIR.

USC's aggressive expansion over the last 18 years is not only a substantial change in the HSC campus project (or at minimum a significant change in circumstances) (Pub. Res. Code § 21166), but also undermines the EIR's fundamental assumptions just like the recent case involving the University of California Berkeley where the university made several discretionary decisions leading to the increased enrollment without analyzing and mitigating new impacts in violation of CEQA. (See *Save Berkeley's Neighborhoods v. Regents of University of California* (2020) 51 Cal.App.5th 226, 237.)

In closing, USC Forward respectfully disagrees with the City and Applicant's decision to prepare an addendum instead of a bona fide subsequent/supplemental EIR or, at minimum, a stand-alone Project-specific CEQA review that considers this Project and the cumulative impacts of USC aggressive expansion. Additionally, Local 721 respectfully requests that the City use its discretion to make sure any addendum is made available at least 30 days before the City acts on the CUP.

/ / /

¹¹ See Environmental Documents, supra fn. 4, PDF pp. 236, 737.

USC Forward reserves the right to supplement these comments at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) This Office requests, to the extent not already on the notice list, all notices of CEQA actions and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§, 21092.2, 21167(f) and Gov. Code § 65092 and Los Angeles Municipal Code § 197.01.F.) Please send notice by electronic and regular mail to Felipe Caceres, 1545 Wilshire Blvd., Ste. 100, Los Angeles, CA 90017 (felipe.caceres@seiu721.org).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,

USC FORWARD

Felipe Caceres

Felipe Caceres
(213) 361-7848
felipe.caceres@seiu721.org

EXHIBIT D



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Office: (951) 405-8127
Direct: (951) 542-2735
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

April 19, 2023

VIA E-MAIL:

Esther Ahn, City Planner (esther.ahn@lacity.org)
Department of City Planning, City of Los Angeles

**RE: USC DISCOVERY AND TRANSLATIONAL HUB (1590 N. EASTLAKE AVE., 90033);
DCP CASE NOS. CPC-2022-9266 (RELATED CASE NOS. DIR-2006-928, ENV-2012-1035);
REQUEST FOR 30-DAY PUBLIC REVIEW OF ADDENDUM**

Dear Ms. Ahn:

On behalf of SEIU Local 721 and its members ("**Local 721**"), this office respectfully requests that the City of Los Angeles ("**City**") Department of City Planning ("**DCP**") provide no less than 30 days of public review of any addendum involving the above-referenced University of Southern California ("**USC**") Discovery and Translational Hub ("**DTH**") project located on the USC Health Science Campus ("**HSC**").

Local 721 understands that, for purposes of the DTH project's environmental review under the California Environmental Quality Act ("**CEQA**"), USC intends to use an addendum to a 2005/2006 Environmental Impact Report (State Clearinghouse No. 2004101084) ("**EIR**") involving the HSC campus (associated with DCP Case No. ENV-2004-1950). This forthcoming addendum will be the second addendum to the nearly 20-year-old EIR, which was already subject to a previously issued addendum in or around 2013 (associated with DCP Case No. ENV-2012-1035).

Here, using an addendum raises both substantive and procedural issues. Substantively, we question the continued validity of this outdated plan. For example, nowhere does the EIR consider the apparent growth in USC student enrollment absent commensurate development of on-site housing. There are significant unstudied environmental impacts that must be analyzed in a new CEQA document – not an addendum to a stale, outdated 2005-2006 EIR. Procedurally, we question why USC is evading a more thorough public review. For example, because CEQA does not require circulation of an addendum (CEQA Guidelines § 15164), the addendum could be released just 72 hours before the City acts on the requested conditional use permit (CUP) under the Brown Act (Gov. Code § 54957.5). Therefore, at minimum, we respectfully request that the City exercise its discretion and provide the public with at least 30 days to review an addendum for this USC DTH project before acting on the requested CUP. The community needs appropriate time to review the impacts of these projects – there should be no rush job.

Local 721 thanks you for considering these comments and reserves the right to supplement these comments in the future. Please add us to the notification list for any zoning/CEQA actions involving the above-referenced project, as required by law (see e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; Los Angeles Municipal Code § 197.01.F). Please send notice by electronic and regular mail to Jordan R. Sisson, Esq., 801 S. Grand Avenue, 11th Floor, LA, CA 90017 (jordan@gideonlaw.net).

Sincerely,

Jordan R. Sisson, Attorney for Local 721



EXHIBIT E



October 12, 2023

VIA EMAIL: City Planning Commission (cpc@lacity.org), Esther Ahn (esther.ahn@lacity.org)

RE: Item 10, CPC Hearing (10/12/23); USC Discovery & Translational Hub

Dear City Planning Commission ("CPC"), Ms. Ahn, and Department of City Planning ("DCP"):

We, USC Forward,¹ respectfully provide the following comment² to the City of Los Angeles ("City") regarding the University of Southern California's ("USC") proposed Discovery and Translational Hub ("DTH" or "Project") located on USC's Health Sciences Campus ("HSC"). For purposes of the Project's environmental analysis under the California Environmental Quality Act ("CEQA"), the Project relies on the fifth addendum ("5th Addendum") to an Environmental Impact Report ("EIR") drafted in 2005 and certified in 2006 that analyzed 585,000 – 765,000 square feet of academic, research, and clinical facility space at the HSC campus. After reviewing the CPC "Staff Report"³ and other documents, we believe the 5th Addendum does not address USC's unabated enrollment growth and induced housing demand that has occurred since the EIR was certified in 2006. For this and other reasons already stated in the record, we respectfully request that CPC deny the requested conditional use permit ("CUP") until an adequate CEQA review has been conducted to address the impacts caused by the significant increase in USC's enrollment.

First, USC has repeatedly claimed that enrollment would either not grow or grow minimally at its two major campuses. The 5th Addendum claims this Project would not result in a substantial increase in population and would not increase student enrollment. (See Staff Report, PDF p. 193.) This is a fundamental assumption of the HSC EIR and subsequent addendums that clearly state that the development under the plan would merely serve the existing student population and would not increase enrollment or the demand for student housing.⁴ USC made similar claims about its other major campus (i.e., University Park Campus ["UPC"] in South L.A.), where a 2010 EIR for the UPC Specific Plan anticipated only a small annual increase in student enrollment from approximately 30,828 students (2009) to 36,000 students (2030)—roughly 5,000 students over 20 years.⁵

Second, USC enrollment has expanded well beyond those EIR claims. The table below shows the growth of USC's enrollment from 2005 to the present school year and is based on USC's reported figures in its annual financial reports and common data sets ("CDS"). USC has added nearly 17,000 total students since 2005. As you can see, total enrollment has grown from roughly 32,160 students in 2005 to 48,945 students in 2023—about 17,000 added students or a 152% increase over the 17 years. Of that growth, 12,560 were added graduate students, which was once only about 49% of the total enrollment (2005) but now constitutes nearly 58% of the USC's total student population (2023)—meaning graduate growth was greater than undergraduate growth. Based on the limited CDS data posted on USC's website, one can also clearly see that full-time students have grown from 33,082 (2011) to 42,969 (2023)—that is nearly 10,000 added full-time students. Also, you can see the percentage of part-time students has dropped from 13% (2011) to almost 12% (2023)—meaning full-time student growth was greater than part-time student growth. This growth is well beyond claims of no growth under the 2005 HSC campus EIR or the mere 5,000 students by 2030 under the 2010 UPC campus EIR.

¹ <https://uscforward.org/about/>.

² Herein, page citations are either the stated pagination (i.e., "p. #") or PDF-page location (i.e., "PDF p. #").

³ https://planning.lacity.org/plndoc/Staff_Reports/2023/10-12-2023/CPC_2022_9266.pdf.

⁴ See e.g., Council File No. 18-1035-Environmental Documents (with 2005 EIR and fourth addendum), PDF pp. 620, 2037-38, 2063, 2074, 2282, 2301-02, 2339, 2342, 2348, 3220, 3222, https://clkrep.lacity.org/online/docs/2018/18-1035_misc_4_11-02-2018.pdf.

⁵ DEIR, Appendix J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf; DEIR, Appendix C-2, Historic Resources Evaluation University Park Campus, PDF p. 118, 156 <https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20C-2%20Historic%20Resources%20Evaluation%20University%20Pa.pdf>.

	Full-time		Part-Time		Total	
	Head	Percent	Head	Percent	Head	Percent
2004-2005 [a]						
Undergraduate					16,474	51.2%
Graduate					15,686	48.8%
Total					32,160	100%
2011-2012 [b]						
Undergraduate	16,753		661		17,414	45.8%
Graduate	16,329		4,267		20,596	54.2%
Total	33,082	87.0%	4,928	13.0%	38,010	100%
2022-2023[c]						
Undergraduate	20,185		514		20,699	42.3%
Graduate	22,784		5,462		28,246	57.7%
Total	42,969	87.8%	5,976	12.2%	48,945	100%
Notes:						
[a]: See https://comptroller.usc.edu/files/2019/02/2005-USC-Financial-Report.pdf .						
[b]: See https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2011-2012-public1.pdf ; see also https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2011-2012-public1.pdf .						
[c]: See https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2011-2012-public1.pdf .						

Third, USC has not provided the public with its detailed enrollment data or explained why enrollment keeps growing unabated. Just last month, USC representatives suggested the above numbers were inaccurate because they include students from both its campus, full- and part-time students, and other factors.⁶ However, this does not explain how total enrollment grew by nearly 17,000 more students—including 12,560 more graduate students and about 10,000 more full-time students—or how it squares with EIR assumptions that the HSC campus would have no added enrollment and UPC campus would have merely 5,000 more students by 2030. For two years, we have asked for USC’s detailed enrollment data to no avail—surely USC has this data. We respectfully request CPC ask USC to disclose its specific enrollment data for all of its campuses since at least 2005 and explain why enrollment seems to keep growing beyond EIR assumptions.

In sum, it is common sense that expanding academic, research, and other university facilities facilitates added enrollment, which is further supported here by USC’s own numbers and recent scholarship.⁷ This massive growth must be attributed to either, if not both, of USC’s main campuses. This growth logically increases the demand for student housing, which is not adequately addressed in the CEQA documents. We believe this constitutes a significant change in the circumstances since the EIR was adopted nearly 20 years ago. Impacts caused by this unaccounted enrollment growth should be addressed and mitigated before the City grants any further discretionary approvals that would add capacity and allow further growth.

Please deny this CUP and request real answers and figures about USC's unabated student enrollment that has increased housing demand on and off campus.

Sincerely,

USC FORWARD


Felipe Caceres

⁶ See CPC Audio (9/14/23), Item 6 (USC Stadium Project), hh:mm:ss 0:57:00 - 0:59:00,

https://planning.lacity.org/plndoc/Audio/CPC/2023/09-14-2023/06_CPC_2022_549_GPA_VZC_HD_CUB.mp3.

⁷ See Olivia Fu (Urban Studies, Stanford University candidate) (5/15/23) Thesis: Studentification and Psychological Displacement in Proximity to The University Of Southern California, p. 23, <https://www.dropbox.com/scl/fi/g110h5dyi1lonw6sm4hf5/Fu-Thesis-Final-Draft.pdf?rlkey=94b2vuwm91etn8jtlbsbftkux&dl=0>.

EXHIBIT F



November 1, 2023

VIA EMAIL: City Planning Commission (cpc@lacity.org), Esther Ahn (esther.ahn@lacity.org)

RE: Item 6, CPC Hearing (11/2/23); USC Discovery & Translational Hub

Dear City Planning Commission (“CPC”), Ms. Ahn, and Department of City Planning (“DCP”):

We, USC Forward,¹ respectfully provide the following comment to the City of Los Angeles (“City”) regarding the University of Southern California’s (“USC”) proposed Discovery and Translational Hub (“DTH” or “Project”) located on USC’s Health Sciences Campus (“HSC”), which for purposes of the California Environmental Quality Act (“CEQA”), relies on a fifth addendum (“5th Addendum”) to a 2005/2006 Environmental Impact Report (“EIR”). These comments supplement USC Forward’s prior comments (dated October 12, 2021) in response to the “Staff Report”² and “Additional Documents”³ for the above-referenced item. (See Staff Report, PDF p. 2875 [USC Forward Letter].⁴) We wish to make two key points.

First, the City cannot let USC dodge its glaring enrollment issue that is relevant here under CEQA. As highlighted in our October letter, USC has repeatedly claimed that enrollment would not grow under the HSC plan and would only grow minimally at its University Park Campus—both of which rely on roughly 20-year-old EIRs. (Staff Report, PDF pp. 2875-76.) Yet, USC’s own reported data shows that enrollment has significantly increased from approximately 32,000 in 2005 to nearly 49,000 in 2023. (Id.) Much of this data indicates that the unabated growth is in the form of full-time or graduate students. (Id.) In response, USC claims enrollment is irrelevant because (i) the HSC project relied on square footage, (ii) this DTH building would not directly/indirectly increase enrollment, and (iii) enrollment at the HSC campus has declined 3 and 4.5 percent since 2022 and 2021 (respectively) based on “specific data from USC.” (Id., at PDF p. 2897; Additional Documents, PDF pp. 5-6.) This claim is incorrect, however, where courts recognize that both enrollment levels and physical development are related features of campus growth that must be mitigated under CEQA. (See *Save Berkeley’s Neighborhoods v. Regents of University of California* (2020) 51 Cal.App.5th 226, 239.)

A supplemental CEQA review is required when a prior EIR fails to analyze significant changes in a future project or where there are previously unanalyzed or increased significant impacts.⁵ Here, the 2005 EIR assumed the added HSC development square footage would not cause any (not to mention very significant) growth in enrollment and, thus, did zero analysis on the added traffic, mobile emissions, housing needs, and similar impacts to the community caused by adding thousands of more students at the HSC campus. (*Save Berkeley’s Neighborhoods*, supra at p.

¹ <https://uscforward.org/about/>.

² https://planning.lacity.org/plndoc/Staff_Reports/2023/11-02-2023/CPC_2022_9266.pdf.

³ <https://planning.lacity.org/dcpapi/meetings/document/addtldoc/66306>.

⁴ Herein, page citations are either the stated pagination (i.e., “p. #”) or PDF-page location (i.e., “PDF p. #”).

⁵ See e.g., CEQA Guidelines §§ 15162(a), 15163(a), 15164(a); *Ventura Foothill Neighbors v. County of Ventura* (2014) 232 Cal.App.4th 429, 436. .

241.) At a minimum, the huge enrollment increase is a significant change in circumstances that warrants a supplemental EIR.

Additionally, the claim that the DTH building would not directly/indirectly increase enrollment is entirely conclusory without any explanation and, therefore, is not substantial evidence. It is common sense that adding classrooms and labs adds capacity for student enrollment. Furthermore, claiming HSC enrollment has dropped 3 - 5 percent since 2021 based on “specific data from USC” is meaningless. Hidden data is not substantial evidence. Moreover, evening assuming the slight drop in the last two years in the wake of the COVID pandemic, that is a mere drop in the bucket to the massive increase in enrollment that has occurred in the preceding 16 years (since the 2005 EIR).

Second, the Project appears to include medical clinic space, which was not analyzed in the 5th Addendum and is a key distinction in the 2005/2006 EIR. The Staff Report references the original HSC approval as authorizing up to 765,000 square feet of development. (Staff Report, p. A-2.) More accurately, the original EIR analyzed a range of development (i.e., 585,000 – 765,000 square feet) depending on the amount of medical clinic space that would be provided because “medical clinic uses are more intensive than the academic and/or medical research uses” (See Draft EIR,⁶ pp. 4, 44.) This was fundamental to the EIR, including its trip generation and other impact analysis. (See e.g., id., at p. 155 [traffic], 230 [air quality].) Here, the Project is described as providing laboratory and academic research space. (Staff Report, p. A-2.) However, buried in the plans is a reference to clinic space within the ground floor (id., at PDF p. 40), which is not reflected in the Addendum’s vehicle miles traveled (“VMT”) analysis (id., at PDF p. 2692). Failing to clearly describe the Project and all of its uses violates CEQA.⁷ So too, it begs the question, how much clinical space has been built to date within the HSC plan area? This must be addressed before the City acts on the CUP.

In sum, no reasonable person can believe that adding 17,000 students has had no impact or that adding 200,000-sf academic/lab space (i.e., the DTH Project) will not enable further growth at HSC. This massive growth must be attributed to either, if not both, of USC’s main campuses. This growth logically increases traffic, mobile emissions, demand for student housing, and other community impacts. This is a significant change in the circumstances since the EIR was adopted nearly 20 years ago. Impacts caused by this unaccounted enrollment growth should be addressed and mitigated before the City grants any further discretionary approvals that would add capacity and allow further growth.

Please deny this CUP and request real answers about USC’s unabated student enrollment that has increased housing demand on and off campus.

Sincerely, USC FORWARD


Felipe Caceres

⁶ https://clkrep.lacity.org/online/docs/2014/14-0267-S1_misc_g_05-29-14.pdf.

⁷ See e.g., *San Joaquin Raptor Rescue Ctr. v. Cnty. of Merced* (2007) 149 Cal.App.4th 645, 654-655 (An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.); *Western Placer Citizens for an Agr. and Rural Env’t v. Cnty. of Placer* (2006) 144 Cal.App.4th 890, 898 (an accurate project description is an “indispensable component of a valid EIR.”)

EXHIBIT G



June 16, 2023

VIA EMAIL:

South Los Angeles Area Planning Commission, City of Los Angeles

c/o Neverly Ann Hill, Commission Executive Assistant (APCsouthla@lacity.org)

Rafael Fontes, City Planning Associated (rafael.fontes@lacity.org)

Michelle Singh, Senior City Planner (michelle.singh@lacity.org)

Theodor L. Irving, Principal Planner (theodore.irving@lacity.org)

Sergio Ibarra, City Planner (sergio.ibarra@lacity.org)

RE: Request for South L.A. APC Report & Discussion Item for USC Specific Plan

Dear President Orozco and Area Planning Commissioners:

USC Forward respectfully asks the South Los Angeles Area Planning Commission (“APC”) to request from the City of Los Angeles (“City”) Department of City Planning (“DCP”) a written report—to be presented during a publicly agendized item before APC—regarding the status of the University of Southern California (“USC”) Park Specific Plan (“Specific Plan”) approved in 2013 with its associated Development Agreement (“DA”) and Environmental Impact Report (“EIR”).¹ A comprehensive update to the South Los Angeles APC is allowed per section 15 of the Specific Plan and last occurred in 2016. It is well past time for another, which should be done during a public, agendized item before APC.

As a threshold matter, USC Forward is an unincorporated association comprised of a broad coalition of community organizations, students, and union members (including SEIU Local 721 (“Local 721”) and the Greater Page Temple Church of God in Christ) united to make USC a better neighbor and accountable to its surrounding communities. To this end, the association’s recent efforts include advocating for more robust housing protections in the South Los Angeles Community Planning Implementation Overlay and successful participation in the environmental appeal granted by the City Council involving a 98-room/98-bathroom dorm-like Tripalink co-living facility masquerading as a ten small-lot single family home development. (See Council File Nos. 20-1265 & 22-1055, respectively).

Here, the South Los Angeles APC may receive from the Planning Director an annual report on the status of all projects within the Specific Plan area. (See Specific Plan § 15.) Based on documents provided per multiple requests made under the California Public Records Act, the

¹ Both the DA and USC Specific Plan available on City website, <https://planning.lacity.org/plans-policies/overlays/usc>, and Specific Plan EIR available at https://clkrep.lacity.org/online/docs/2012/12-0968_misc_5-27-10.pdf.

last time APC received such a report was in 2016.² Much has changed since 2016, as indicated in the letter sent by Local 721 to DCP dated June 16, 2023, attached hereto as “Attachment 1”. These include the recently issued letter of Director’s Determination (“LODD”) regarding USC’s lack of compliance with certain public benefit obligations under the Specific Plan DA, such as the requirement to provide a full-service grocery store that accepts food vouchers (i.e., “WIC”) or document annual funding for public parks within the nearby USC Specific Plan Nexus area. (See LODD,³ pp. 1, 9-10.) Attachment 1 also highlights several outstanding issues not addressed in the LODD, such as: (i) the erroneous conclusion that COVID-19 prevented USC from satisfying its parks funding requirement (see Attachment 1, pp. 3-6); (ii) significant reductions to USC shuttle bus service since 2016 that may amount to improper removal of traffic mitigation under the California Environmental Quality Act (“CEQA”) (id., at pp. 7-10); and the lack of annual parking studies (required per section 10 of the Specific Plan) that have not been submitted since late-2019, which also amounts to improper removal of CEQA mitigation (id., at p. 13).

The key issue not addressed in the LODD is USC’s aggressive graduate/undergraduate enrollment over the past ten years, which substantially exceeded what was anticipated in the Specific Plans EIR. (Id., at pp. 10-12.) For example, while the 2010 Specific Plan Draft EIR anticipated only a “small annual increase in student enrollment” (i.e., approximately 30,828 students in 2009 to 36,000 students by 2030),⁴ USC’s own enrollment figures show 49,318 total students as of October 2021 (including 42,631 full-time students).⁵ (Id., at p. 11 [Figs. 4 & 5].) The increased enrollment places a greater demand for housing around both USC’s University Park Campus (“UPC”) and Health Science Campus (“HSC”). The imbalance between USC’s enrollment and student housing is further exacerbated by the demolition of several student housing structures located on the UPC campus (i.e., Flour Tower, Trojan & Marks Residence), with no clear replacement plan. Over the last ten years, USC’s aggressive expansion without commensurate housing has led to serious community impacts, such as the demolition and/or conversion of residential homes into dorm-like student housing facilities—resulting in loss of housing stock, displacement, more traffic, noise, and other adverse impacts to the surrounding community.

In sum, much has changed since the last update was given to the South Los Angeles APC in 2016 and, thus, USC Forward respectfully urges APC to request a comprehensive report from DCP on the status of the Specific Plan that addresses the issues discussed in Attachment 1, including:

- 1) Development status under phases 1, 2, and 3 of the Specific Plan;
- 2) Status of USC’s commitment of 3,000 new beds within the context of lost beds (e.g., the proposed demolition of Fluor Tower, Trojan, and Marks Residence structures);
- 3) Update on the parking studies and substantiation of proper calculations of FTE students;

² <https://www.dropbox.com/s/0w52v8sdk23hkur/USC%20SP%20Annual%20Report%203%20%282015-2016%29.pdf?dl=0>.

³ Director’s Determination, Ninth Annual Review, https://www.dropbox.com/s/az5tf0yj2ot8k43/Directors%20Determination_Ninth%20Annual%20Review_2023-04-09%2016-38.pdf?dl=0.

⁴ Specific Plan EIR, supra fn. 1, PDF pp. 884, 929, 1091 2685-2688, 2768-2776, 6497, 6747.

⁵ https://oir.usc.edu/wp-content/uploads/2022/06/CDS_2021-2022_FINAL.pdf.

- 4) Status of the \$5 million payment to the Affordable Housing Trust Fund (i.e., DA section 3.1.3.1.B);
- 5) An in-depth analysis of USC's enrollment/housing data over the relevant school years and USC campuses, such as:
 - i) An accounting of enrollment at the UPC and HSC campuses within the context of what was anticipated under the Specific Plan EIR and HSC EIR;
 - ii) USC's enrollment figures and percentage of students living on- and off-campus and/or in housing controlled by USC; and
 - iii) Inventory of student housing provided on and off campus controlled by USC between the two campuses and other locations.

In conclusion, USC Forward believes it is time for DCP to update the South Los Angeles APC in public during an agenda item on the status of the Specific Plan. The concerns set forth in this letter and Attachment 1 must be addressed and cannot be overlooked as USC seeks yet more discretionary City actions relying on outdated studies and assumptions.⁶ Thank you for your consideration.

Sincerely,

USC FORWARD

Felipe Caceres

Felipe Caceres
(213) 361-7848
felipe.caceres@seiu721.org

ATTACHMENT 1:

SEIU Local 721 Letter (6/16/23) (including Exhibits A – F attached thereto)

CC: (via email)

Mayor's Office:

Hon. Mayor Karen Bass
Chris Thompson, Chief of Staff
Krista Kline, Dir. of Leg. Affairs

Council District 8

Hon. Marqueece Harris-Dawson
Solomon Rivera, Chief of Staff
Belem Lamas, Senior Leg. Deputy
Albizael Del Valle, Econ. Dev. Deputy

Council District 9

Curtis Earnest, Chief of Staff
Xavier Clark, Planning Assistant
Sherilyn Correa, Dir. of Planning
and Econ. Dev.

⁶ Such as a new Soccer/Lacrosse stadium located at the UPC campus relying on an addendum to the Specific Plan EIR (i.e., DCP Case No. CPC-2022-5429) and a new 7-story research lab project on the HSC campus relying on a second addendum to a 2005/2006 HSC EIR (i.e., DCP Case No. CPC-2022-9266-CU).

ATTACHMENT 1



SERVICE EMPLOYEES
INTERNATIONAL UNION, CTW, CLC

OFFICERS

David Green
PRESIDENT &
EXECUTIVE DIRECTOR

Simboa Wright
VICE PRESIDENT

Lillian Cabral
SECRETARY

Adolfo Granados
TREASURER

DIRECTORS

LA COUNTY
Kelly Zhou
VICE PRESIDENT
Ileana Meza
VICE PRESIDENT

Lydia Cabral
Jerry Clyde Jr.
Patrick Del Conte
Kelley Dixon-Turner
Ruby Dye
Steven Gimian
Omar Perez
Charlotte Ramos
Jose Sanchez
Grace Santillano
Theresa Velasco
Sharonda Wade

LA/OC CITIES
Jose "Joe" Martinez
VICE PRESIDENT
Theodore Sanchez
VICE PRESIDENT

Sylvia Alvarado
Dion Cornelius
Saundra Dixon
Guillermo Martinez
Al Reed
Victor M. Vasquez
Salvador Zambrano

TRI-COUNTIES
Grace Sepulveda
VICE PRESIDENT
Erika Villa
VICE PRESIDENT

Esperanza Barajas
Mary Birch
Roberto Camacho
Jesse Gomez
Yuri Gomez
Liza Rocha

INLAND AREA
Staci Richards
VICE PRESIDENT
Cheylynda Barnard
VICE PRESIDENT

Bruce Campbell
Oracio Diaz
Barbara Hunter
Christopher Jones
Roger Nuñez
Maria Sneed
Tara Stoddart

RETIREE MEMBER
Charley Mims

<http://www.seiu721.org>

June 16, 2023

VIA EMAIL

Rafael Fontes, City Planning Associated (rafael.fontes@lacity.org)
Michelle Singh, Senior City Planner (michelle.singh@lacity.org)
Theodor L. Irving, Principal Planner (theodore.irving@lacity.org)
Sergio Ibarra, City Planner (sergio.ibarra@lacity.org)
Department of City Planning, City of Los Angeles

**RE: REQUEST FOR SOUTH LA APC REPORT & PUBLIC HEARING FOR USC
SPECIFIC PLAN COMPLIANCE**

Dear Mr. Fontes and Department of City Planning Staff:

Service Employees International Union Local 721 ("Local 721") writes to the City of Los Angeles ("City") Department of City Planning ("DCP") in response to the recent letter of Director's Determination ("LODD")¹ regarding the Ninth Annual review of the University of Southern California ("USC") Development Agreement ("DA") associated with the USC Park Campus Specific Plan ("Specific Plan").²

SEIU Local 721 represents more than 98,000 members throughout Southern California, including over 9,000 members who work for the City of Los Angeles. Local 721 is also a member of USC Forward, an unincorporated association comprised of a broad coalition of community organizations, students, and union members united to make the University of Southern California a better neighbor and more accountable for its impacts on surrounding neighborhoods.

In short, Local 721 agrees with the Director's Determination that USC has *not complied* with certain terms and conditions of the DA, specifically with regard to the full-service grocery store that accepts food vouchers commonly referred to as "WIC" (*infra* section 1) and the annual public parks payment within the specified USC Specific Plan Nexus area. (See LODD, pp. 1, 9-10.) The lack of documented compliance has been brought to your attention in our numerous prior comment letters, emails, and communications sent to DCP over the past two years. We thank DCP staff for their consideration.

/ / /

¹ Director's Determination, Ninth Annual Review, https://www.dropbox.com/s/az5tf0yj2ot8k43/Directors%20Determination_Ninth%20Annual%20Review_2023-04-09%2016-38.pdf?dl=0.

² Both the DA and USC Specific Plan available on City website, <https://planning.lacity.org/plans-policies/overlays/usc>.

However, there appear to be several outstanding issues not addressed in the LODD, including the erroneous conclusion that COVID-19 prevented USC from satisfying its parks funding requirement, as well as the significant improper reduction to the USC shuttle bus service. Additionally, it is far too long since DCP provided the South Los Angeles Area Planning Commission (“APC”) with an update³ on activities under the 2013 Specific Plan Environmental Impact Report (“EIR”), such as whether USC’s aggressive graduate/undergraduate enrollment has substantially exceeded the Specific Plan’s EIR model. It is time for an update in public to the APC on all these topics, including the fact that USC is currently demolishing several on-campus student housing structures (i.e., Fluor Tower, Trojan & Marks Residence) without a clear replacement plan with required annual parking studies tied to specific enrollment data. All this impacts Local 721’s members, USC Forward and the community because the increase of USC’s enrollment, absent commensurate on-campus housing, has led to the demolition and/or conversion of residential homes into dorm-like student housing projects—resulting in loss of housing stock, displacement, more traffic, noise, and other adverse impacts.

We also wish to note that under the California Environmental Quality Act (“CEQA”), USC’s enrollment/housing imbalance constitutes a substantial change in circumstance to both USC’s University Park Campus (“UPC”) and Health Science Campus (“HSC”). As such, it is improper for USC to use an addendum to the 2013 Specific Plan EIR for the newly proposed Women’s Soccer Stadium at the UPC campus or an addendum to the 2005/2006 HSC EIR for the newly proposed seven-story research building at the HSC campus. USC planning needs a major, public update that does not rely on outdated decade-old assumptions. APC should hold a hearing.

In sum, as discussed in detail in this letter, and based on the LODD, documents provided by the City pursuant to an updated request for documents under the California Public Records Act (“CPRA”), and the information/comments attached hereto as “**Exhibit A**” through “**Exhibit F**,” Local 721 requests the City:

- Remedy the non-compliance with the WIC voucher requirement by requiring Target to accept WIC vouchers, like it does at other locations.
- Require all USC’s payments to the City Department of Parks and Recreation for each year USC fails to show funding went to public parks within the USC Specific Plan Nexus Area.
- Find USC non-compliance with its Expanded Shuttle Service requirement (DA § 3.1.3.19) and order the remedy of restoring several routes that have been removed in recent years (i.e., Routes A, B, LA Live [discussed further below]) and take further steps to properly monitor changes made to routes in the future.
- Prepare a written report—to be presented during a publicly agendized item before the South Los Angeles APC—that provides a comprehensive update to the status of the Specific Plan area, including enrollment/housing data as compared to what was

³ Under section 15 of the Specific Plan, the South Los Angeles APC may receive from the Planning Director an annual report on the status of all projects within the Specific Plan area. Based on CPRA-provided documents, the last time APC received such a report was in 2016.

anticipated in the 2013 Specific Plan EIR, as well as the other requested information (*infra* section 4d).

1. REMEDY FOR NON-COMPLIANCE WITH WIC VOUCHER REQUIREMENT

DCP found that USC has not complied with the DA § 3.1.3.3 requirement that the full-service grocery store accepts both WIC and EBT food vouchers. (See LODD, p. 9; see figure below.) Local 721 urges the City to compel “specific performance,” whether by Target (like at other Target locations), Trader Joe’s, or an alternative grocery store that accepts WIC. Additionally, for the “past 10 years USC has not demonstrated a good-faith effort to accommodate WIC voucher payments.” (LODD, p. 9; see also excerpt below.) This may be remedied by including additional community benefits, which should be codified in a modification to the DA after holding a public hearing before the City Council. (See DA §§ 4.7, 5.1.4.) Furthermore, Local 721 requests to be placed on the notification list in the event USC appeals the LODD and/or a public hearing is held on the matter.

Full Service Grocery Store (DA Sec. 3.1.3.3)

The Grocery Store Tenant shall accept Special Supplemental Nutrition Program for Women, Infants, and Children ("WIC") and Electronic Benefits Transfer ("EBT") vouchers for the Term of this Agreement.

- Trader Joe's accepts EBT, but it cannot accept WIC. Only an approved WIC retailer may accept WIC. Since Trader Joe's is not an approved WIC retailer, its products are not eligible for WIC purchases.
- Target typically accepts both WIC and EBT. However, the Target at the University Village does not accept WIC. For the past 10 years USC has not demonstrated a good-faith effort to accommodate WIC voucher payments. USC has stated that there are space requirements and market limitations that have made inclusion of WIC infeasible. At present, there are no tenants in Subarea 3 currently accepting WIC vouchers and the development agreement is out of compliance.

2. NO ACTUAL ENFORCED DELAY TO EXCUSE SERIAL NON-COMPLIANCE WITH PARKS FUNDING

Because the Department of Parks and Recreation (“**Parks & Rec.**”) has not received the required payment, DCP found USC is non-compliant with its DA § 3.1.3.11 park funding requirement. (See LODD, pp. 9-10; see figure below.) However, citing COVID-19, the LODD suggests that this non-compliance is excused as “enforced delay” per section 6.4 of the DA. (Id.) This is incorrect given that the DA clearly indicates that enforced delay merely “extend[s] [the] period of time equal to the number of days during which [USC] is actually prevented from, or is unreasonably interfered with, the doing or completion of such act, matter or thing because of causes beyond the [its] reasonable control” like wars, riots, and other acts of God. (DA, p. 29.) While USC is not responsible for COVID-19, there is no indication that COVID-19 prevented

USC's ability to write a check to Parks & Rec.⁴ It simply stretches credulity and the caselaw to suggest enforced delay applies here.⁵

Programming at Public Parks (DA Sec. 3.1.3.11)

The Property Owner will expend, or contribute resources of equivalent value of, a minimum of \$10,000 annually for the Term of the Development Agreement.

- **Women's History Month 2021:**
USC invited Girls Play Los Angeles to campus for a panel with current female student athletes to hear about the importance of women empowerment. Additionally, panelists shared their journey to playing sports in college in addition to encouraging GPLA youth to be courageous and confident young girls in their everyday lives. Troy Camp provides a week -long mountain summer camp, followed by long term mentorship to students in South Los Angeles to foster personal and academic growth and facilitate high school graduation and post- secondary matriculation

* * *

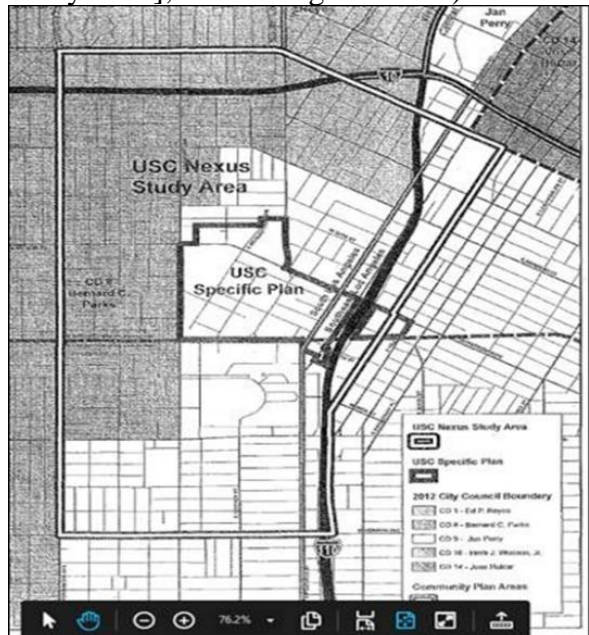
- **Department of Recreation and Parks Payment: \$10,000**
A minimum \$10,000 payment has not yet been made to the Department of Recreation and Parks to fund parks programming within the ninth reporting period.

For 2021-2022, The Public Parks programming partnership have been severely limited by COVID 19 and associated restrictions, which constitute enforced delay under DA Section 6.4.

Additionally, the LODD does not address seemingly years of non-compliance in payments to Parks & Rec, which failure was well documented in our prior comment letters that cite documents provided by the City pursuant to Local 721's multiple CPRA requests. As summarized in the table on the following pages, there are numerous flaws with USC's documentation of purported compliance, starting in 2015 (i.e., 3rd Annual Review Period) and continuing through the present (i.e., 9th Annual Review Period). Local 721 urges the City to compel USC to: (a) provide documentation that funding/programs were paid/provided for public parks within the USC Specific Plan Nexus Area (discussed below); (b) pay the minimum due for each Annual Review period where adequate documentation is lacking; and (c) consider a modification to the DA that ensures future compliance.

⁴ See e.g., City of Los Angeles Emergency Authority (3/21/20), https://lachamber.com/clientuploads/pdf/2020/2020-03-21_MEG_Emergency_Order_-_Toll_Land_Use_Timelines.pdf; see also Mayor Karen Bass (posted 12/16/22) Executive Directive No. 1, <https://mayor.lacity.gov/news/mayor-bass-signs-executive-directive-dramatically-accelerate-and-lower-cost-affordable-housing>; Governor Newsom to End the COVID-19 State of Emergency (10/17/22) ("... COVID-19 State of Emergency will end on February 28, 2023..."), <https://www.gov.ca.gov/2022/10/17/governor-newsom-to-end-the-covid-19-state-of-emergency/#:~:text=SACRAMENTO%20E2%80%93%20Today%2C%20Governor%20Gavin%20Newsom,used%20to%20combat%20COVID%2D19.>

⁵ See e.g., *County of Monterey v. Bosler* (2020) 57 Cal.App.5th 466, 473 (former redevelopment agency accepted "enforced delay" to excuse developer's \$1.5 million obligation in 2008 during the Great Recession); *West Pueblo Partners, LLC v. Stone Brewing Co., LLC* (Apr. 3, 2023, No. A164022) ___ Cal.App.5th ___ (2023 Cal. App. LEXIS 328, at *1) (held force majeure provision not applicable where commercial tenant had financial resources to pay rent during the period of COVID 19).

USC Purported Compliance		Reasons for Non-Compliance	
1 st Annual Review (2013-2014)			
USC has awarded \$36,100 to the Kids in Sports (KIS) South LA Sports Club for the 2013-2014 fiscal year.			
2 nd Annual Review (2014-2015)			
USC has awarded \$18,525 to the Kids in Sports (KIS) South LA Sports Club for the 2014-2015 fiscal year.			
3 rd Annual Review (2015-2016)			
Neither a Letter of Director Determination nor any other documentation has been provided showing any payments were made.			
4 th Annual Review (2016-2017)			
Neither a Letter of Director Determination nor any other documentation has been provided showing any payments were made.			
5 th Annual Review (2017-2018)			
<p>USC Thornton JazzReach: \$37,900 Community Partner: Foshay Learning Center (Lisa Beebe) University Partner: USC Thornton School of Music (Susan Helfter) Website: http://music.usc.edu/departments/scholarly-and-professional-studies/outreach/schools/ JazzReach is a stimulating jazz enrichment program that provides weekly group/individual instruction and in-school concerts for students in the USC community, while also creating opportunities for USC Thornton students to gain teaching and administrative skills. JazzReach provides high-quality, low-cost jazz programming to more than 2,300 students and families from USC neighborhood schools, with almost 70 USC Thornton students serving as teachers. More than 260 neighborhood students participate in weekly classes and an additional 2,100 students and/or families experience concerts performed by USC Thornton jazz ensembles and JazzReach ensembles.</p> <p>USC Troy Camp: \$58,430 Community Partner: Lenicia B. Weemes Elementary School (Shirley Crout) University Partner: USC Campus Activities (Jennifer Perdomo) Website: www.troycamp.org USC Troy Camp is a youth development organization that enriches the lives of children, broadening their horizons through long-term mentoring experiences with USC undergraduate students. USC students operate the program, which begins in May with a weeklong summer camp at Idyllwild Pines in Idyllwild, CA, with oversight from a small advisory board. The 210 children who attend the annual camp are third through fifth grade students from 19 partner schools in South Los Angeles. Counselors facilitate character development through daily programs such as swimming, horseback riding, hiking, arts, and athletics. The mentoring relationship between counselors and campers continues after camp with a series of monthly Kids Events, including trips to museums and a USC football game. Throughout the school year, Troy Camp also hosts after-school tutoring and enrichment opportunities for students. To date, Troy Camp has served more than 11,000 children in the south Los Angeles community.</p>		<p>No indication that disbursements to the USC Thornton JazzReach and USC Troy Camp were for “programs <i>at public parks within the Nexus study area</i>” as required under section 3.1.3.11 of the DA (emphasis added). (See Exhibit C of the DA [map of USC Nexus Study Area]; see also figure below).</p> 	
6 th Annual Review (2018-2019)			
USC has awarded \$18,525 to the Kids in Sports (KIS) South LA Sports Club for the 2014-2015 fiscal year.		USC relies on three-year-old disbursements made to Kids in Sports (“KIS”) program during the 2014-2015 period.	

Combined 7 th (2019-2020) and 8 th (2020-2021) Annual Review ⁶	
<p>Programming at Public Parks (DA Sec. 3.1.3.11) The Property Owner will expend, or contribute resources of equivalent value of, a minimum of \$10,000 annually for the Term of the Development Agreement. (See Attachment C 2020 Compliance Letter)</p> <ul style="list-style-type: none"> Troy Camp Program 2019-2020: \$52,590 USC /Troy Camp provides a week -long mountain summer camp, followed by long term mentorship to students in South Los Angeles to foster personal and academic growth and facilitate high school graduation and post- secondary matriculation Trojan Kids Camp Program 2019-2020: \$27,000 Trojan Kids Camp provides sports, education, and nutrition instruction to participating youth, which targets underserved youths 9-15. <p>For 2020-2021, The Public Parks programming partnership have been severely limited by COVID 19 and associated restrictions, which constitute enforced delay under DA Section 6.4.</p>	<p>No indication that USC Troy Camp, Thornton Outreach Program, Mission Science, or Schools Facilitators funding were for “programs at public parks within the Nexus study area” (discussed supra for 5th Annual Review). Additionally, no indication of enforced delay whereby COVID-19 prevented USC’s ability to pay Parks & Rec. (discussed supra for 9th Annual Review).</p>
<p>USC Thornton Outreach Program (“TOP”): \$26,540</p> <p>USC’s TOP is a diverse and comprehensive music education program that seeks to provide low or no-cost, high-quality music-learning opportunities to underserved students in the USC community. At the same time, it affords USC Thornton students the opportunity to develop teaching, mentoring, and community engagement skills.</p> <p>Mission Science: \$28,510</p> <p>Mission Science is an afterschool program that exposes 3rd-5th graders to hands-on, inquiry-based science and engineering activities. Taught by USC STEM majors, the curriculum is designed to build confidence in STEM studies and students’ ability to succeed.</p> <p>USC Family of Schools Facilitators: \$62,660.</p> <p>The USC Family of Schools (FOS) offers schools in the USC University Park and Health Sciences campus neighborhoods access to free extracurricular programming. The FOS system continually works to provide additional resources and inform teachers, staff, administrators and more about the programming available in their area. It also serves to recruit students to participate in a variety of programs.</p>	

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⁶ LODD (2/18/22), https://www.dropbox.com/s/nhh49ykau8jqbg5/exh.%20c_2022-03-22%2020-27.pdf?dl=0.

3. SINCE PURPORTED COMPLIANCE IN 2016, EXTENSIVE MAJOR SHUTTLE SERVICE HAS IMPROPERLY BEEN REMOVED IN VIOLATION OF THE DA

According to the LODD, USC complied with DA § 3.1.3.19's expanded shuttle service because "LADOT determined the University's expanded tram service satisfies this requirement." (LODD, p. 8.) Based on various documents provided pursuant to a CPRA request, this determination was apparently made sometime in 2016 based upon five improvements outlined in the CPRA-provided document titled "DA Section 3.1.3.19 Expanded Shuttle Service" dated March 4, 2016 (attached hereto as "**Exhibit A**"), including those listed below:

1. *"Increased capacity on the Union Station and Health Science Campus routes by adding additional stops at Union Station and Soto building and increasing the size of the vehicle, adding 20 passengers per departure.*
2. *Added weekend service to Union Station and Health Science Campus.*
3. *Increased capacity to City Center by extending service to 8:20pm and increasing the size of the vehicle, adding 22 passengers per departure.*
4. *Increased capacity to Marina Del Rey by increasing the size of the vehicle, adding 22 passengers per departure.*
5. *Resumed shuttle service to LA Live."*

However, there has been an extensive major reduction in shuttle services since 2016 when comparing USC's online bus schedules from Fall 2014 (i.e., shortly after the DA was first approved), Spring 2016 (i.e., when LADOT purportedly determined USC's expanded tram service satisfied DA requirement), and the most recent Spring 2023 schedule (see "**Exhibit B**" attached hereto). First, Route A, Route B, and L.A. Live service is entirely missing from the current schedule and has apparently been eliminated since the Spring 2016 and Fall 2014 schedules. (See Exh. B [highlighted in blue].) This amounts to improper removal of CEQA mitigation.^{7, 8}

Second, multiple services have seen a reduction in hours since Spring 2016 (id., highlighted in red), such as: (i) USC Tower/City Center/AT&T to UPC starting 40 minutes later in the morning and ending three hours early in the evening; (ii) Parking Center ending 4 hours early in the evening; (iii) Route C, while starting 10 minutes earlier in the morning ends nearly five hours earlier in the evening; and (iv) UPC to USC Tower/City Center/AT&T starts 30 minutes later in the morning and ends 25 minutes earlier in the evenings.

/ / /

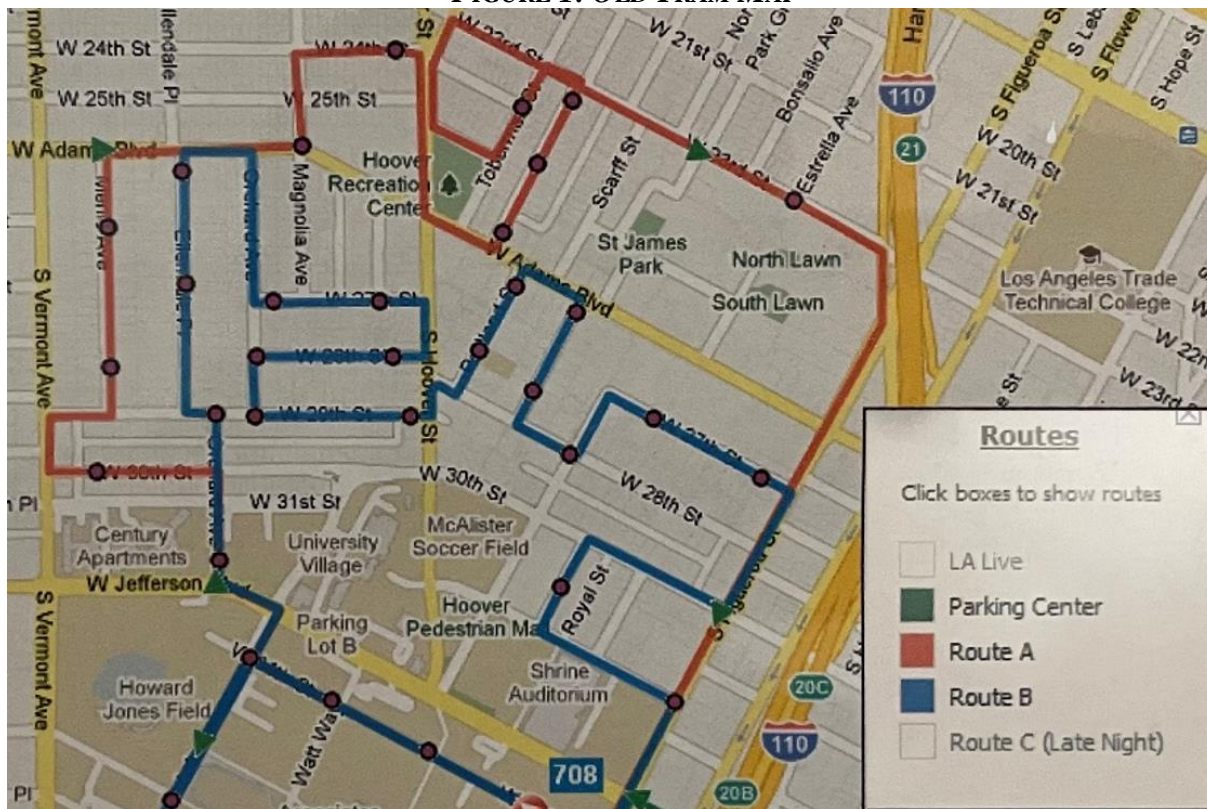
⁷ Under CEQA, adopted mitigation measures cannot be removed absent substantial evidence demonstrating mitigation is no longer needed. (See e.g., *Katzeff v. Dept. of Forestry & Fire Protection* (2010) 181 Cal.App.4th 601, 614; *Lincoln Place Tenants Ass'n v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508.)

⁸ The Specific Plan EIR included several traffic mitigation measures, including but not limited measure K.1-1, Transportation Demand Management Program that called for various measures, such as "Tram/Shuttle System Modifications" and "Shuttle To/From LA Live and USC." (Final EIR, PDF pp. 5174 – 5175 [pp. IV-46 – IV-47], https://clkrep.lacity.org/online/docs/2012/12-0968_misc_5-27-10.pdf.)

Third, the Marina Del Rey service (id., [highlighted green]), which is roughly 10 miles from the campus, does not fall within the plain meaning of the DA to “provide connectivity between the surrounding community” or provide funding for LADOT “Dash Services in the local area.” (DA § 3.1.3.19 [emphasis added].)

Fourth, the removal of Routes A and B effectively disconnected the northeastern portions of the University Park Campus. This is evident when comparing the old USC tram map posted at USC’s Parking Center to the current tram map online (see “**Exhibit C**” attached hereto). (Compare Fig. 1 with Fig. 2 below). Also evident is that USC has never provided a shuttle stop at the University Village. Under USC’s current services (i.e., Route C, Parking Center, USC Tower), not a single shuttle stop is co-located with any of the roughly 12 bus stops adjacent to the USC Village area (i.e., bounded by Hoover St., McClintock Ave., and Jefferson Blvd.). (See Fig. 3 below.)

FIGURE 1: OLD TRAM MAP⁹



⁹ Posted on bulletin board located at the waiting room at the USC Parking Center on around April 22, 2023. However, according to discussions between Local 721 member and shuttle drivers, Routes A & B are no longer provided.

FIGURE 2: CURRENT TRAMP MAP (MAY 2023)

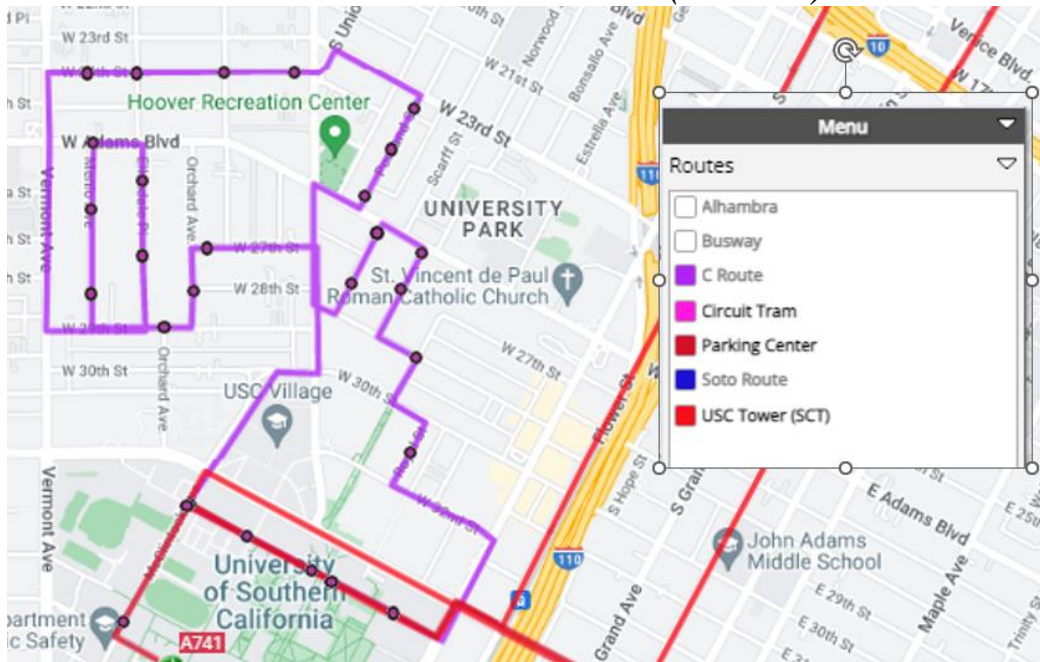
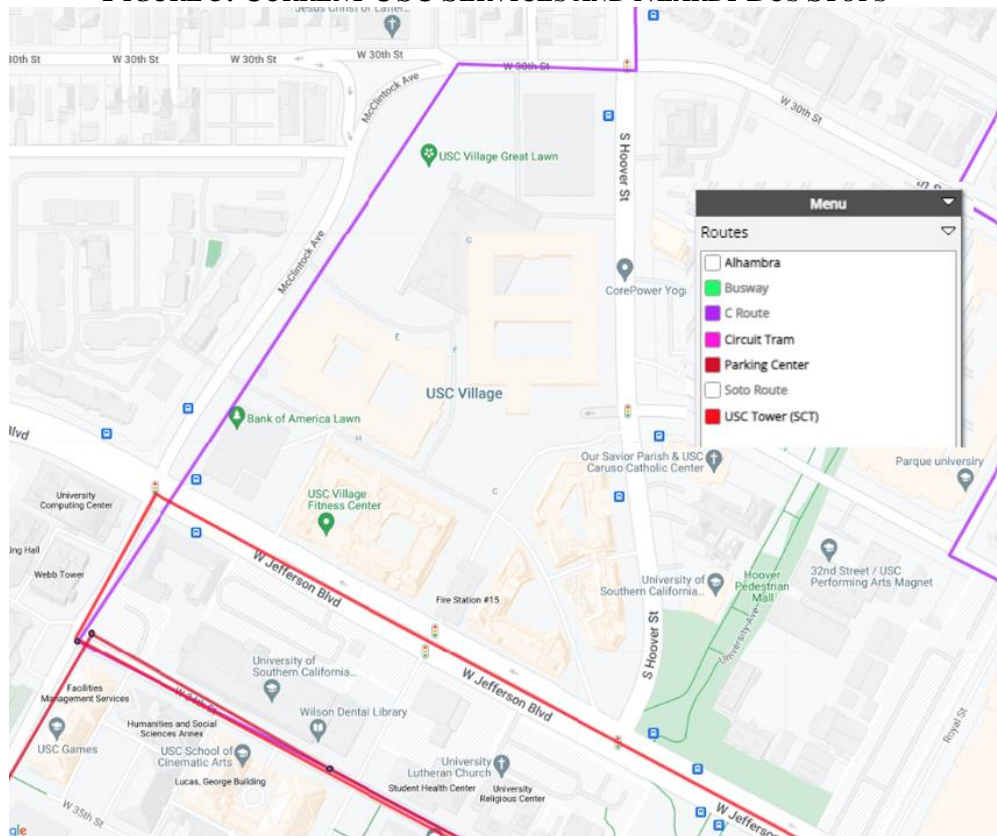


FIGURE 3: CURRENT USC SERVICES AND NEARBY BUS STOPS¹⁰



¹⁰ <https://www.uscbuses.com/map>.

In sum, USC has removed significant services since 2016, when it purportedly satisfied the DA's Section 3.1.3.19 Expanded Shuttle Service requirement. It now fails to connect USC's tram services to public transit stops near USC Village. This is a major concern to Local 21 and USC Forward members because the community is excluded from accessing by bus the grocery store and other public amenities, as well because it also eliminates traffic mitigation measures intended to alleviate adverse impacts suffered by the community. Local 721 urges the City to compel USC's compliance by: (a) restoring Routes A, B, and to L.A. Live; (b) require annual reporting of routes provided; and (c) require prior City approval before USC may remove and/or modify routes established in satisfaction of DA Section 3.1.3.19.

4. THE DIRECTOR SHOULD PROVIDE A PUBLIC UPDATE TO THE SOUTH LA APC ON STATUS OF THE UPC SPECIFIC PLAN AND ADDRESS USC'S AGGRESSIVE ENROLLMENT, DEMOLITION OF ON-CAMPUS HOUSING, AND OTHER SIGNIFICANT CHANGES AT USC

Under section 15 of the Specific Plan, the South Los Angeles APC may receive from the Planning Director an annual report on the status of all projects within the Specific Plan area. Based on CPRA-provided documents, the last time APC received such a report was in 2016.¹¹ It is due time for another.

a) The APC should learn that USC's enrollment has exceeded what it promised and studied in 2010, and USC is not doing enough to address its growth.¹²

In 2010, the Specific Plan EIR anticipated only a "small annual increase in student enrollment" from approximately 30,828 students (2009) to 36,000 students (2030).¹³ However, based on USC's enrollment figures disclosed in its most recent 2021 Common Data Set ("CDS"), USC had 49,318 total students as of October 15, 2021 (in yellow)—42,631 of which were full-time students (in green).¹⁴ (See Fig. 4 following page.) *This is a massive unplanned-for increase that has significant community impacts such as more traffic, more noise, and the conversion of residential communities and homes into dorm-like student housing facilities.*

To put this enormous unplanned enrollment growth in context, Figure 5 in the chart on the following page—based on USC's own enrollment figures listed in its CDS and annual financial reports (summarized in "Exhibit D" attached hereto)—reflects the anticipated growth in total enrollment from the USC Specific Plan (grey line) to the actual growth in total enrollment (blue line) and the trajectory of USC enrollment if the current rate of growth

¹¹ <https://www.dropbox.com/s/0w52v8sdk23hkur/USC%20SP%20Annual%20Report%203%20%282015-2016%29.pdf?dl=0>.

¹² See also USC Annenberg Media (9/14/21) Freshmen, sophomores struggle to get on-campus housing ("‘It was kind of a crazy process,’ said sophomore Kaelyn Moses, a global health major living in the USC Village. ‘Honestly, the housing application was really confusing.’"), <https://www.uscannenbergmedia.com/2021/09/14/freshmen-sophomores-struggle-to-get-on-campus-housing/>.

¹³ DEIR, Appendix J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf; DEIR, Appendix C-2, Historic Resources Evaluation University Park Campus, PDF p. 118, 156 <https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20C-2%20Historic%20Resources%20Evaluation%20University%20Pa.pdf>.

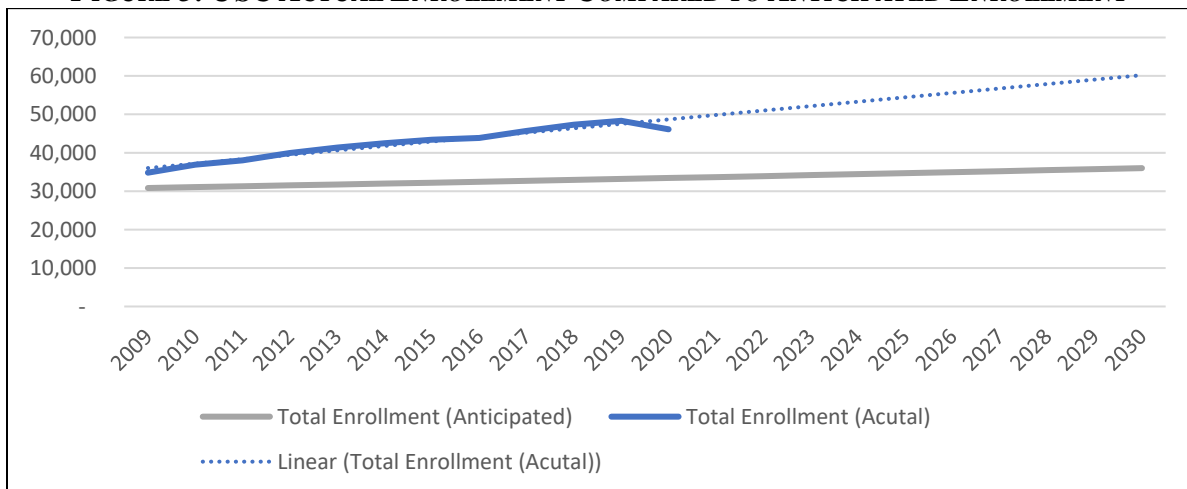
¹⁴ https://oir.usc.edu/wp-content/uploads/2022/06/CDS_2021-2022_FINAL.pdf.

continues through 2030 (blue dashed line). Clearly, USC enrollment has grown well beyond what was anticipated for 2023, much less where enrollment will be in 2030 at current rates, which has put a substantial increase in demand for housing near the University Park Campus (further compounded by the removal of existing on-campus student housing, discussed below).

FIGURE 4: USC's 2021-2022 CDS REPORT

B. ENROLLMENT AND PERSISTENCE				
B1 Institutional Enrollment - Men and Women				
Provide numbers of students for each of the following categories as of the institution's official fall reporting date or as of October 15, 2021 .				
• Note: Report students formerly designated as "first professional" in the graduate cells. For information on reporting study abroad students please see this link .				
	FULL-TIME		PART-TIME	
	Men	Women	Men	Women
Undergraduates				
Degree-seeking, first-time freshmen	1,736	1,928	1	3
Other first-year, degree-seeking	655	688	1	9
All other degree-seeking	7,311	7,792	270	225
Total degree-seeking	9,702	10,408	272	237
All other undergraduates enrolled in credit courses	54	42	46	29
Total undergraduates	9,756	10,450	318	266
Graduate				
Degree-seeking, first-time	3,763	4,430	510	744
All other degree-seeking	5,940	7,818	2,051	2,469
All other graduates enrolled in credit courses	211	263	158	171
Total graduate	9,914	12,511	2,719	3,384
Total all students	19,670	22,961	3,037	3,650
Total all undergraduates	20,790			
Total all graduate	28,528			
GRAND TOTAL ALL STUDENTS	49,318			

FIGURE 5: USC ACTUAL ENROLLMENT COMPARED TO ANTICIPATED ENROLLMENT



b) USC is also demolishing several existing on-campus student housing facilities with no public plans to replace them.

USC has already started demolition of the 11-story Fluor Tower dormitory, located near the corner of Jefferson Blvd. and Orchard Avenue,¹⁵ which previously served as student housing, including a special interest Latinx community (i.e., El Sol y La Luna) whose freshman members lived on the sixth floor.¹⁶ So too, USC is starting the demolition of the Trojan Residence and Marks Hall structures located near the corner of Figueroa Street and Childs Way.¹⁷ (See Fig. 6 below.) Together, these are hundreds of units of student housing being removed at the same time that USC has significantly increased both its graduate and undergraduate enrollment exceeding prior estimates (discussed supra). This begs the question of how many USC-owned/affiliated units are being provided to undergraduate and graduate students at the UPC campuses and whether the current situation complies with what was studied, expected, and promised when the Specific Plan EIR and DA were approved by the City in 2013 (a question equally relevant to the HSC campus, discussed below).

FIGURE 6: DEMOLITION FENCING AROUND TROJAN AND MARKS RESIDENCE STUDENT HOUSING



¹⁵ Department of Building and Safety Permit Application Nos. 21019-10000-04896 and 20019-10000-05328, https://ladbsdoc.lacity.org/IDISPublic_Records/idis/ImageMain.aspx?DocIds={EBBE1CD4-6FD6-4212-9A93-45748EB09FB3},.

¹⁶ Daily Trojan, <https://dailytrojan.com/2022/02/14/fluor-tower-vacant-since-march-2020-to-be-demolished/>.

¹⁷ LADBS Permit No. 21019-10000-05328, https://ladbsdoc.lacity.org/IDISPublic_Records/idis/ImageMain.aspx?DocIds={EBBE1CD4-6FD6-4212-9A93-45748EB09FB3}; see also <https://www.uscannenbergmedia.com/2022/04/12/ground-zero-performance-cafe-set-for-demolishment/>; https://www.reddit.com/r/USC/comments/10juto1/trojan_hall_and_marks_hall_being_demolished/.

c) There appear to be missing annual parking studies since 2019.

Section 10 of the Specific Plan requires USC to provide an annual parking study that “establishes the University population each year” and ensures adequate parking in accordance with the parking requirements, including but not limited to those Full-Time Equivalent (“FTE”) students residing within the nearby South LA area and elsewhere. (See also § 4 Definitions.) However, this office has received only five parking studies dated between November 2014 and December 2019—all titled “J1229 Parking Monitoring Report.”¹⁸ There has been no documentation showing any parking reports provided from 2020 to the present. Notwithstanding COVID, the time has come for USC to provide these parking reports. So too, the updated reports should provide more clarity on their calculations of FTE students within the South LA area and beyond. Furthermore, the failure to provide annual reports also amounts to improper removal of CEQA mitigation.¹⁹ These parking studies are also relevant to the enrollment and student housing issues discussed above.

d) USC is considering new discretionary actions (i.e., Women’s Sports Stadium and USC Medical Center projects) relying on old, outdated analysis in the face of significant changed circumstances.

When acting on new discretionary approvals, the City has the ability to require new CEQA analysis if there have been substantial changes in circumstances or new information of substantial importance since the Specific Plan EIR was approved. (See DA §§ 3.2.4 & 3.2.5.) Currently, USC is proposing a new Soccer/Lacrosse stadium relying on an addendum to the Specific Plan EIR (i.e., DCP Case No. CPC-2022-5429). As discussed by Local 721 in its prior comment letters on the stadium project (see “**Exhibit E**” attached hereto), an addendum is not appropriate because the old Specific Plan enrollment/housing assumptions are entirely outdated given USC’s aggressive and unilateral expansion in enrollment. The old Specific Plan analysis is no longer good – especially for approvals not studied or contemplated, like the Soccer stadium project.

Similarly, USC is proposing a new 7-story research lab project on its Health Science Campus (i.e., DCP Case No. CPC-2022-9266-CU). As discussed in Local 721’s prior letters on that project (see “**Exhibit F**” attached hereto), USC is utilizing a second addendum to a very old 2005/2006 EIR that already was subject to a first addendum in 2012 for various improvements to the HSC Campus. Despite the EIR and first addendum assuming graduate enrollment would not

¹⁸ See (11/17/14), <https://www.dropbox.com/s/2gaojlaicxig9z/J1229%20Parking%20Monitoring%20Report%20-%20October%202014%20%282%29.pdf?dl=0>, (2/9/17), <https://www.dropbox.com/s/8q9r0sfl4fvws9u/J1229%20Parking%20Monitoring%20Report%20-%20October%202016.pdf?dl=0>, (12/11/17), <https://www.dropbox.com/s/8ptut34o7nwzh88/J1229%20Parking%20Monitoring%20Report%20-%202017.pdf?dl=0>, (11/28/18), <https://www.dropbox.com/s/fkvqjgn1pl73bfa/J1229%20Parking%20Monitoring%20Report%20-%202018%20%28Attachment%20A%29.pdf?dl=0>, and (12/10/19), <https://www.dropbox.com/s/mbxmvks0iylp3hv/J1229%20Parking%20Monitoring%20Report%20-%202019%20%28Attachment%20A%29.pdf?dl=0>.

¹⁹ Adopted CEQA mitigation measures cannot be removed absent substantial evidence demonstrating mitigation is no longer needed. (Supra fn. 7.) The Specific Plan EIR included mitigation measure K.2-1 calling for the annual parking monitoring reports. (See Final EIR, supra fn. 8, PDF p. 5180 [p. IV-52].)

significantly increase due to those improvements, USC has seen a significant jump in graduate enrollment—both in total enrollment and as a percentage of USC’s overall enrollment. For example, from June 1999 to October 2021, USC’s graduate enrollment increased from 13,186 (or 46% of total enrollment) to 28,528 (or 58% of the total). Similarly, total faculty and staff also increased from 12,224 to 16,623 between 2005 and 2012. Like the Specific Plan EIR, the HSC EIR has become outdated because of USC’s unilateral expansion in enrollment.

USC’s apparent aggressive expansion over the last ten years has serious community impacts in many ways (e.g., conversion of housing into student dormitories/co-living facilities). Moreover, it undermines the fundamental assumptions of not only the Specific Plan EIR but also the HSC EIR—just like the case of *Save Berkeley’s Neighborhoods v. Regents of University of California*, (2020) 51 Cal.App.5th 226, where the university made several discretionary decisions leading to increased enrollment without analyzing and mitigating new impacts. (Id., at p. 237.)

Much has changed since the last APC report was provided in 2016 and, thus, Local 721 urges the Planning Director to provide a Specific Plan report to the South LA APC during a public hearing, that addresses the above-mentioned issues, including but not limited to:

- Development status under phases 1, 2, and 3 of the Specific Plan;
- Status of USC’s commitment of 3,000 new beds within the context of lost beds (e.g., the proposed demolition of Fluor Tower, Trojan, and Marks Residence structures);
- Update on the parking studies and substantiation of proper calculations of FTE students;
- Status of the \$5 million payment to the Affordable Housing Trust Fund (i.e., DA section 3.1.3.1.B); and
- An in-depth analysis of USC’s enrollment/housing data over the relevant school years and USC campuses, such as:
 - i. An accounting of enrollment at the UPC and HSC campuses within the context of what was anticipated under the Specific Plan EIR and HSC EIR;
 - ii. USC’s enrollment figures and percentage of students living on- and off-campus and/or in housing controlled by USC;
 - iii. Inventory of student housing provided on and off campus controlled by USC between the two campuses and other locations;
 - iv. Information about the location of students living arrangements (e.g., on/off-campus, within one mile and other useful increments, etc.);
 - v. Other relevant student housing data provided by USC to the U.S. Census; and
 - vi. Other factors that influence USC’s enrollment levels and impacts on the surrounding community, such as the displacement caused by pseudo-student dormitories like the co-living facilities built and operated by Tripalink and alike.

In conclusion, Local 721 thanks DCP staff for their consideration of prior comments. We agree with staff that USC is non-compliant with the DA’s WIC requirement and parks funding which are not excused. So too, based on new information provided, we believe USC has significantly eliminated shuttle service and is no longer compliant with its expanded shuttle

service requirement. Local 721 hopes for a speedy remedy and urges the City to compel compliance at once. Furthermore, Local 721 respectfully believes it is time to update the South LA APC in public on the status of the Specific Plan area under Specific Plan section 15—and the community impacts caused by major, unplanned-for enrollment increases with far too little accompanying housing. These concerns must be addressed and cannot be overlooked as USC seeks yet more discretionary City actions relying on outdated studies and assumptions.

Thank you for your consideration.

Sincerely,



David Green, President and Executive Director
SEIU Local 721

ATTACHMENTS:

Exhibit A:	CPRA Document (3/4/16) DA Section 3.1.3.19 Expanded Shuttle Service
Exhibit B:	USC Bus Schedule for Fall 2014, Spring 2016, & Spring 2023
Exhibit C:	Posted USC Tram Map and Current USC Tram Map
Exhibit D:	USC Enrollment Table (Anticipated v. Actual)
Exhibit E:	Local 721 Letter RE: Sports Stadium (4/19/23); USC Forward Letter RE: Sports Stadium (4/19/23)
Exhibit F:	Local 721 Letter RE: HSC Project (4/19/23); USC Forward Letter RE: HSC Project (4/19/23)

CC:

Mayor's Office

Mayor Karen Bass (mayor.helpdesk@lacity.org)
Chris Thompson, Chief of Staff (chris.thompson@lacity.org)
Krista Kline, Director of Legislative Affairs (krista.kline@lacity.org)

Council District 9

Curtis Earnest, Chief of Staff (curtis.earnest@lacity.org)
Xavier Clark, Planning Assistant (xavier.clark@lacity.org)
Sherilyn Correa, Director of Planning and Econ. Dev. (sherilyn.correa@lacity.org)

Council District 8

Councilmember Marqueece Harris-Dawson (councilmember.harris-dawson@lacity.org)
Solomon Rivera, Chief of Staff (solomon.rivera@lacity.org)
Belem Lamas, Senior Legislative Deputy (belem.lamas@lacity.org)
Albizael Del Valle, Economic Development Deputy (albizel.delvalle@lacity.org)

EXHIBIT A

DA Section 3.1.3.19 Expanded Shuttle Service

Since 2012 USC Transportation has continued to improve shuttle operations for USC and the surrounding community. We have increased service to and from Union Station and our Health Sciences Campus by including stops at Union Station on all intercampus routes, as well as upgrading the vehicles on route from 40 passenger buses to 60 passenger buses. In addition, we now provide weekend service to Union Station and the Health Science Campus, which is a great service for those needing transportation to Keck Hospital or LAC+USC Medical Center on the weekends.

Furthermore, we have increased service to the City Center, located on Olive Street near 12th Street, by extending our service through 8:20 pm. We have also increased our capacity by upgrading the vehicle on route to a 30 passenger bus from an eight passenger van.

We also increased the capacity on our Marina Del Rey shuttle. This route was limited to an eight passenger van in 2012. It has since been upgraded to a 30 passenger bus.

Finally, we brought back the service to LA Live. This service was actually cancelled in Fall of 2012 due to funding. The expectation was that the ExpoLine would be the preferred mode of travel. We were able to secure funding for the shuttle and resumed service in January 2014.

If the information is better summarized by a list, here is a list of changes we have made to increase service.

1. Increased capacity on the Union Station and Health Science Campus routes by adding additional stops at Union Station and Soto building and increasing the size of the vehicle, adding 20 passengers per departure.
2. Added weekend service to Union Station and Health Science Campus.
3. Increased capacity to City Center by extending service to 8:20pm and increasing the size of the vehicle, adding 22 passengers per departure.
4. Increased capacity to Marina Del Rey by increasing the size of the vehicle, adding 22 passengers per departure.
5. Resumed shuttle service to LA Live

EXHIBIT B

Bus Schedules - FALL 2014

Closed on all University Holidays

University Park Campus

Health Sciences Campus

Union Station

Alhambra

L.A. Live-Resumes Aug 29

6:30 PM to 2:00 AM Friday and Saturday Only

Route does not have a departure time from L.A. Live.

Trip to LA Live is about 15 minutes.

[View Schedule & Stops](#)

NEW: Weekend Intercampus Shuttle-starts Sept 6

Departs UPC from 8:30 AM to 3:55 PM, Saturday and Sunday

Shuttle does not operate on Sept 27, Oct 4, Oct 18, Nov 29 (Football Saturdays)

[View Schedule & Stops](#)

CAL to UPC to Union Station

This bus will stop at CAL before continuing on to UPC then to Union Station

[View Schedule & Stops](#)

Route A

Service from 7:35 AM to 11:05 PM, Monday-Friday.

Shuttles leave Leavey Library every 30 minutes.

[View Schedule & Stops](#)

AT&T to UPC

Service from 7:50 AM to 8:20 PM, Monday-Friday

Board the shuttle at AT&T

[View Schedule & Stops](#)

Parking Center

Service from 6:00 AM to 10:00 PM, Monday-Friday

Bus departs Parking Center Structure every 15 minutes between 8:00 AM – 7:00 PM

Every 20 minutes between 6:00 AM-8:00 AM and 7:00 PM-10 PM

[View Schedule & Stops](#)

Route C

Service from 6:30 AM to 7:00 AM, Monday-Friday

and 11:10 PM to 2:50 AM, 7 days a week

Bus departs from Leavey Library every 30 minutes

[View Schedule & Stops](#)

Route B

Service from 7:20 AM to 10:50 PM, Monday-Friday.

Shuttles leave Leavey Library every 30 minutes.

[View Schedule & Stops](#)

UPC to Union Station

Service from 7:00 AM to 10:05 PM, Monday-Friday

Shuttles leave JEP House and also stop at 34th & McClintock

[View Schedule & Stops](#)

UPC to AT&T

Service from 7:40 AM to 5:20 PM, Monday-Friday

Board the shuttle at The Alumni House / Gate 2

[View Schedule & Stops](#)

Bus Schedules - Spring 2016 (Begins Monday, January 11th)

Closed on all University Holidays

University Park Campus

Health Sciences Campus

Union Station

Alhambra

Route A

Service from 7:35 AM to 8:05 PM, Monday-Friday.
Shuttles leave Leavey Library every 30 minutes.

[View Schedule & Stops](#)

L.A. Live – Begins January 15th

6:30 PM to 2:00 AM Friday and Saturday Only
Route does not have a departure time from L.A. Live.
Trip to LA Live is about 15 minutes.

[View Schedule & Stops](#)

Intercampus (ICS) UPC-UNION STATION-HSC

Service from 7:00 AM to 9:20 PM, Monday-Friday.
Shuttles depart from JEP House and 34th Street/McClintock.
All shuttles stop at Union Station with the exception of the 7:30 AM departure.
[View Schedule & Stops](#)

Marina Del Rey Shuttle

Service from 8:05 AM to 5:45 PM, Monday-Friday.
Bus departs from The Alumni House / Gate 2.
Drop off at ICT and ISI
[View Schedule & Stops](#)

City Center (AT&T) to UPC

Service from 7:40 AM to 8:20 PM, Monday-Friday
Board the shuttle at City Center (AT&T)
[View Schedule & Stops](#)

Parking Center

Service from 6:00 AM to 10:00 PM, Monday-Friday
Bus departs Parking Center Structure every 15 minutes between 7:00 AM – 6:00 PM
Every 20 minutes between 6:00 AM-7:00 AM and 6:00 PM-10 PM
[View Schedule & Stops](#)

Route C

Service at 6:30 AM and 7:00 AM, and also from 8:20 PM to 2:50 AM, Monday-Friday
Bus departs from Leavey Library every 30 minutes

[View Schedule & Stops](#)

Route B

Service from 7:20 AM to 7:50 PM, Monday-Friday.
Shuttles leave Leavey Library every 30 minutes.

[View Schedule & Stops](#)

UPC to Union Station

Service from 7:00 AM to 10:05 PM, Monday-Friday.
Prior to 3:10 PM, all service is provided by the Intercampus Shuttle
Shuttles depart from JEP House and 34th Street/McClintock.
[View Schedule & Stops](#)

UPC to City Center (AT&T)

Service every hour from 7:30 AM to 5:30 PM, Monday-Friday
Board the shuttle at The Alumni House / Entrance 2
[View Schedule & Stops](#)

CAL to UPC to Union Station

This bus will stop at CAL before continuing on to UPC then to Union Station
[View Schedule & Stops](#)

Weekend Intercampus Shuttle – Begins January 23rd

Service from 8:30 am to 4:30 pm on Saturdays and Sundays.

[View Schedule & Stops](#)

Bus Schedules - Spring 2023

Closed on all University Holidays

University Park Campus

Health Sciences Campus

Union Station

Alhambra

Weekend Intercampus Shuttle (begins Saturday, January 21st)

Operates from 8:30AM to 4:30PM on Saturdays and Sundays, beginning January 21, 2023.

There is no service during Spring Break: Saturday March 18, and Sunday March 19.

The last day of service will be Sunday, May 7, 2023.

[View Schedule & Stops](#)

Intercampus (ICS) UPC-Union Station-HSC

Service from 7:00 AM to 9:20 PM, Monday-Friday.

Board the shuttle at the bus stops at Jefferson bus turnout (just east of Hoover)

All shuttles stop at Union Station **Berth #6**.

Bus discharges at HSC at the bus stop on Eastlake, just south of Biggy. Bus does not service Soto.

[View Schedule & Stops](#)

Marina Del Rey Shuttle

Service from UPC at Vivian Hall (VHE) to ICT and ISI Monday-Friday.

ICT: 12015 Waterfront Dr, Playa Vista 90094

ISI: Bus Stop is at the Northwest corner of Mindanao Way and Admiralty Way. (May relocate due to construction)

[View Schedule & Stops](#)

USC Tower (SCT) "aka City Center" to UPC

Service every hour from **8:20 AM to 5:20 PM** Monday-Friday from SCT to University Club on 34th Street.

Board the shuttle at USC Tower (SCT) "aka City Center" on Olive St between 12th and 11th.

***Beginning Monday, October 17th, there will be a second stop at Michelson added to the route.

[View Schedule & Stops](#)

Parking Center

Service from 6:00 AM to **6:00 PM**, Monday-Friday.

Bus departs Grand Ave Structure (formerly USC Parking Center) every 15 minutes between 7:00 AM – 6:00 PM.

Every 20 minutes between 6:00 AM-7:00 AM.

[View Schedule & Stops](#)

C Route

Bus departs from Leavey Library every 20 minutes, from 7:00am-6:00pm, then every 30 minutes from 6:30pm to **10:00pm** Monday-Friday. There is also an early bus that departs at **6:20am**.

[View Schedule & Stops](#)

UPC to Union Station

Service from 7:00 AM to 10:05 PM, Monday-Friday.

Prior to 3:20 PM, all service is provided by the Intercampus Shuttle.

Between 6:05 PM and 9:25 PM, all service is provided via the Intercampus Shuttle.

Shuttles depart from Jefferson bus turnout (just east of Hoover)

[View Schedule & Stops](#)

UPC to USC Tower (SCT) "aka City Center"

Service from University Club (on 34th Street) and Michelson Hall (MCB) to USC Tower (SCT).

Bus departs University Club at the top of every hour from **8:00 AM** to 5:00 PM. Then the bus departs Michelson Hall 5 minutes later from 8:05 AM to **5:05 PM**, Monday-Friday.

***Beginning Monday, October 17th, the bus will also service Michelson on McClintock 5 minutes after departing University Club before heading to SCT.

[View Schedule & Stops](#)

CAL to Union Station

Bus departs CAL then goes on to Jefferson bus turnout en-route to Union Station.

[View Schedule & Stops](#)

EXHIBIT C

Outdated USC Tram Map Posted Near USC Parking Center



Current USC Tram Map (retrieve May 10, 2023) <https://www.uscbuses.com/map>.

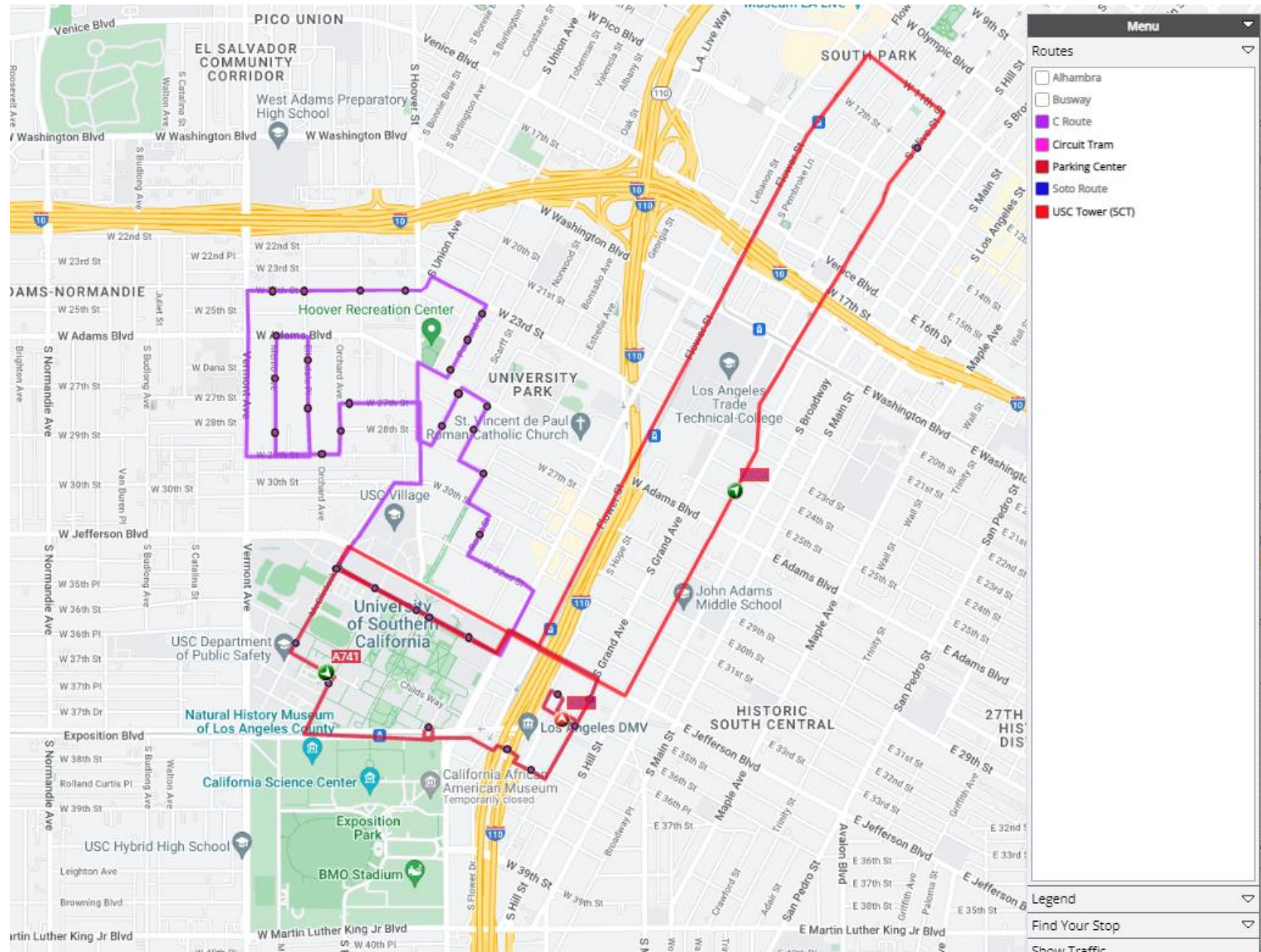


EXHIBIT D

EXHIBIT B: USC ENROLLMENT (ANTICIPATED V. ACTUAL)

ACADEMIC PERIOD		ANTICIPATED ENROLLMENT [a]			ACTUAL ENROLLMENT		
		Undergraduate	Graduate	Total	Undergraduate	Graduate	Total
2009	2010	16,023	14,805	30,828	16,751	18,073	34,824 [b]
2010	2011	16,103	14,951	31,055	17,380	19,516	36,896 [c]
2011	2012	16,184	15,099	31,283	17,414	20,596	38,010 [d]
2012	2013	16,266	15,248	31,514	18,316	21,642	39,958 [e]
2013	2014	16,347	15,399	31,746	18,445	22,923	41,368 [f]
2014	2015	16,429	15,551	31,980	18,740	23,729	42,469 [g]
2015	2016	16,512	15,705	32,216	18,810	24,591	43,401 [h]
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2017	2018	16,678	16,016	32,694	19,170	26,517	45,687 [j]
2018	2019	16,762	16,175	32,936	19,907	27,403	47,310 [k]
2019	2020	16,846	16,334	33,180	20,351	27,970	48,321 [l]
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2021	2022	17,015	16,659	33,674	19,889	27,439	47,328
2022	2023	17,101	16,823	33,924	20,175	28,411	48,586
2023	2024	17,187	16,990	34,176	20,466	29,417	49,883
2024	2025	17,273	17,157	34,431	20,761	30,459	51,219
2025	2026	17,360	17,327	34,687	21,060	31,537	52,597
2026	2027	17,447	17,498	34,945	21,363	32,654	54,017
2027	2028	17,535	17,671	35,206	21,671	33,810	55,481
2028	2029	17,623	17,846	35,468	21,983	35,007	56,991
2029	2030	17,711	18,022	35,733	22,300	36,247	58,547
2030	2031	17,800	18,200	36,000	22,622	37,530	60,152
CAGR		0.50%	0.99%		1.44%	3.54%	

NOTES:

a: Draft EIR, APP-J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf.

b: USC 2010 Financial Report, PDF p. 15, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101238/2010-USC-Financial-Report.pdf>.

c: USC 2011 Financial Report, PDF p. 16, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101237/2011-USC-Financial-Report.pdf>.

d: CDS 2011-2012, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2011-2012-public1.pdf; USC 2012 Financial Report, PDF p. 21, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101236/2012-USC-Financial-Report.pdf>.

e: CDS 2011-2012, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/10/CDS-2012-2013-public_new3.pdf.

f: CDS 2013-2014, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2013-2014_public.pdf.

g: CDS 2014-2015, PDF p. 2, <https://oir.usc.edu/wp-content/uploads/2015/11/CDS-2014-15.pdf>.

h: CDS 2015-2016, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2017/05/CDS-2015-2016_2.pdf; USC 2016 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2016-USC-Financial-Report.pdf>.

i: CDS 2016-2017, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2015/10/CDS_2016-2017.pdf.

j: CDS 2017-2018, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2018/03/CDS_2017-2018_FINAL_2.pdf; USC 2017 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2017-USC-Financial-Report.pdf>.

k: CDS 2018-2019, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2019/06/CDS_2018-2019_FINAL1.pdf; USC 2018 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101233/2018-USC-Financial-Report.pdf>.

l: CDS 2019-2020, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2020/07/CDS_2019-2020_FINAL.pdf; USC 2019 Financial Report, PDF p. 5, <https://about.usc.edu/files/2020/07/USC-2019-Annual-ReportFINAL.pdf>.

m: CDS 2020-2021, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2021/07/CDS_2020-2021.pdf; USC 2020 Financial

EXHIBIT E



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Office: (951) 405-8127
Direct: (951) 542-2735
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

April 19, 2023

VIA E-MAIL:

Stephanie Escobar, City Planning Associate (stephanie.escobar@lacity.org)
Department of City Planning, City of Los Angeles

**RE: USC WOMEN'S SPORTS STADIUM (3011-3025 S. UNIVERSITY AVENUE, 90007);
DCP CASE NOS. CPC-2022-5429, ENV-2009-271;
REQUEST FOR SUPPLEMENTAL/SUBSEQUENT EIR AND/OR 30-DAY PUBLIC REVIEW OF ADDENDUM**

Dear Ms. Escobar:

On behalf of SEIU Local 721 and its members ("Local 721"), this office respectfully requests that the City of Los Angeles ("City") Department of City Planning ("DCP") provide no less than 30 days of public review of any addendum to a previously certified environmental impact report ("EIR") involving the above-referenced University of Southern California ("USC") women's sports stadium project ("Project") located at the USC University Park Campus ("UPC").

Local 721 understands that, for purposes of the stadium Project's environmental review under the California Environmental Quality Act ("CEQA"), USC intends to use an addendum to a 2010/2013 Environmental Impact Report (State Clearinghouse No. 2009011101) ("EIR") involving the USC Park Campus Specific Plan ("Specific Plan") redevelopment of the USC UPC campus (associated with DCP Case No. ENV-2009-271).

Here, using an addendum raises both substantive and procedural issues. For example, we question the continued validity of this outdated Specific Plan analysis. For example, the stadium Project is not mentioned in the Specific Plan EIR and the stadium site is not located within the EIR project boundary. Additionally, the EIR's fundamental enrollment assumptions and on-site housing demands are no longer valid. For example, the EIR assumed only a small annual increase in student enrollment from roughly 30,828 students (2009) to 36,000 students (2030).¹ Yet, according to USC's Common Data Set 2021-20 (see excerpts following page [highlights added]), USC had 49,318 total students as of October 15, 2021 (in yellow)—42,631 of which were full-time students (in green).² The USC Specific Plan analysis is no longer good and cannot be relied on for new discretionary project approvals, such as this discretionary stadium Project. The impacts of the proposed stadium need to be studied in a bona fide project-specific subsequent/supplemental EIR—not an abbreviated addendum shortcut.

/ / /

¹ See Draft EIR, [Appendix J](#), p. 22; see also Draft EIR, [Appendix C-2](#), PDF pp. 118, 156.

² https://oir.usc.edu/wp-content/uploads/2022/06/CDS_2021-2022_FINAL.pdf.

B. ENROLLMENT AND PERSISTENCE**B1 Institutional Enrollment - Men and Women**

Provide numbers of students for each of the following categories as of the institution's official fall reporting date or as of **October 15, 2021**.

- Note: Report students formerly designated as "first professional" in the graduate cells. For information on reporting study abroad students please see this [link](#).

	FULL-TIME		PART-TIME	
	Men	Women	Men	Women
Undergraduates				
Degree-seeking, first-time freshmen	1,736	1,928	1	3
Other first-year, degree-seeking	655	688	1	9
All other degree-seeking	7,311	7,792	270	225
Total degree-seeking	9,702	10,408	272	237
All other undergraduates enrolled in credit courses	54	42	46	29
Total undergraduates	9,756	10,450	318	266
Graduate				
Degree-seeking, first-time	3,763	4,430	510	744
All other degree-seeking	5,940	7,818	2,051	2,469
All other graduates enrolled in credit courses	211	263	158	171
Total graduate	9,914	12,511	2,719	3,384
Total all students	19,670	22,961	3,037	3,650

Total all undergraduates 20,790

Total all graduate 28,528


GRAND TOTAL ALL STUDENTS 49,318

Furthermore, because CEQA does not require circulation of an addendum (CEQA Guidelines § 15164), an addendum does not provide sufficient public review when it could be released just 72 hours before the City acts on the requested conditional use permits ("CUP(s)") under the Brown Act (Gov. Code § 54957.5). Thus, at minimum, we respectfully request that the City exercise its discretion and provide the public with at least 30 days to review any CEQA document or addendum for this USC stadium project before acting on any of the requested CUPs. The community needs appropriate time to review the impacts of this project – there should be no rush job.

Local 721 thanks you for your consideration of these comments and reserves the right to supplement these comments in the future. Please add us to the notification list for any zoning/CEQA actions involving the above-referenced project, as required by law (see e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; Los Angeles Municipal Code § 197.01.F). Please send notice by electronic and regular mail to Jordan R. Sisson, Esq., 801 S. Grand Avenue, 11th Floor, LA, CA 90017 (jordan@gideonlaw.net).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,



 Jordan R. Sisson
 Attorney for Local 721



April 19, 2023

Stephanie Escobar, City Planning Associate
Department of City Planning, City of Los Angeles
stephanie.escobar@lacity.org

RE: USC Women's Sports Stadium (3025 S. University Ave., 90007) (CPC-2022-5429)

Dear Ms. Escobar:

We, USC Forward,¹ respectfully provide the following comment² to the City of Los Angeles ("City") Department of City Planning ("DCP") regarding the University of Southern California's ("USC" or "Applicant") proposed construction of a women's soccer/lacrosse stadium ("Project") located at the above-referenced addresses ("Site"). The Project includes the request for two Conditional Use Permits to allow: i) a stadium in the R3 zone and ii) the sale of alcoholic beverages (collectively "Entitlements").³

USC Forward understands that, for purposes of the Project's environmental analysis under the California Environmental Quality Act ("CEQA"), USC intends to prepare an addendum to the USC Park Campus Specific Plan ("Specific Plan")⁴ Environmental Impact Report (SCH NO. 2009011101) ("EIR").⁵ For the reasons discussed below, we urge the City instead to: (1) require a subsequent or supplemental EIR, not an addendum; and (2) provide a minimum 30-day public notice and comment period on the any Project CEQA document including any addendum before any action is taken on the Entitlements.

First, the Project should require a subsequent or supplemental EIR because the Project is not within the scope of the prior Specific Plan EIR. The Site is located east of the Hoover/30th Street intersection—outside the USC Specific Plan EIR area. (Compare Figure 1 with Figure 2

¹ <https://uscforward.org/about/>.

² Herein, page citations are either the stated pagination (i.e., "p. #") or PDF-page location (i.e., "PDF p. #").

³ See Project Application, p. 2, <https://planning.lacity.org/pdiscaseinfo/document/MzgwNjM0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

⁴ USC Specific Plan, [https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20\(as%20approved%20by%20City%20Council\).pdf](https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20(as%20approved%20by%20City%20Council).pdf).

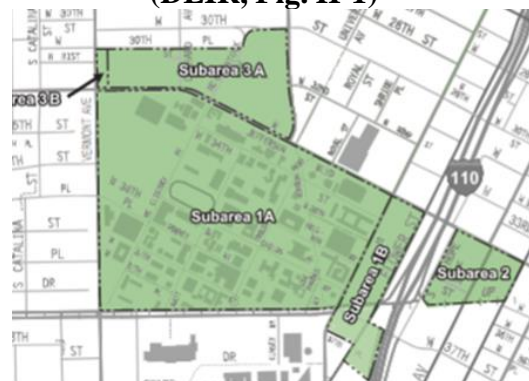
⁵ Inclusive of the Draft EIR ("DEIR") and the Final EIR ("FEIR") retrieved from DCP website (<https://planning.lacity.org/development-services/eir/university-southern-california-development-plan>).

[following page].) The Specific Plan in no way mentions a new massive women's soccer/lacrosse stadium at the Project Site next to residential neighbors. An agency's decision to use an addendum to approve a different project not contemplated or within the geographic area of the original project violates CEQA.⁶

**Figure 1: Project Site
(Applicant Project Plans)⁷**



**Figure 2: USC EIR Project Area
(DEIR, Fig. II-1)⁸**



Second, the Project should require a subsequent or supplemental EIR because there has been a significant change in the circumstances (i.e., enrollment) involving the USC Specific Plan. Under CEQA, once an EIR has been prepared, a subsequent or supplement EIR is required for granting a later discretionary approval when there have been: (i) substantial changes to the project, (ii) substantial changes in the circumstances involving the project, or (iii) significant new information involving the project. (See Pub. Res. Code § 21166; CEQA Guidelines⁹ § 15162.) Here, in 2010, the Specific Plan anticipated only a “small annual increase in student enrollment” from approximately 30,828 students (2009) to 36,000 students (2030).¹⁰ However, based on USC’s enrollment figures disclosed in its Common Data Set (“CDS”) and Annual Financial Reports from 2009 through 2021 (summarized in “Exhibit A” attached hereto), USC has grown

⁶ See e.g., *Concerned Citizens of Costa Mesa, Inc. v 32nd Dist. Agric. Ass’n* (1986) 42 C3d 929, 937 (plans for approved amphitheater project changed to increase seating significantly, expand the site, and reorient the stage to face nearby residences); *Save Berkeley's Neighborhoods v Regents of Univ. of Cal.* (2020) 51 CA5th 226, 237 (claim that university changed project described in campus long-range development plan by approving increases in student enrollment well beyond development plan and EIR projections, without considering whether further CEQA review was required, alleged violation of CEQA).

⁷ Project Plans, PDF p. 2, <https://planning.lacity.org/pdiscaseinfo/document/MzgwNjU0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

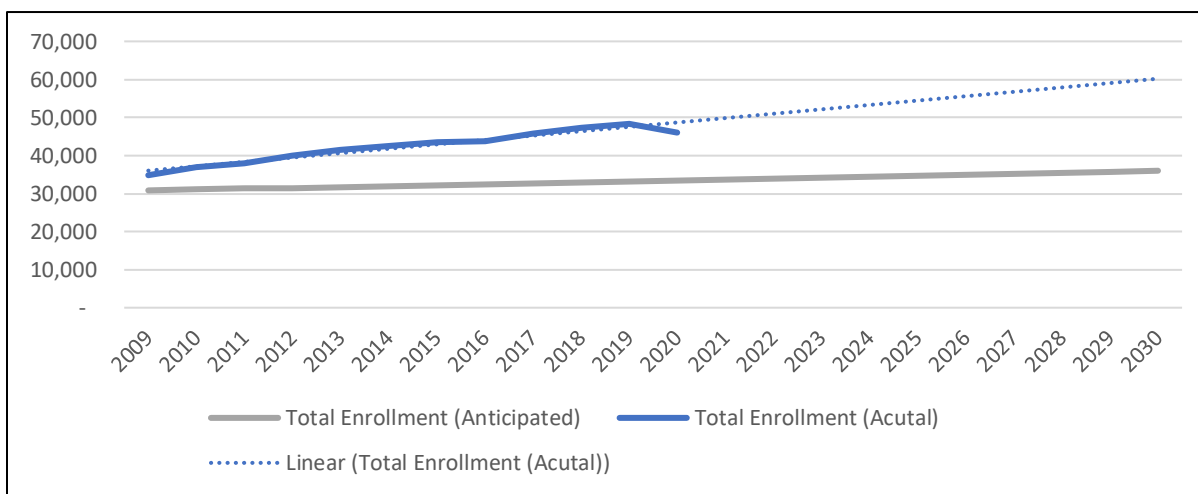
⁸ DEIR, PDF p. 3, https://planning.lacity.org/eir/USC/Feir/files/II.%20%20Project_Description.pdf.

⁹ California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387.

¹⁰ DEIR, Appendix J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf; DEIR, Appendix C-2, Historic Resources Evaluation University Park Campus, PDF p. 118, 156 <https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20C-2%20Historic%20Resources%20Evaluation%20University%20Pa.pdf>.

well beyond these anticipated levels. The USC Specific Plan analysis is no longer good and cannot be relied on for new discretionary project approvals, such as this discretionary stadium Project. Figure 3 below is a chart that reflects the anticipated growth in total enrollment from the USC Specific Plan (grey line) to the actual growth in total enrollment (blue line) and the trajectory of USC enrollment if the current rate of growth continues through 2030 (blue dashed line).

Figure 3: USC Actual Enrollment Compared to Anticipated Enrollment



As shown above, USC’s enrollment has clearly far exceeded what it promised and studied in 2010, and USC is not doing enough to address its growth.¹¹ For example, while the compound annual growth rate (“CAGR”) of undergraduate and graduate enrollment was anticipated to be 0.50 percent and 0.99 percent (respectively) under the EIR, the actual growth of undergraduate and graduate enrollment has been 1.44 percent and 3.54 percent CAGR (respectively)—roughly three times more than anticipated. This has serious community impacts in many ways. USC’s apparent aggressive expansion over the last ten years undermines the EIR’s fundamental assumptions just like the case of *Save Berkeley’s Neighborhoods v. Regents of University of California*, (2020) 51 Cal.App.5th 226, where the university made several discretionary decisions leading to the increased enrollment without analyzing and mitigating new impacts. (Id., at p. 237.)

Here, the stadium Project was not even contemplated in the old environmental analysis and is not in the same geographic area. An addendum is grossly improper. The impacts of the proposed stadium need to be studied in a bona fide project-specific subsequent/supplemental EIR—not an abbreviated addendum shortcut.

/ / /

¹¹ See also USC Annenberg Media (9/14/21) Freshmen, sophomores struggle to get on-campus housing (“‘It was kind of a crazy process,’ said sophomore Kaelyn Moses, a global health major living in the USC Village. ‘Honestly, the housing application was really confusing.’”), <https://www.uscannenbergmedia.com/2021/09/14/freshmen-sophomores-struggle-to-get-on-campus-housing/>.

Third, while public review of an addendum is not mandatory, the City must consider any addendum along with the original Final EIR before deciding on a proposed discretionary project. (See CEQA Guidelines §15164(d).) Here, that means the City must consider the addendum with the Final EIR to the USC Specific Plan. Collectively, this includes thousands of pages of environmental analysis. USC Forward respectfully requests that the City use its discretion to make all these documents—including any new addendum—available for at least 30 days before acting on the Entitlements. USC should not use an addendum to shortcut public notice and comment.

In sum, USC Forward respectfully disagrees with the City and Applicant's decision to prepare an addendum instead of a subsequent or supplemental EIR for the above-stated reasons. Please reconsider this decision. Moreover, in furtherance of CEQA's purpose of informed decision-making (see CEQA Guidelines § 15002(a)(1)), USC Forward asks the City to ensure no action is taken on the Entitlements before making the CEQA document or addendum available for review and comment at least 30 days.

USC Forward reserves the right to supplement these comments at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) This Office requests, to the extent not already on the notice list, all notices of CEQA actions and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§, 21092.2, 21167(f) and Gov. Code § 65092 and Los Angeles Municipal Code § 197.01.F.) Please send notice by electronic and regular mail to Felipe Caceres, 1545 Wilshire Blvd., Ste. 100, Los Angeles, CA 90017 (felipe.caceres@seiu721.org).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,

USC FORWARD

Felipe Caceres

Felipe Caceres
(213) 361-7848
felipe.caceres@seiu721.org

ATTACHMENT:

EXHIBIT A: USC Enrollment Table (Anticipated v. Actual)

EXHIBIT A

EXHIBIT B: USC ENROLLMENT (ANTICIPATED V. ACTUAL)

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CAGR		0.50%	0.99%		1.44%	3.54%	

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b: USC 2010 Financial Report, PDF p. 15, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101238/2010-USC-Financial-Report.pdf>.

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f: CDS 2013-2014, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2013-2014_public.pdf.

g: CDS 2014-2015, PDF p. 2, <https://oir.usc.edu/wp-content/uploads/2015/11/CDS-2014-15.pdf>.

h: CDS 2015-2016, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2017/05/CDS-2015-2016_2.pdf; USC 2016 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2016-USC-Financial-Report.pdf>.

i: CDS 2016-2017, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2015/10/CDS_2016-2017.pdf.

j: CDS 2017-2018, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2018/03/CDS_2017-2018_FINAL_2.pdf; USC 2017 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2017-USC-Financial-Report.pdf>.

k: CDS 2018-2019, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2019/06/CDS_2018-2019_FINAL1.pdf; USC 2018 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101233/2018-USC-Financial-Report.pdf>.

l: CDS 2019-2020, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2020/07/CDS_2019-2020_FINAL.pdf; USC 2019 Financial Report, PDF p. 5, <https://about.usc.edu/files/2020/07/USC-2019-Annual-ReportFINAL.pdf>.

m: CDS 2020-2021, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2021/07/CDS_2020-2021.pdf; USC 2020 Financial

EXHIBIT F



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Office: (951) 405-8127
Direct: (951) 542-2735
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

April 19, 2023

VIA E-MAIL:

Stephanie Escobar, City Planning Associate (stephanie.escobar@lacity.org)
Department of City Planning, City of Los Angeles

**RE: USC WOMEN'S SPORTS STADIUM (3011-3025 S. UNIVERSITY AVENUE, 90007);
DCP CASE NOS. CPC-2022-5429, ENV-2009-271;
REQUEST FOR SUPPLEMENTAL/SUBSEQUENT EIR AND/OR 30-DAY PUBLIC REVIEW OF ADDENDUM**

Dear Ms. Escobar:

On behalf of SEIU Local 721 and its members ("Local 721"), this office respectfully requests that the City of Los Angeles ("City") Department of City Planning ("DCP") provide no less than 30 days of public review of any addendum to a previously certified environmental impact report ("EIR") involving the above-referenced University of Southern California ("USC") women's sports stadium project ("Project") located at the USC University Park Campus ("UPC").

Local 721 understands that, for purposes of the stadium Project's environmental review under the California Environmental Quality Act ("CEQA"), USC intends to use an addendum to a 2010/2013 Environmental Impact Report (State Clearinghouse No. 2009011101) ("EIR") involving the USC Park Campus Specific Plan ("Specific Plan") redevelopment of the USC UPC campus (associated with DCP Case No. ENV-2009-271).

Here, using an addendum raises both substantive and procedural issues. For example, we question the continued validity of this outdated Specific Plan analysis. For example, the stadium Project is not mentioned in the Specific Plan EIR and the stadium site is not located within the EIR project boundary. Additionally, the EIR's fundamental enrollment assumptions and on-site housing demands are no longer valid. For example, the EIR assumed only a small annual increase in student enrollment from roughly 30,828 students (2009) to 36,000 students (2030).¹ Yet, according to USC's Common Data Set 2021-20 (see excerpts following page [highlights added]), USC had 49,318 total students as of October 15, 2021 (in yellow)—42,631 of which were full-time students (in green).² The USC Specific Plan analysis is no longer good and cannot be relied on for new discretionary project approvals, such as this discretionary stadium Project. The impacts of the proposed stadium need to be studied in a bona fide project-specific subsequent/supplemental EIR—not an abbreviated addendum shortcut.

/ / /

¹ See Draft EIR, [Appendix J](#), p. 22; see also Draft EIR, [Appendix C-2](#), PDF pp. 118, 156.

² https://oir.usc.edu/wp-content/uploads/2022/06/CDS_2021-2022_FINAL.pdf.

B. ENROLLMENT AND PERSISTENCE**B1 Institutional Enrollment - Men and Women**

Provide numbers of students for each of the following categories as of the institution's official fall reporting date or as of **October 15, 2021**.

- Note: Report students formerly designated as "first professional" in the graduate cells. For information on reporting study abroad students please see this [link](#).

	FULL-TIME		PART-TIME	
	Men	Women	Men	Women
Undergraduates				
Degree-seeking, first-time freshmen	1,736	1,928	1	3
Other first-year, degree-seeking	655	688	1	9
All other degree-seeking	7,311	7,792	270	225
Total degree-seeking	9,702	10,408	272	237
All other undergraduates enrolled in credit courses	54	42	46	29
Total undergraduates	9,756	10,450	318	266
Graduate				
Degree-seeking, first-time	3,763	4,430	510	744
All other degree-seeking	5,940	7,818	2,051	2,469
All other graduates enrolled in credit courses	211	263	158	171
Total graduate	9,914	12,511	2,719	3,384
Total all students	19,670	22,961	3,037	3,650

Total all undergraduates 20,790

Total all graduate 28,528


GRAND TOTAL ALL STUDENTS 49,318

Furthermore, because CEQA does not require circulation of an addendum (CEQA Guidelines § 15164), an addendum does not provide sufficient public review when it could be released just 72 hours before the City acts on the requested conditional use permits ("CUP(s)") under the Brown Act (Gov. Code § 54957.5). Thus, at minimum, we respectfully request that the City exercise its discretion and provide the public with at least 30 days to review any CEQA document or addendum for this USC stadium project before acting on any of the requested CUPs. The community needs appropriate time to review the impacts of this project – there should be no rush job.

Local 721 thanks you for your consideration of these comments and reserves the right to supplement these comments in the future. Please add us to the notification list for any zoning/CEQA actions involving the above-referenced project, as required by law (see e.g., Pub. Res. Code §§ 21092.2, 21167(f); Gov. Code § 65092; Los Angeles Municipal Code § 197.01.F). Please send notice by electronic and regular mail to Jordan R. Sisson, Esq., 801 S. Grand Avenue, 11th Floor, LA, CA 90017 (jordan@gideonlaw.net).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,



Jordan R. Sisson
Attorney for Local 721



April 19, 2023

Stephanie Escobar, City Planning Associate
Department of City Planning, City of Los Angeles
stephanie.escobar@lacity.org

RE: USC Women's Sports Stadium (3025 S. University Ave., 90007) (CPC-2022-5429)

Dear Ms. Escobar:

We, USC Forward,¹ respectfully provide the following comment² to the City of Los Angeles ("City") Department of City Planning ("DCP") regarding the University of Southern California's ("USC" or "Applicant") proposed construction of a women's soccer/lacrosse stadium ("Project") located at the above-referenced addresses ("Site"). The Project includes the request for two Conditional Use Permits to allow: i) a stadium in the R3 zone and ii) the sale of alcoholic beverages (collectively "Entitlements").³

USC Forward understands that, for purposes of the Project's environmental analysis under the California Environmental Quality Act ("CEQA"), USC intends to prepare an addendum to the USC Park Campus Specific Plan ("Specific Plan")⁴ Environmental Impact Report (SCH NO. 2009011101) ("EIR").⁵ For the reasons discussed below, we urge the City instead to: (1) require a subsequent or supplemental EIR, not an addendum; and (2) provide a minimum 30-day public notice and comment period on the any Project CEQA document including any addendum before any action is taken on the Entitlements.

First, the Project should require a subsequent or supplemental EIR because the Project is not within the scope of the prior Specific Plan EIR. The Site is located east of the Hoover/30th Street intersection—outside the USC Specific Plan EIR area. (Compare Figure 1 with Figure 2

¹ <https://uscforward.org/about/>.

² Herein, page citations are either the stated pagination (i.e., "p. #") or PDF-page location (i.e., "PDF p. #").

³ See Project Application, p. 2, <https://planning.lacity.org/pdiscaseinfo/document/MzgwNjM0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

⁴ USC Specific Plan, [https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20\(as%20approved%20by%20City%20Council\).pdf](https://planning.lacity.org/EIR/USC/SpecificPlans/USC%20Specific%20Plan%20(as%20approved%20by%20City%20Council).pdf).

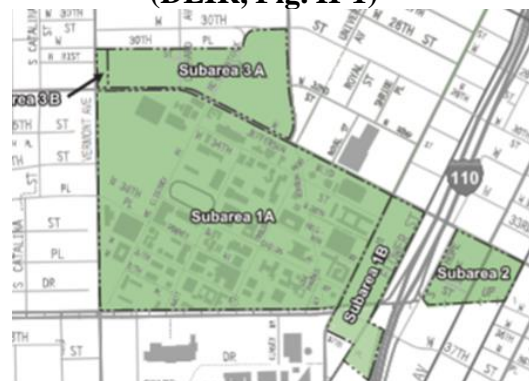
⁵ Inclusive of the Draft EIR ("DEIR") and the Final EIR ("FEIR") retrieved from DCP website (<https://planning.lacity.org/development-services/eir/university-southern-california-development-plan>).

[following page].) The Specific Plan in no way mentions a new massive women's soccer/lacrosse stadium at the Project Site next to residential neighbors. An agency's decision to use an addendum to approve a different project not contemplated or within the geographic area of the original project violates CEQA.⁶

**Figure 1: Project Site
(Applicant Project Plans)⁷**



**Figure 2: USC EIR Project Area
(DEIR, Fig. II-1)⁸**



Second, the Project should require a subsequent or supplemental EIR because there has been a significant change in the circumstances (i.e., enrollment) involving the USC Specific Plan. Under CEQA, once an EIR has been prepared, a subsequent or supplement EIR is required for granting a later discretionary approval when there have been: (i) substantial changes to the project, (ii) substantial changes in the circumstances involving the project, or (iii) significant new information involving the project. (See Pub. Res. Code § 21166; CEQA Guidelines⁹ § 15162.) Here, in 2010, the Specific Plan anticipated only a “small annual increase in student enrollment” from approximately 30,828 students (2009) to 36,000 students (2030).¹⁰ However, based on USC’s enrollment figures disclosed in its Common Data Set (“CDS”) and Annual Financial Reports from 2009 through 2021 (summarized in “Exhibit A” attached hereto), USC has grown

⁶ See e.g., *Concerned Citizens of Costa Mesa, Inc. v 32nd Dist. Agric. Ass’n* (1986) 42 C3d 929, 937 (plans for approved amphitheater project changed to increase seating significantly, expand the site, and reorient the stage to face nearby residences); *Save Berkeley's Neighborhoods v Regents of Univ. of Cal.* (2020) 51 CA5th 226, 237 (claim that university changed project described in campus long-range development plan by approving increases in student enrollment well beyond development plan and EIR projections, without considering whether further CEQA review was required, alleged violation of CEQA).

⁷ Project Plans, PDF p. 2, <https://planning.lacity.org/pdiscaseinfo/document/MzgwNjU0/532fbe86-06a9-44b1-8001-06cd07316c90/esubmit>.

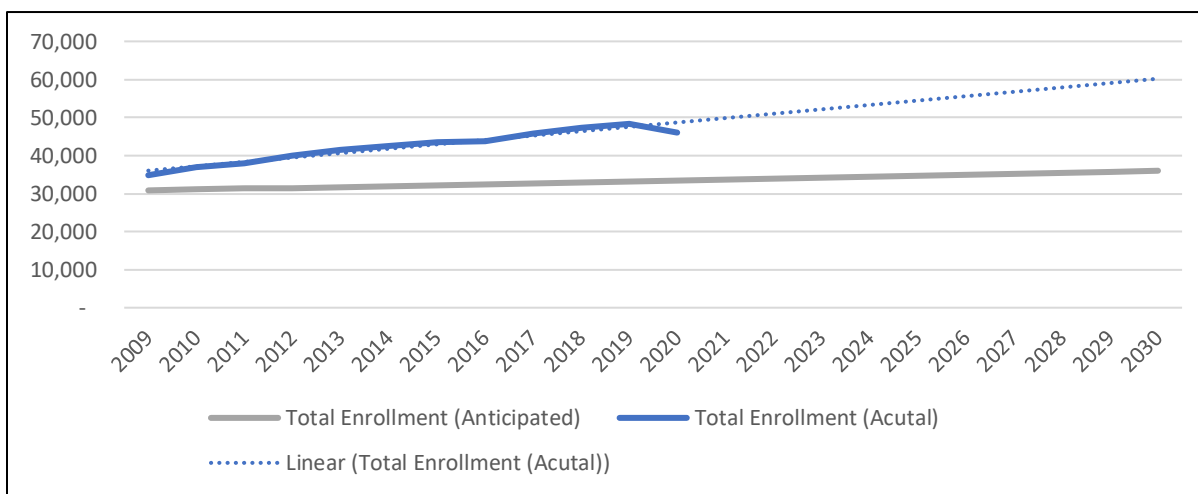
⁸ DEIR, PDF p. 3, https://planning.lacity.org/eir/USC/Feir/files/II.%20%20Project_Description.pdf.

⁹ California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387.

¹⁰ DEIR, Appendix J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf; DEIR, Appendix C-2, Historic Resources Evaluation University Park Campus, PDF p. 118, 156 <https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20C-2%20Historic%20Resources%20Evaluation%20University%20Pa.pdf>.

well beyond these anticipated levels. The USC Specific Plan analysis is no longer good and cannot be relied on for new discretionary project approvals, such as this discretionary stadium Project. Figure 3 below is a chart that reflects the anticipated growth in total enrollment from the USC Specific Plan (grey line) to the actual growth in total enrollment (blue line) and the trajectory of USC enrollment if the current rate of growth continues through 2030 (blue dashed line).

Figure 3: USC Actual Enrollment Compared to Anticipated Enrollment



As shown above, USC’s enrollment has clearly far exceeded what it promised and studied in 2010, and USC is not doing enough to address its growth.¹¹ For example, while the compound annual growth rate (“CAGR”) of undergraduate and graduate enrollment was anticipated to be 0.50 percent and 0.99 percent (respectively) under the EIR, the actual growth of undergraduate and graduate enrollment has been 1.44 percent and 3.54 percent CAGR (respectively)—roughly three times more than anticipated. This has serious community impacts in many ways. USC’s apparent aggressive expansion over the last ten years undermines the EIR’s fundamental assumptions just like the case of *Save Berkeley’s Neighborhoods v. Regents of University of California*, (2020) 51 Cal.App.5th 226, where the university made several discretionary decisions leading to the increased enrollment without analyzing and mitigating new impacts. (Id., at p. 237.)

Here, the stadium Project was not even contemplated in the old environmental analysis and is not in the same geographic area. An addendum is grossly improper. The impacts of the proposed stadium need to be studied in a bona fide project-specific subsequent/supplemental EIR—not an abbreviated addendum shortcut.

/ / /

¹¹ See also USC Annenberg Media (9/14/21) Freshmen, sophomores struggle to get on-campus housing (“‘It was kind of a crazy process,’ said sophomore Kaelyn Moses, a global health major living in the USC Village. ‘Honestly, the housing application was really confusing.’”), <https://www.uscannenbergmedia.com/2021/09/14/freshmen-sophomores-struggle-to-get-on-campus-housing/>.

Third, while public review of an addendum is not mandatory, the City must consider any addendum along with the original Final EIR before deciding on a proposed discretionary project. (See CEQA Guidelines §15164(d).) Here, that means the City must consider the addendum with the Final EIR to the USC Specific Plan. Collectively, this includes thousands of pages of environmental analysis. USC Forward respectfully requests that the City use its discretion to make all these documents—including any new addendum—available for at least 30 days before acting on the Entitlements. USC should not use an addendum to shortcut public notice and comment.

In sum, USC Forward respectfully disagrees with the City and Applicant's decision to prepare an addendum instead of a subsequent or supplemental EIR for the above-stated reasons. Please reconsider this decision. Moreover, in furtherance of CEQA's purpose of informed decision-making (see CEQA Guidelines § 15002(a)(1)), USC Forward asks the City to ensure no action is taken on the Entitlements before making the CEQA document or addendum available for review and comment at least 30 days.

USC Forward reserves the right to supplement these comments at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) This Office requests, to the extent not already on the notice list, all notices of CEQA actions and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§, 21092.2, 21167(f) and Gov. Code § 65092 and Los Angeles Municipal Code § 197.01.F.) Please send notice by electronic and regular mail to Felipe Caceres, 1545 Wilshire Blvd., Ste. 100, Los Angeles, CA 90017 (felipe.caceres@seiu721.org).

Thank you for consideration of these comments. We ask that this letter is placed in the administrative record for the Project.

Sincerely,

USC FORWARD

Felipe Caceres

Felipe Caceres
(213) 361-7848
felipe.caceres@seiu721.org

ATTACHMENT:

EXHIBIT A: USC Enrollment Table (Anticipated v. Actual)

EXHIBIT A

EXHIBIT B: USC ENROLLMENT (ANTICIPATED V. ACTUAL)

ACADEMIC PERIOD		ANTICIPATED ENROLLMENT [a]			ACTUAL ENROLLMENT		
		Undergraduate	Graduate	Total	Undergraduate	Graduate	Total
2009	2010	16,023	14,805	30,828	16,751	18,073	34,824 [b]
2010	2011	16,103	14,951	31,055	17,380	19,516	36,896 [c]
2011	2012	16,184	15,099	31,283	17,414	20,596	38,010 [d]
2012	2013	16,266	15,248	31,514	18,316	21,642	39,958 [e]
2013	2014	16,347	15,399	31,746	18,445	22,923	41,368 [f]
2014	2015	16,429	15,551	31,980	18,740	23,729	42,469 [g]
2015	2016	16,512	15,705	32,216	18,810	24,591	43,401 [h]
2016	2017	16,595	15,860	32,454	18,794	25,077	43,871 [i]
2017	2018	16,678	16,016	32,694	19,170	26,517	45,687 [j]
2018	2019	16,762	16,175	32,936	19,907	27,403	47,310 [k]
2019	2020	16,846	16,334	33,180	20,351	27,970	48,321 [l]
2020	2021	16,930	16,496	33,426	19,606	26,501	46,107 [m]
2021	2022	17,015	16,659	33,674	19,889	27,439	47,328
2022	2023	17,101	16,823	33,924	20,175	28,411	48,586
2023	2024	17,187	16,990	34,176	20,466	29,417	49,883
2024	2025	17,273	17,157	34,431	20,761	30,459	51,219
2025	2026	17,360	17,327	34,687	21,060	31,537	52,597
2026	2027	17,447	17,498	34,945	21,363	32,654	54,017
2027	2028	17,535	17,671	35,206	21,671	33,810	55,481
2028	2029	17,623	17,846	35,468	21,983	35,007	56,991
2029	2030	17,711	18,022	35,733	22,300	36,247	58,547
2030	2031	17,800	18,200	36,000	22,622	37,530	60,152
CAGR		0.50%	0.99%		1.44%	3.54%	

NOTES:

a: Draft EIR, APP-J, Employment, Housing and Population Impacts Assessment, PDF p. 29, https://planning.lacity.org/eir/USC/Feir/files/USC%20Appendix%20J%20-%20Emp-Hsg-Pop%20Tech%20Report%205_13_10.pdf.

b: USC 2010 Financial Report, PDF p. 15, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101238/2010-USC-Financial-Report.pdf>.

c: USC 2011 Financial Report, PDF p. 16, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101237/2011-USC-Financial-Report.pdf>.

d: CDS 2011-2012, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2011-2012-public1.pdf; USC 2012 Financial Report, PDF p. 21, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101236/2012-USC-Financial-Report.pdf>.

e: CDS 2011-2012, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/10/CDS-2012-2013-public_new3.pdf.

f: CDS 2013-2014, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2015/11/CDS_2013-2014_public.pdf.

g: CDS 2014-2015, PDF p. 2, <https://oir.usc.edu/wp-content/uploads/2015/11/CDS-2014-15.pdf>.

h: CDS 2015-2016, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2017/05/CDS-2015-2016_2.pdf; USC 2016 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2016-USC-Financial-Report.pdf>.

i: CDS 2016-2017, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2015/10/CDS_2016-2017.pdf.

j: CDS 2017-2018, PDF p. 3, https://oir.usc.edu/wp-content/uploads/2018/03/CDS_2017-2018_FINAL_2.pdf; USC 2017 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101234/2017-USC-Financial-Report.pdf>.

k: CDS 2018-2019, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2019/06/CDS_2018-2019_FINAL1.pdf; USC 2018 Financial Report, PDF p. 5, <https://customsitesmedia.usc.edu/wp-content/uploads/sites/501/2019/02/19101233/2018-USC-Financial-Report.pdf>.

l: CDS 2019-2020, PDF p. 1, https://oir.usc.edu/wp-content/uploads/2020/07/CDS_2019-2020_FINAL.pdf; USC 2019 Financial Report, PDF p. 5, <https://about.usc.edu/files/2020/07/USC-2019-Annual-ReportFINAL.pdf>.

m: CDS 2020-2021, PDF p. 2, https://oir.usc.edu/wp-content/uploads/2021/07/CDS_2020-2021.pdf; USC 2020 Financial

EXHIBIT H



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Direct: (951) 542-2735
Fax: (213) 623-7755
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

Oct. 11, 2022

VIA EMAIL & ONLINE WEB PORTAL: <https://cityclerk.lacity.org/publiccomment/>

Planning And Land Use Management Committee, City of Los Angeles
c/o Candy Rosales (clerk.plumcommittee@lacity.org)
Albizaal De Valle, Council District 8 (albizaal.delvalle@lacity.org)

**RE: Item 4, PLUM Special Meeting Scheduled October 11, 2022 (Council File No. 22-1055);
Tripalink Project (1840-1848 W. Adams Blvd.);
DCP Case Nos. VTT-83081-SL-HCA-1A, ENV-2020-3308-CE**

Dear Chair Harris-Dawson and Honorable Councilmembers:

On behalf of USC Forward (“**Appellant**”), this office respectfully submits the following comments¹ on the above-referenced “**Appeal**” involving the above-referenced proposed four-story, 30,218 square foot structure which includes 96 bedrooms each with a dedicated bathroom (i.e., 96 total bathrooms) (“**Project**”), which the applicant Tripalink (“**Applicant**”) claims to be just ten single-family dwelling units.² No reasonable person could conclude that the Project is merely proposing 10 dwelling units—when was the last time you saw a single-family dwelling unit contain more than 9 bedrooms and 9 bathrooms?

There is substantial evidence in the record showing the Applicant’s pattern-and-practice of operating co-living facilities that serve almost exclusively college students near the University of Southern California (“**USC**”) campus. No reasonable person could conclude that the Project will operate as a maximum of 10 single-family dwelling units. Tripalink has a well-established track record of renting each bedroom to USC college students—here amounting to not 10 single-family dwelling units but rather 96 individual student dorms/studios units akin to “efficiency dwelling units,” “dormitories,” or guest rooms in a boarding house. (See LAMC § 12.03 [definitions].)

First, Tripalink is well-known for renting rooms—not dwelling units or single-family homes. This is plainly seen by reviewing the properties listed on Tripalink’s website. (See Exhibit A, attached hereto [providing links to over 23 properties].)

Second, Tripalink has a history of entitling dwelling units but renting rooms like single-room student dorms. For example, at 1815 W. Adams Blvd. (DCP Case No. ADM-2020-2509-CPIOC), the submitted plans showed merely two new, 4-story duplexes with a total of 4 units, each ranging

¹ Herein, page citations are either the stated pagination (i.e., “p. #”) or PDF-page location (i.e., “PDF p. #”).

² Applicant (4/28/20) Application Materials, PDF pp. 4, 7, <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DQ0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/submit>; Applicant (3/18/20) Project Plans, PDF p. 2 (Site Plan A1.01), <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DY0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/submit>; DCP (2/24/22) Initial Advisory Agency LOD, pp. 14-16, <https://planning.lacity.org/pdiscaseinfo/document/MTg1MzM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.



between 2,427 to 2,523 square feet each.³ However, Tripalink now advertises that same project as a “gated community” comprised of 36 rooms—*each individually rentable*—ranging between 664 and 935 square feet, with each one having a dedicated bathroom. (See Exhibit B, attached hereto [Tripalink Website screenshots].)

Third, the 96-unit Project exceeds density limits on the Site. Admittedly, the approximate 14,142 square-foot Site is permitted a maximum density of 35 dwelling units.⁴ So too, the Project amounts to roughly 142 square feet per unit, which exceeds the South Los Angeles Community Plan Implementation Overlay District (“CPIO”) residential density--both generally (i.e., 1 unit per 800 square feet) and for Transit-Oriented Communities (“TOC”) projects (i.e., 1 unit per 400 square feet). (See CPIO,⁵ pp. 32.)

Fourth, the Applicant is incorrect when it claims that the Appeal has been “deemed denied” by operation of law because the City has not acted within 30 days of the Appeal being filed.⁶ The Applicant has made a similar argument about prior appeals being “deemed denied” due to operation by law. However, timelines to act under the Code have been tolled due to the COVID emergency, according to Deputy City Attorney Ernesto Vasquez.⁷ Mr. Vasquez, who served as counsel to both Central and South Los Angeles Area Planning Commissions (“APC(s)”), made these statements just three weeks before the South LA APC heard fellow appellants’ initial appeal on July 19, 2022, and in direct response to this office’s concerns about claims of appeals being considered deemed denied.⁸ And, of course, the appeal was heard by APC July 19, 2022 notwithstanding Applicant’s deemed denied argument.

In sum, the Project is inconsistent with applicable zoning regulations and, therefore, ineligible for the claimed categorical exemptions. Please grant the appeal.

Sincerely,



Jordan R. Sisson
Attorney for Appellant

Enclosed: Exhibits A & B

³ DCP Case Summary, <https://planning.lacity.org/pdiscaseinfo/search/encoded/MjM3MzQ50>; Plot Plan, <https://planning.lacity.org/pdiscaseinfo/document/MjMyMzU40/46e6f77e-051c-4e11-ad6d-6ce8558211cd/pdd>; floor plan, <https://planning.lacity.org/pdiscaseinfo/document/MjMyMzU30/46e6f77e-051c-4e11-ad6d-6ce8558211cd/pdd>.

⁴ DCP (4/5/22) Reissued Advisory Agency LOD, pp. 14, 15, 17, <https://planning.lacity.org/pdiscaseinfo/document/MjAzMjM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>; see also APC Staff Report, pp. A-4 (“As the Vesting Tentative Tract Map meets the technical requirements of the LAMC, including standards for the maximum permitted density, height, and subdivision of land, the proposed map demonstrates compliance with the LAMC as well as the intent and purpose of the General Plan with regard to density and use.”)

⁵ <https://planning.lacity.org/odocument/0e95b194-a2b7-4da2-8346-720f71f59e35/CPIO.pdf>.

⁶ Applicant Letter (10/7/22), p. 1, https://clkrep.lacity.org/onlinedocs/2022/22-1055_misc_10-07-22.pdf.

⁷ DCP (6/28/22) Central APC Agenda, p. 3 (Item 6 regarding appeal of Hollywood project), <https://planning.lacity.org/dcpapi/meetings/document/72240>; DCP (6/28/22) Central APC Meeting Audio, mm:ss 17:30-21:00, https://planning.lacity.org/plndoc/Audio/Central_LA/2022/06-28-2022/6_ZA_2019_5239.mp3.

⁸ Central APC Meeting Audio, *ibid.*, mm:ss 05:30-07:15.



EXHBIT A: TRIPALINK/ZIMAS PROPERTY REVIEW

TRIPALINK WEBSITE	ZIMAS	BED	BATH	UNITS	ADDRESS	YEAR BUILT
Tripalink	ZIMAS	9	12	3	1164-76 W 24TH ST.	2017 & 2018
Tripalink	ZIMAS	10	9	3	1224 W 35TH ST.	1906/2019
Tripalink	ZIMAS	10	10	3	1225 W 37TH PL.	1904/2014
Tripalink	ZIMAS	12	12	4	1231 W 36TH PL.	2019
Tripalink	ZIMAS	12	13	4	1369 W. 36TH ST.	2018
Tripalink	ZIMAS	16	16	2	1451 W. 36TH PL.	2018
Tripalink	ZIMAS	12	12	4	1259 W 36TH PL.	2017
Tripalink	ZIMAS	12	12	4	1230 W. 36TH ST.	2012
Tripalink	ZIMAS	6	4	2	1374 W. 35TH PL.	2011
Tripalink	ZIMAS	8	4	2	3009 S. BUDLONG AVE.	2009
Tripalink	ZIMAS	6	6	2	1200 W 24TH ST.	2006
Tripalink	ZIMAS	9	4	2	1384 W 37TH PL.	2004
Tripalink	ZIMAS	17	15	5	1193 W 36TH PL.	2002
Tripalink	ZIMAS	17	9	9	1250 W. 37TH ST.	1964
Tripalink	ZIMAS	10	6	6	1277 W 23RD ST.	1964
Tripalink	ZIMAS	6	6	6	1324 W 36TH ST.	1962
Tripalink	ZIMAS	37	20	19	1296 W. 37TH PL.	1959
Tripalink	ZIMAS	14	13	12	1115 W. 30TH ST.	1957
Tripalink	ZIMAS	16	8	8	1580 W. 30TH ST.	1924
Tripalink	ZIMAS	6	3	3	1354 W. 24TH	1923
Tripalink	ZIMAS	8	4	4	3102 KENWOOD AVE.	1923
Tripalink	ZIMAS	8	8	2	1409 W 25 ST.	1907
Tripalink	ZIMAS	Pending			1430 W. 37TH ST.	
Tripalink	ZIMAS	Pending			1729 W ADAMS BLVD.	
Tripalink	ZIMAS	Pending			1815 W. ADAMS BLVD	
Tripalink	ZIMAS	Pending			2909 ORCHARD AVE.	



EXHIBIT B: TRIPALINK WEBSITE SCREENSHOT

(<https://tripalink.com/apartments/los-angeles/usc-off-campus-student-housing/10000219?date=2022-08-10&cityRoute=los-angeles&areaRoute=usc-off-campus-stu>)



TRIPALINK



1815 W ADAMS BLVD

UNIT A

TRIPALINK

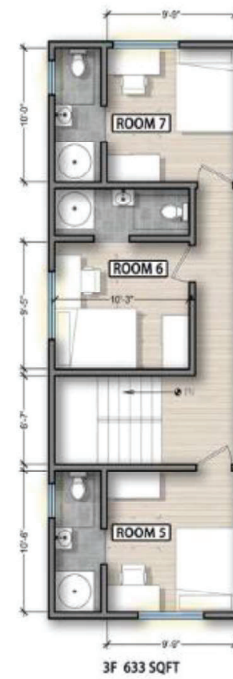
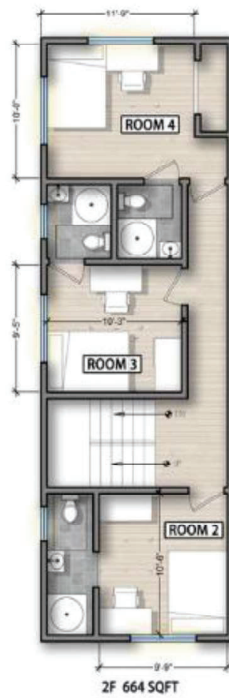
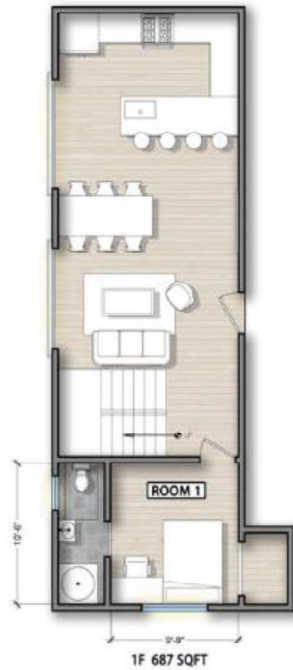


1815 W ADAMS BLVD

UNIT B



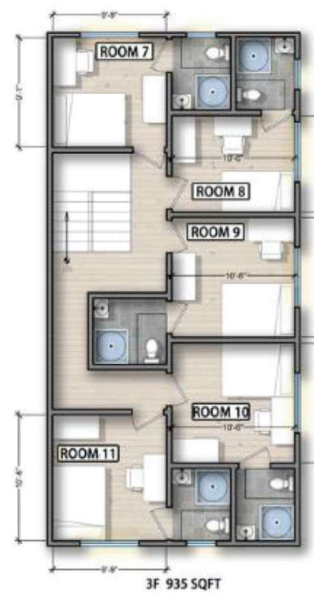
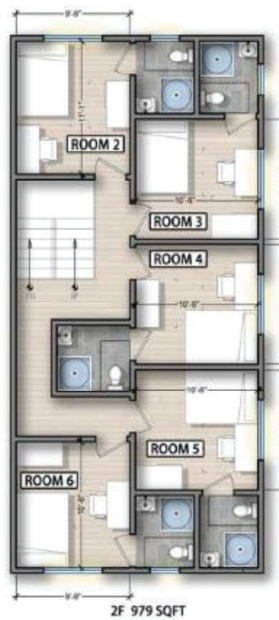
TRIPALINK



1815 W ADAMS BLVD

UNIT C

TRIPALINK



1815 W ADAMS BLVD

UNIT D



EXHIBIT I



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Direct: (951) 542-2735
Fax: (213) 623-7755
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

November 28, 2022

**RE: CEQA Appeal Justification for Tripalink Project (1840-1848 W. Adams Blvd.);
DCP Case Nos. ENV-2020-3308-CE & VTT-83081-SL-HCA-1A;
Appeal Deadline Triggered by November 23, 2022 DCP/City Attorney Emails**

On behalf of USC Forward (“**Appellant**”),¹ this office respectfully appeals (“**Appeal**”) the above-referenced development proposed on a 14,142 square foot (“**SF**”) located at the address referenced above (“**Site**”) that would demolish a single-story commercial unit and construct a four-story, 30,218-SF structure *claimed to result in a maximum of ten single-family dwelling units but which includes 96 bedrooms each with a dedicated bathroom* (i.e., 96 bathrooms in total) (“**Project**”).² In furtherance of the Project, Tripalink (“**Applicant**”) seeks various approvals from the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”), including: (1) Vesting Tentative Tract Map No. 83081-SL-HCA to subdivide the existing two-lot Site into a maximum of 10 small lot single-family dwellings (“**VTT**”); and (2) determine the Project exempt from the California Environmental Quality Act (“**CEQA**”) per via a Class 32 (infill development) and Class 15 (minor land divisions) exemption (collectively “**CatEx**”).⁴ Until this CEQA Appeal is decided, the VTT is stayed and not final pursuant to LAMC § 11.5.13.D.

The VTT and CatEx (collectively “**Project Approvals**”) were initially approved by the Advisory Agency via a letter of determination (“**LOD**”) issued in February 2022,⁵ which was superseded by a reissued LOD in April 2022,⁶ that was subsequently appealed by West Adams Neighborhood Association (“**WANA**”) along with the Greater Greater Paige Temple (“**GPT**”).⁷ On July 19, 2022, after lengthy public comments featuring multiple community groups raising significant concerns about the Project (including USC Forward’s oral testimony), the South Los Angeles Area Planning Commission (“**APC**”) denied the WANA/GPT appeal and sustained the Advisory Agency’s reissued LOD subject to a two-word revision reflecting Applicant’s expressed intent to keep the ten (10) small lots available as “*for sale*,” single-family homes” as shown on page F-7 of APC’s LOD dated August 26, 2022.⁸ Appellant timely filed a second-level VTT appeal, which was heard by the

¹ Herein, page citations are either the stated pagination (i.e., “**p. #**”) or PDF-page location (i.e., “**PDF p. #**”).

² Applicant (4/28/20) Application Materials, PDF pp. 4, 7, <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DQ0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/esubmit>; Applicant (3/18/20) Project Plans, PDF p. 2 (Site Plan A1.01), <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DY0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/esubmit>; Initial Approval, infra fn. 5, pp. 14-16.

³ Pub. Res. Code § 21000 et seq. and 14 Cal. Code Regs. (“**CEQA Guidelines**”) § 15000 et seq.

⁴ DCP (7/18/22) South LA APC Appeal Staff Report, p. 1, https://planning.lacity.org/plndoc/Staff_Reports/2022/07-21-2022/VTT_83081.pdf; see also DCP (7/18/22) Staff Presentation, https://drive.google.com/drive/folders/1qqFR_dfd8K7TPE_wS1WKuT6SVZ6XDHF.

⁵ DCP (2/24/22) Initial Advisory Agency LOD, <https://planning.lacity.org/pdiscaseinfo/document/MTg1MzM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.

⁶ DCP (4/5/22) Reissued Advisory Agency LOD, <https://planning.lacity.org/pdiscaseinfo/document/MjAzMjM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.

⁷ <https://planning.lacity.org/pdiscaseinfo/document/MzExMjI0/532f8e86-06a9-44b1-8001-06cd07316c90/esubmit>; Appeal Justification, <https://planning.lacity.org/pdiscaseinfo/document/MzExMjM0/532f8e86-06a9-44b1-8001-06cd07316c90/esubmit>.

⁸ DCP (8/26/22) South LA APC LOD, <https://planning.lacity.org/pdiscaseinfo/document/MjcyNTI0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.



Planning Land Use Management (“**PLUM**”) Committee on October 11, 2022, where PLUM recommended granting the VTT appeal, drafting the following findings of fact (CEQA):

“... the Project is not exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32 (Infill Development Projects), and there is substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The project is a classic dormitory-style housing. The applicant portrays this project as a homeownership opportunity, but it is very far from it. Several units are over 10 bedrooms and 10 bathrooms. The layout of the building as shown on plans submitted to the Planning Department with the location of the kitchen and rooms off the stairwells on each floor is indicative that this is a dormitory and not 10 single dwelling homes. This dormitory ought to be, but was not, studied and analyzed as a student housing dormitory with over 90 units.

This project is inconsistent with the Community Plan Implementation Overlay Zone and the community plan because it is out of proportion when analyzed in its proper context. If analyzed appropriately, this project will be above the threshold of traffic noise and air quality.

When it comes to this project, the Class 32 Categorical Exemption is deficient in that the first requirement that the project be “consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations” did not include an adequate consistency analysis.

There is substantial evidence in the administrative record to support the Appellant’s allegations that the City has erred in its judgment for purposes of CEQA and the use of the Class 32 Categorical Exemption that the Project is consistent with the applicable zoning regulations. Therefore, the CEQA is insufficient because the description of the project is wholly inaccurate previously stated. As a result, this tract map cannot be approved because the environmental analysis and the categorical exemption is insufficient. Therefore, we want to grant the appeal. If the applicant submits a project with an accurate and updated project description, then the department of planning can properly evaluate it.

Greater Page Temple has reached out to our office. Their congregation is against this project as they represent one of the most important historical buildings in West Adams. The CPIO also has a subarea that protects the historical character of the homes immediately south of the building known as the Victor Hall Tract and that has not been properly studied.

In addition, the City has failed to analyze the cumulative impacts of the proliferation of student housing in the area, and the City has recognized the negative impacts of multi-habitable room projects in the adjacent area through the establishment of the Neighborhood Stabilization Ordinance. In addition, as stated above, the analysis of cumulative impacts related to air quality, construction noise and construction related transportation is not adequate to support the determination in the narrative supporting the Class 32 exemption failure to analyze the surrounding student housing projects.”⁹

⁹ See Council File No. 22-1055, Revised Findings of Fact (10/12/22), https://clkrep.lacity.org/online/docs/2022/22-1055_misc_10-12-22.pdf.



Thereafter, on October 14, 2022, the City Clerk unlawfully and erroneously issued a Memorandum (“**Memo**”) claiming Appellant’s Appeal, as well as the independently-filed appeal by the West Adams Neighborhood Association (“**WANA**”), had been “deemed denied” under Gov. Code § 66452.5 due to the City Council’s failure to act on the VTT by October 14, 2022,¹⁰ when Council meetings were canceled due to the audiotapes’ aftermath.

On November 23, 2022, City Clerk Jenna Monterrosa wrote to Petitioner that the Appeal “was deemed denied on or about October 14, 2022, pursuant to Government Code, section 66452.5, this email shall serve to provide your client with notice that its appeal of Vesting Tentative Tract Map application VTT-83081-SL-HCA-2A was deemed denied on or about October 14, 2022 and that all administrative appeals of the Project approval have been exhausted.” She wrote that “therefore, pursuant to LAMC 11.5.13(C), your client has fifteen (15) days from the date of this email, on or before December 8, 2022, to file an appeal of the CEQA exemption determination for the project.” (See Exhibit A, attached hereto.) This was further confirmed by Deputy City Attorney John Fox. (See Exhibit B, attached hereto.)

Hence, pursuant to Los Angeles Municipal Code (“**LAMC**” or “**Code**”) § 11.5.13 and per DCP/City Attorney instructions, this CEQA Appeal is timely filed.¹¹ We ask that this CEQA Appeal is heard as soon as practicable and well before January 12, 2023. Until this CEQA Appeal is decided, the VTT is stayed and not final pursuant to LAMC § 11.5.13.D.

REASON FOR THE APPEAL: Based on the review of the relevant records, the Project violates both the Code and CEQA, as confirmed by PLUM’s recommendation to grant Appellant’s second-level VTT appeal. In accordance with DCP staff and City Attorney instructions (see Exh. A & B), Appellant timely files this CEQA Appeal respectfully requesting the City Council grant this CEQA Appeal and deny the Project Approvals—essentially finalizing what PLUM recommended on October 11, 2022.

SPECIFIC POINTS IN ISSUE: This CEQA Appeal challenges the CatEx on the following reasons.

Appellant incorporates by this reference in its entirety the challenges set forth in its prior second-level VTT appeal dated August 31, 2022 and its PLUM letter dated October 11, 2022. (See Exhibit C & D [respectively] attached hereto.)

The CatEx is invalid because the Project is inconsistent with applicable zoning rules. The CatEx requires the Project to be, among other things, consistent “with applicable zoning designations and regulations” (CEQA Guidelines § 15332), which this Project is not. As the PLUM Committee chaired by Councilmember Harris Dawson confirmed, the Project is not exempt from CEQA pursuant to

¹⁰ https://clkrep.lacity.org/online/docs/2022/22-1055_misc_10-14-22.pdf.

¹¹ Neither CEQA nor the LAMC allow CEQA appeals to be “deemed denied.” Under the Code, “[t]he City Council *shall* hold a public hearing before acting on the appeal.” (See LAMC § 11.5.13.E [emph. added].) So too, state CEQA law requires the Council to hear the CEQA appeal (and contains no deemed denial provision). (See Pub. Res. Code § 21151(c).) The Government Code Subdivision Map Act timelines do not apply to CEQA. Gov. Code section 66542.5 mandates automatic approval only if the agency has failed to comply with the time limits specified in “this chapter” which applies to the Subdivision Map Act only – not CEQA. If the CEQA time limits were construed as being governed by the Subdivision Map Act, projects such as this one could be deemed approved even though a substantive CEQA requirement had not been met, thereby undermining the base purpose of CEQA by permitting the development of projects resulting in unacceptable environmental consequences.



CEQA Guidelines, Section 15332, Class 32 (Infill Development Projects), and there is substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. This Project is inconsistent with the LAMC, South Los Angeles Community Plan Implementation Overlay (“CPIO”) Zone, and the South Los Angeles Community Plan because it is out of proportion when analyzed in its proper context—as a ninety-six (96) unit dormitory. Under the Code, the approximately 14,142 square foot Project site is zoned C-2, which requires a minimum of 400 square feet of lot area per dwelling unit and, thus, allows a maximum density of only 35 dwelling units. (See LAMC §§ 12.14.C.3 [C-2 zone incorporates R4 Zone lot area requirements] & 12.11.C.4 [400 square feet lot area per dwelling unit].) There is substantial evidence showing the Project will operate as 96 independent student housing units—which exceeds the objective 35-unit maximum allowed under the LAMC. So too, the Project amounts to roughly 147 square feet of lot area per unit, which violates the minimum residential density under the applicable South Los Angeles CPIO District – both generally (i.e., 1 unit per 800 square feet) and for Density Bonus or Transit-Oriented Communities projects (i.e., 1 unit per 400 square feet). (See South Los Angeles CPIO, p. 32 [Section II-2-B.1].) This inconsistency with applicable zoning rules dooms the CatEx – both Class 15 and 32.

The CatEx is an abuse of discretion that lacks substantial evidence. If analyzed appropriately, this Project will be above the threshold of traffic noise and air quality. The historical character of the homes immediately south of the building, known as the Victor Hall Tract, that has not been properly studied, and there will be significant impacts to historic resources. As the PLUM Committee further noted (see above): “[t]he analysis of cumulative impacts related to air quality, construction noise and construction related transportation is not adequate to support the determination in the narrative supporting the Class 32 exemption failure to analyze the surrounding student housing projects.”

In sum, the CatEx should have been denied. Appellant reserves the right to supplement these comments and specific appeal points in the future. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during the EIR comment period].)

HOW ARE YOU AGGRIEVED BY THE DECISION: Appellant is a broad coalition of students, community organizations, and SEIU Local 721 union members united to make USC a better neighbor and accountable to its surrounding communities. Its members live and/or work in the vicinity of the Project Site, breathe the air, suffer traffic congestion, and suffer other environmental impacts of the Project unless it is properly analyzed and mitigated. Additionally, Appellant is committed to ensuring responsible development in Los Angeles, that local land-use rules/regulations are followed, and informed decision-making by public officials regarding projects that may significantly impact the environment in the City of Los Angeles. The Project usurps true single-family housing opportunities amidst an affordable housing crisis, violates applicable zoning rules, and leaves various environmental impacts unanalyzed or mitigated—which negatively impacts Appellant and its members. Hence, granting this Appeal will confer a substantial benefit to USC Forward and the public, including citizens, residents, businesses, and taxpayers affected by the Project, and will result in the enforcement of important public rights.

///



Appellant, through its members, participated in APC hearing on July 19, 2022 (regarding WANA's first-level VTT appeal) and timely filed a second-level VTT appeal that PLUM recommended for granting on October 11, 2022 (but for the City Clerk's October 14th Memo erroneously deeming denied the VTT appeal). Appellant has exhausted its administrative remedies on the VTT appeal and now avails itself of this CEQA Appeal in as instructed by DCP staff and the City Attorney (see Exhs. A & B). Until this CEQA Appeal is decided, the VTT is stayed and not final pursuant to LAMC § 11.5.13.D.

HOW DID THE DECISION-MAKER ERRED OR ABUSED THEIR DISCRETION: The City Clerk abused its discretion by deeming denied Appellant's VTT second-level appeal relying on an inadequate CEQA review. The City cannot grant the Project Approvals until the VTT and CatEx are cured consistent with state and local law. We ask that this Appeal is heard well before January 12, 2023 (90 days after the purported deemed denied VTT appeal on October 14, 2022.) Until this CEQA Appeal is decided, the VTT is stayed and not final pursuant to LAMC § 11.5.13.D.

Finally, on behalf of Appellant, this Office requests, to the extent not already on the notice list, for all notices of CEQA actions, Appeal hearings and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§ 21092.2, 21167(f) and Gov. Code § 65092 and LAMC § 197.01.F.) Please send notice by electronic and regular mail at the address provided on page one of this letter.

Sincerely,



Jordan R. Sisson
Attorney for Appellant

Attachment:

- Exhibit A: DCP Staff Email (11/23/22)
- Exhibit B: City Attorney Email (11/23/22)
- Exhibit C: Appellant's VTT Appeal Justification (8/31/22)
- Exhibit D: Appellant's PLUM Letter (10/11/22)



EXHIBIT A

CF-22-1055-S1-00022

From: Jenna Monterrosa <jenna.monterrosa@lacity.org>
Sent: Wednesday, November 23, 2022 12:41 PM
To: jordan@gideonlaw.net
Cc: cd8plum; Clerk-PLUM-Committee; Candy Rosales; Albizael Del Valle; Planning DSC; gk@gideonlaw.net
Subject: Re: 1840 W. Adams Blvd.; (CF No. 22-1055)

Mr. Sisson,

My apologies for the mix up. To confirm, both appellants, USC Forward and WANA, are hereby notified of their right to file a CEQA appeal on or before December 8, 2022.

Thank you.
Jenna

On Wed, Nov 23, 2022 at 11:51 AM <jordan@gideonlaw.net> wrote:

Ms. Monterrosa—just summarizing my recent voicemail. Please clarify the following:

1. My client is USC Forward, not WANA. USC Forward and WANA each timely filed VTT appeals, which are independent of one another. Please confirm that my client—USC Forward—is hereby notified of its right to file a CEQA appeal on or before December 8, 2022.
2. Your emails does not address the CEQA Notice of Exemption (NOE). Is the City's also going to retract the NOE?

Please let me know. Thank you so much.

-JRS

From: Jenna Monterrosa <jenna.monterrosa@lacity.org>
Sent: Wednesday, November 23, 2022 11:20 AM
To: jordan@gideonlaw.net
Cc: cd8plum <cd8plum@lacity.org>; Clerk-PLUM-Committee <clerk.plumcommittee@lacity.org>; Candy Rosales <candy.rosales@lacity.org>; Albizael Del Valle <albizael.delvalle@lacity.org>; Planning DSC <planning.dsc@lacity.org>
Subject: 1840 W. Adams Blvd.; (CF No. 22-1055)

Dear Mr. Sisson,

Our office has reviewed your correspondence dated November 18, 2022 regarding the appeal filed by your client, West Adams Neighborhood Association ("WANA"), of the South Los Angeles Area Planning Commission's decision to deny WANA's appeal of Vesting Tentative Tract Map application VTT-83081-SL-HCA-2A. Based upon our review of the records, WANA's appeal was pursuant to LAMC, section 17.06(A)(4), not LAMC 11.5.13(C). This is because an appeal pursuant to LAMC 11.5.13(C) cannot be brought until after all administrative appeals of the Project approval were exhausted.

The appeal of the Vesting Tentative Tract Map is governed by both the state Subdivision Map Act and the LAMC. In this case, on or about October 14, 2022 the City Council lost jurisdiction over the appeal pursuant to Government Code, section 66452.5 of the Subdivision Map Act. The City Clerk's memorandum to Council File No. 22-1055 states this. The Mayor's Emergency Order related to COVID does not affect appeal deadlines established by state law.

However, because your client, WANA, was not informed that its appeal was deemed denied on or about October 14, 2022 pursuant to Government Code, section 66452.5, this email shall serve to provide your client with notice that its appeal of Vesting Tentative Tract Map application VTT-83081-SL-HCA-2A was deemed denied on or about October 14, 2022 and that all administrative appeals of the Project approval have been exhausted.

Therefore, pursuant to LAMC 11.5.13(C), your client has fifteen (15) days from the date of this email, on or before December 8, 2022, to file an appeal of the CEQA exemption determination for the project. City Planning's CEQA application is linked below for your reference and may be submitted through our Online Application System.

Sincerely,

Jenna Monterrosa

[CEQA Appeal Application
Online Application System](#)

--



Jenna Monterrosa

Senior City Planner - Council Liaison

Los Angeles City Planning

200 N. Spring St., Room 532

Los Angeles, CA 90012

T: (213) 978-1377 | Planning4LA.org



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Jenna Monterrosa

Senior City Planner - Council Liaison

Los Angeles City Planning

200 N. Spring St., Room 532

Los Angeles, CA 90012

T: (213) 978-1377 | Planning4LA.org



EXHIBIT B

CF-22-1055-S1-00026

From: John Fox <john.fox@lacity.org>
Sent: Wednesday, November 23, 2022 12:42 PM
To: jordan@gideonlaw.net
Cc: gk@gideonlaw.net
Subject: Re: FW: 1840 W. Adams Blvd.; (CF No. 22-1055)

Jordan and Gideon

The Planning Department will clarify your client USC-Forward's right to a CEQA appeal in a separate email. With regard to the NOE once a timely and valid CEQA appeal is filed the NOE that was previously filed would not have any legal effect with regard to the statute of limitations.

Sincerely,
JOHN W. FOX
Deputy City Attorney
Office of the Los Angeles City Attorney
200 N. Main Street
City Hall East, Room 701
Los Angeles, CA 90012

direct phone: (213) 978-8228
fax number: (213) 978-8090

Until further notice, I am working remotely. Because I may not receive regular mail or other deliveries during this period of time, please e-mail copies of anything you send by regular mail or delivery. Please send all e-served documents in your case to the e-mail addresses for any City attorney who has appeared in your case, or who has communicated with you by e-mail on your matter.

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On Wed, Nov 23, 2022 at 11:56 AM <jordan@gideonlaw.net> wrote:

John—we just received DCP's email. However, there are two issues needing clarification (please see below). Super appreciate your attention to below, especially whether my client—USC Forward, not WANA—has the right to file CEQA appeal by 12/8/22.

Many thanks.

-JRS

Jordan R. Sisson, Attorney

Law Office of Gideon Kracov

801 S. Grand Ave., 11th Floor

Los Angeles, CA 90017

Direct: 951-542-2735

Fax: 213-623-7755

jordan@gideonlaw.net

www.gideonlaw.net

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From: jordan@gideonlaw.net <jordan@gideonlaw.net>

Sent: Wednesday, November 23, 2022 11:51 AM

To: 'Jenna Monterrosa' <jenna.monterrosa@lacity.org>

Cc: 'cd8plum' <cd8plum@lacity.org>; 'Clerk-PLUM-Committee' <clerk.plumcommittee@lacity.org>; 'Candy Rosales' <candy.rosales@lacity.org>; 'Albizael Del Valle' <albizael.delvalle@lacity.org>; 'Planning DSC' <planning.dsc@lacity.org>; gk@gideonlaw.net

Subject: RE: 1840 W. Adams Blvd.; (CF No. 22-1055)

Ms. Monterrosa—just summarizing my recent voicemail. Please clarify the following:

1. My client is USC Forward, not WANA. USC Forward and WANA each timely filed VTT appeals, which are independent of one another. Please confirm that my client—USC Forward—is hereby notified of its right to file a CEQA appeal on or before December 8, 2022.
2. Your emails does not address the CEQA Notice of Exemption (NOE). Is the City's also going to retract the NOE?

Please let me know. Thank you so much.

-JRS

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Sent: Wednesday, November 23, 2022 11:20 AM
To: jordan@gideonlaw.net
Cc: cd8plum <cd8plum@lacity.org>; Clerk-PLUM-Committee <clerk.plumcommittee@lacity.org>; Candy Rosales <candy.rosales@lacity.org>; Albizael Del Valle <albizael.delvalle@lacity.org>; Planning DSC <planning.dsc@lacity.org>
Subject: 1840 W. Adams Blvd.; (CF No. 22-1055)

Dear Mr. Sisson,

Our office has reviewed your correspondence dated November 18, 2022 regarding the appeal filed by your client, West Adams Neighborhood Association ("WANA"), of the South Los Angeles Area Planning Commission's decision to deny WANA's appeal of Vesting Tentative Tract Map application VTT-83081-SL-HCA-2A. Based upon our review of the records, WANA's appeal was pursuant to LAMC, section 17.06(A)(4), not LAMC 11.5.13(C). This is because an appeal pursuant to LAMC 11.5.13(C) cannot be brought until after all administrative appeals of the Project approval were exhausted.

The appeal of the Vesting Tentative Tract Map is governed by both the state Subdivision Map Act and the LAMC. In this case, on or about October 14, 2022 the City Council lost jurisdiction over the appeal pursuant to Government Code, section 66452.5 of the Subdivision Map Act. The City Clerk's memorandum to Council File No. 22-1055 states this. The Mayor's Emergency Order related to COVID does not affect appeal deadlines established by state law.

However, because your client, WANA, was not informed that its appeal was deemed denied on or about October 14, 2022 pursuant to Government Code, section 66452.5, this email shall serve to provide your client with notice that its appeal of Vesting Tentative Tract Map application VTT-83081-SL-HCA-2A was deemed denied on or about October 14, 2022 and that all administrative appeals of the Project approval have been exhausted.

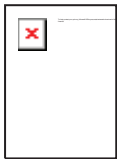
Therefore, pursuant to LAMC 11.5.13(C), your client has fifteen (15) days from the date of this email, on or before December 8, 2022, to file an appeal of the CEQA exemption determination for the project. City Planning's CEQA application is linked below for your reference and may be submitted through our Online Application System.

Sincerely,

Jenna Monterrosa

[CEQA Appeal Application
Online Application System](#)

--



Jenna Monterrosa

Senior City Planner - Council Liaison

Los Angeles City Planning
200 N. Spring St., Room 532

Los Angeles, CA 90012

T: (213) 978-1377 | Planning4LA.org



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EXHIBIT C

CF-22-1055-S1-00031



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Direct: (951) 542-2735
Fax: (213) 623-7755
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

August 31, 2022

**RE: Appeal Justification for Tripalink Project (1840-1848 W. Adams Blvd.);
DCP Case Nos. VTT-83081-SL-HCA-1A (Related Case Nos. ENV-2020-3308-CE);
Approval Made Effective by August 26, 2022 Letter of Determination**

On behalf of USC Forward (“**Appellant**”),¹ this office respectfully appeals (“**Appeal**”) the above-referenced development proposed on a 14,142 square foot (“**SF**”) located at the address referenced above (“**Site**”) that would demolish a single-story commercial unit and construct a four-story, 30,218-SF structure claimed to result in a maximum of ten single-family dwelling units but which includes 96 bedrooms each with a dedicated bathroom (i.e., 96 bathrooms in total) (“**Project**”).² In furtherance of the Project, Tripalink (“**Applicant**”) seeks various approvals from the City of Los Angeles (“**City**”) Department of City Planning (“**DCP**”), including: (1) Vesting Tentative Tract Map No. 83081-SL-HCA to subdivide the existing two-lot Site into a maximum of 10 small lot single-family dwellings (“**VTT**”); and (2) determine the Project exempt from the California Environmental Quality Act (“**CEQA**”) per CEQA Guidelines § 15332 infill exemption (“**Class 32 Exemption**”).⁴

The VTT and Class 32 Exemption (collectively “**Project Approvals**”) were initially approved by the Advisory Agency via a letter of determination (“**LOD**”) issued in February 2022,⁵ which was superseded by a reissued LOD in April 2022,⁶ that was subsequently appealed by West Adams Neighborhood Association (“**WANA**”) along with the Greater Greater Paige Temple (“**GPT**”).⁷ On July 19, 2022, after lengthy public comments featuring multiple community groups raising significant concerns about the Project (including USC Forward’s oral testimony), the South Los Angeles Area Planning Commission (“**APC**”) denied the WANA/GPT appeal and sustained the Advisory Agency’s reissued LOD subject to a two-word revision reflecting Applicant’s expressed intent to keep the ten (10) small lots available as “for sale,” single-family homes” as shown on page F-7 of APC’s LOD dated August 26, 2022.⁸

/ / /

¹ Herein, page citations are either the stated pagination (i.e., “**p. #**”) or PDF-page location (i.e., “**PDF p. #**”).

² Applicant (4/28/20) Application Materials, PDF pp. 4, 7, <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DQ0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/submit>; Applicant (3/18/20) Project Plans, PDF p. 2 (Site Plan A1.01), <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DY0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/submit>; Initial Approval, infra fn. 5, pp. 14-16.

³ Pub. Res. Code § 21000 et seq. and 14 Cal. Code Regs. (“**CEQA Guidelines**”) § 15000 et seq.

⁴ DCP (7/18/22) South LA APC Appeal Staff Report, p. 1, https://planning.lacity.org/plndoc/Staff_Reports/2022/07-21-2022/VTT_83081.pdf; see also DCP (7/18/22) Staff Presentation, https://drive.google.com/drive/folders/1qqFR_dfd8K7TPE_wS1WKuT6SVZ6XDHfF.

⁵ DCP (2/24/22) Initial Advisory Agency LOD, <https://planning.lacity.org/pdiscaseinfo/document/MTg1MzM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.

⁶ DCP (4/5/22) Reissued Advisory Agency LOD, <https://planning.lacity.org/pdiscaseinfo/document/MjAzMjM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.

⁷ <https://planning.lacity.org/pdiscaseinfo/document/MzExMjI0/532f8e86-06a9-44b1-8001-06cd07316c90/submit>; Appeal Justification, <https://planning.lacity.org/pdiscaseinfo/document/MzExMjM0/532f8e86-06a9-44b1-8001-06cd07316c90/submit>.

⁸ DCP (8/26/22) South LA APC LOD, <https://planning.lacity.org/pdiscaseinfo/document/MjcyNTI0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.



APC's LOD identifies the applicable appeal deadline as September 6, 2022. (See APC LOD, p. 2.) Hence, this Appeal is timely under the Los Angeles Municipal Code ("**LAMC**" or "**Code**"), which provides a 10-day deadline to file a VTT appeal to Council. (See LAMC §§ 17.06.A.4.)

REASON FOR THE APPEAL: Based on the review of the LOD and relevant DCP records, granting the VTT violates both Code and CEQA. Appellant respectfully requests the City Council grant this Appeal and deny the Project Approvals until the issues raised herein, and elsewhere in the Project's administrative record, are adequately addressed.

SPECIFIC POINTS IN ISSUE: Appellant shares many of the concerns raised in the WANA/GPT appeal, which were echoed and further elaborated in comments submitted by USC Forward and other community groups (e.g., North University Park Community Association,⁹ North Area Neighborhood Development Council,¹⁰ Adams-Normandie Neighborhood Association,¹¹), representatives from the local City Council District office, and multiple APC Commissioners.¹² This Appeal incorporates in its entirety by this reference all comments (written and verbal) submitted against the Project Approval and adds the following appeal justification:

1. There is substantial evidence in the record showing the Applicant's pattern-and-practice of operating co-living facilities that serve almost exclusively college students near the University of Southern California ("USC") campus. No reasonable person could conclude that the Project will operate as a maximum of ten (10) single-family dwelling units. Tripalink has a track record of renting each bedroom to USC college students—here, amounting to not ten (10) single-family dwelling units but rather 96 individual student housing units akin to "efficiency dwelling units," "dormitories," or guest rooms in a boarding house. (See LAMC § 12.03 [definitions].)
2. Admittedly, the approximate 14,000-plus SF Site is permitted to a maximum density of 35 dwelling units. (See APC LOD, pp. F-4 – F-7.¹³) As discussed above, substantial evidence shows the Project will operate as 96 independent student housing units—which exceeds the objective 35-unit maximum allowed under applicable zoning regulations.¹⁴ As such, the VTT should have been denied or properly conditioned to prevent the improper use of the Project (e.g., a cap on bedrooms, fewer bathrooms, etc.) or require the Applicant to seek the appropriate entitlements to allow for a 96-unit student dormitory.

/ / /

⁹ <https://drive.google.com/drive/folders/1oQliP8QYFSifjanzYTezDmR9HHCMJQxl>.

¹⁰ <https://drive.google.com/drive/folders/1oQliP8QYFS>;

¹¹ DCP (7/19/22) APC Meeting Additional Documents, PDF p. 2, <https://planning.lacity.org/dcpapi/meetings/document/addtldoc/63499>.

¹² Supra 8, passim.

¹³ Reissued AA LOD, supra fn. pp. 14, 15, 17

¹⁴ Ibid., see also APC Staff Report, pp. A-4 ("As the Vesting Tentative Tract Map meets the technical requirements of the LAMC, including standards for the maximum permitted density, height, and subdivision of land, the proposed map demonstrates compliance with the LAMC as well as the intent and purpose of the General Plan with regard to density and use.")



3. The Class 32 Exemption requires the Project to be, among other things, consistent “with applicable zoning designations and regulations” and not result in significant effects relating to traffic, noise, air quality or water quality. (CEQA Guidelines § 15332.) Here, as discussed above, the Project’s foreseeable use as a 96-unit student housing dormitory would be inconsistent with applicable zoning regulations (i.e., maximum density) and, thus, the Project is ineligible for a Class 32 Exemption. Additionally, there is no meaningful explanation or evidence that the Project is below “interim air thresholds” developed by DCP staff based on CalEEMod model runs.¹⁵ Furthermore, DCP’s significance determination is entirely contingent on the false assumption that the Project is just ten (10) single-family dwelling units. CEQA bars such inaccurate project descriptions.¹⁶
4. Applicant’s claim that WANA/GPT appeal was deemed denied is meritless. Before and during the APC hearing, the Applicant representative claimed that the Appeal was “deemed denied” by operation of law because APC did not act within the timeframes under the Code.¹⁷ However, timelines to act under the Code have been tolled due to the COVID emergency, according to Deputy City Attorney Ernesto Vasquez.¹⁸ Mr. Vasquez, who served as counsel to both Central and South LA APCs, made these statements just three weeks before the South LA APC heard WANA/GPT’s appeal on July 19, 2022, and in direct response to the concerns raised about appeals being considered deemed denied.¹⁹ And, of course, APC heard the appeal on July 19, 2022, notwithstanding Applicant’s deemed denied argument.

In sum, both the VTT and Class 32 Exemption should have been denied. Appellant reserves the right to supplement these comments and specific appeal points in the future. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during the EIR comment period].)

HOW ARE YOU AGGRIEVED BY THE DECISION: Appellant is a broad coalition of students, community organizations, and union members united to make USC a better neighbor and accountable to its surrounding communities. Its members live and/or work in the vicinity of the Project Site, breathe the air, suffer traffic congestion, and suffer other environmental impacts of the Project unless it is properly analyzed and mitigated. Additionally, Appellant is committed to ensuring responsible development in Los Angeles, that local land-use rules/regulations are followed, and informed decision-making by public officials regarding projects that may significantly impact the environment in the City of Los Angeles. This Project that may usurp true single-family housing

¹⁵ Initial LOD, pp. 11-12 (“The project is beneath the threshold criteria established by LADOT for preparing a traffic study[;]... Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.”)

¹⁶ See *Citizens for a Sustainable Treasure Island v. City & Cnty. of San Francisco* (2014) 227 Cal.App.4th 1036, 1052 (noting “only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the ‘no project’ alternative), and weigh other alternatives in the balance.”)

¹⁷ See e.g., APC Meeting Additional Documents, supra fn. 11, PDF pp. 22, 25; APC Meeting Audio, supra fn. 8.

¹⁸ DCP (6/28/22) Central APC Agenda, p. 3 (Item 6 regarding appeal of Hollywood project), <https://planning.lacity.org/dcpapi/meetings/document/72240>; DCP (6/28/22) Central APC Meeting Audio, mm:ss 17:30-21:00, https://planning.lacity.org/plndoc/Audio/Central_LA/2022/06-28-2022/6_ZA_2019_5239.mp3.

¹⁹ Central APC Meeting Audio, supra fn. 18, mm:ss 05:30-07:15.



opportunities amidst an affordable housing crisis violates these principles and negatively impacts Appellant and its members. Hence, granting this Appeal will confer a substantial benefit to USC Forward and the public, including citizens, residents, businesses, and taxpayers affected by the Project, and will result in the enforcement of important public rights. Appellant, through its members, participated in the APC hearing on July 19, 2022 that is the subject of this Appeal via oral testimony, thereby exhausting its administrative remedies.

HOW DID THE DECISION-MAKER ERRED OR ABUSED THEIR DISCRETION: Appellant appreciates APC's efforts to address the legitimate concerns raised by the community. However, APC abused its discretion because it improperly granted the VTT in violation of the Code and relied on an inadequate CEQA review. The City cannot grant the Project Approvals until the VTT is sufficiently conditioned, re-entitled with correct land use approvals, and/or analyzed via a CEQA-compliant review.

Finally, on behalf of Appellant, this Office requests, to the extent not already on the notice list, for all notices of CEQA actions, Appeal hearing and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See Pub. Res. Code §§ 21092.2, 21167(f) and Gov. Code § 65092 and LAMC § 197.01.F.) Please send notice by electronic and regular mail at the address provided on page one of this letter.

Sincerely,



Jordan R. Sisson
Attorney for Appellant



EXHIBIT D

CF-22-1055-S1-00036



LAND USE, ENVIRONMENTAL & MUNICIPAL LAWYERS

Jordan R. Sisson
801 South Grand Avenue, 11th Floor
Los Angeles, California 90017
Direct: (951) 542-2735
Fax: (213) 623-7755
E-mail: jordan@gideonlaw.net
www.gideonlaw.net

Oct. 11, 2022

VIA EMAIL & ONLINE WEB PORTAL: <https://cityclerk.lacity.org/publiccomment/>

Planning And Land Use Management Committee, City of Los Angeles
c/o Candy Rosales (clerk.plumcommittee@lacity.org)
Albizael De Valle, Council District 8 (albizael.delvalle@lacity.org)

**RE: Item 4, PLUM Special Meeting Scheduled October 11, 2022 (Council File No. 22-1055);
Tripalink Project (1840-1848 W. Adams Blvd.);
DCP Case Nos. VTT-83081-SL-HCA-1A, ENV-2020-3308-CE**

Dear Chair Harris-Dawson and Honorable Councilmembers:

On behalf of USC Forward (“**Appellant**”), this office respectfully submits the following comments¹ on the above-referenced “**Appeal**” involving the above-referenced proposed four-story, 30,218 square foot structure which includes 96 bedrooms each with a dedicated bathroom (i.e., 96 total bathrooms) (“**Project**”), which the applicant Tripalink (“**Applicant**”) claims to be just ten single-family dwelling units.² No reasonable person could conclude that the Project is merely proposing 10 dwelling units—*when was the last time you saw a single-family dwelling unit contain more than 9 bedrooms and 9 bathrooms?*

There is substantial evidence in the record showing the Applicant’s pattern-and-practice of operating co-living facilities that serve almost exclusively college students near the University of Southern California (“**USC**”) campus. No reasonable person could conclude that the Project will operate as a maximum of 10 single-family dwelling units. Tripalink has a well-established track record of renting each bedroom to USC college students—here amounting to not 10 single-family dwelling units but rather 96 individual student dorms/studios units akin to “efficiency dwelling units,” “dormitories,” or guest rooms in a boarding house. (See LAMC § 12.03 [definitions].)

First, Tripalink is well-known for renting rooms—not dwelling units or single-family homes. This is plainly seen by reviewing the properties listed on Tripalink’s website. (See *Exhibit A, attached hereto* [providing links to over 23 properties].)

Second, Tripalink has a history of entitling dwelling units but renting rooms like single-room student dorms. For example, at 1815 W. Adams Blvd. (DCP Case No. ADM-2020-2509-CPIOC), the submitted plans showed merely two new, 4-story duplexes with a total of 4 units, each ranging

¹ Herein, page citations are either the stated pagination (i.e., “p. #”) or PDF-page location (i.e., “PDF p. #”).

² Applicant (4/28/20) Application Materials, PDF pp. 4, 7, <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DQ0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/submit>; Applicant (3/18/20) Project Plans, PDF p. 2 (Site Plan A1.01), <https://planning.lacity.org/pdiscaseinfo/document/Nzc00DY0/4596a256-522b-4c94-acc5-77ce1b3c8ef1/submit>; DCP (2/24/22) Initial Advisory Agency LOD, pp. 14-16, <https://planning.lacity.org/pdiscaseinfo/document/MTg1MzM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.

between 2,427 to 2,523 square feet each.³ However, Tripalink now advertises that same project as a “gated community” comprised of 36 rooms—*each individually rentable*—ranging between 664 and 935 square feet, with each one having a dedicated bathroom. (See Exhibit B, attached hereto [Tripalink Website screenshots].)

Third, the 96-unit Project exceeds density limits on the Site. Admittedly, the approximate 14,142 square-foot Site is permitted a maximum density of 35 dwelling units.⁴ So too, the Project amounts to roughly 142 square feet per unit, which exceeds the South Los Angeles Community Plan Implementation Overlay District (“CPIO”) residential density--both generally (i.e., 1 unit per 800 square feet) and for Transit-Oriented Communities (“TOC”) projects (i.e., 1 unit per 400 square feet). (See CPIO,⁵ pp. 32.)

Fourth, the Applicant is incorrect when it claims that the Appeal has been “deemed denied” by operation of law because the City has not acted within 30 days of the Appeal being filed.⁶ The Applicant has made a similar argument about prior appeals being “deemed denied” due to operation by law. However, timelines to act under the Code have been tolled due to the COVID emergency, according to Deputy City Attorney Ernesto Vasquez.⁷ Mr. Vasquez, who served as counsel to both Central and South Los Angeles Area Planning Commissions (“APC(s)”), made these statements just three weeks before the South LA APC heard fellow appellants’ initial appeal on July 19, 2022, and in direct response to this office’s concerns about claims of appeals being considered deemed denied.⁸ And, of course, the appeal was heard by APC July 19, 2022 notwithstanding Applicant’s deemed denied argument.

In sum, the Project is inconsistent with applicable zoning regulations and, therefore, ineligible for the claimed categorical exemptions. Please grant the appeal.

Sincerely,


Jordan R. Sisson
Attorney for Appellant

Enclosed: Exhibits A & B

³ DCP Case Summary, <https://planning.lacity.org/pdiscaseinfo/search/encoded/MjM3MzQ50>; Plot Plan, <https://planning.lacity.org/pdiscaseinfo/document/MjMyMzU40/46e6f77e-051c-4e11-ad6d-6ce8558211cd/pdd>; floor plan, <https://planning.lacity.org/pdiscaseinfo/document/MjMyMzU30/46e6f77e-051c-4e11-ad6d-6ce8558211cd/pdd>.

⁴ DCP (4/5/22) Reissued Advisory Agency LOD, pp. 14, 15, 17, <https://planning.lacity.org/pdiscaseinfo/document/MjAzMjM0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>; see also APC Staff Report, pp. A-4 (“As the Vesting Tentative Tract Map meets the technical requirements of the LAMC, including standards for the maximum permitted density, height, and subdivision of land, the proposed map demonstrates compliance with the LAMC as well as the intent and purpose of the General Plan with regard to density and use.”)

⁵ <https://planning.lacity.org/odocument/0e95b194-a2b7-4da2-8346-720f71f59e35/CPIO.pdf>.

⁶ Applicant Letter (10/7/22), p. 1, https://clkrep.lacity.org/onlinedocs/2022/22-1055_misc_10-07-22.pdf.

⁷ DCP (6/28/22) Central APC Agenda, p. 3 (Item 6 regarding appeal of Hollywood project), <https://planning.lacity.org/dcpapi/meetings/document/72240>; DCP (6/28/22) Central APC Meeting Audio, mm:ss 17:30-21:00, https://planning.lacity.org/plndoc/Audio/Central_LA/2022/06-28-2022/6_ZA_2019_5239.mp3.

⁸ Central APC Meeting Audio, *ibid.*, mm:ss 05:30-07:15.



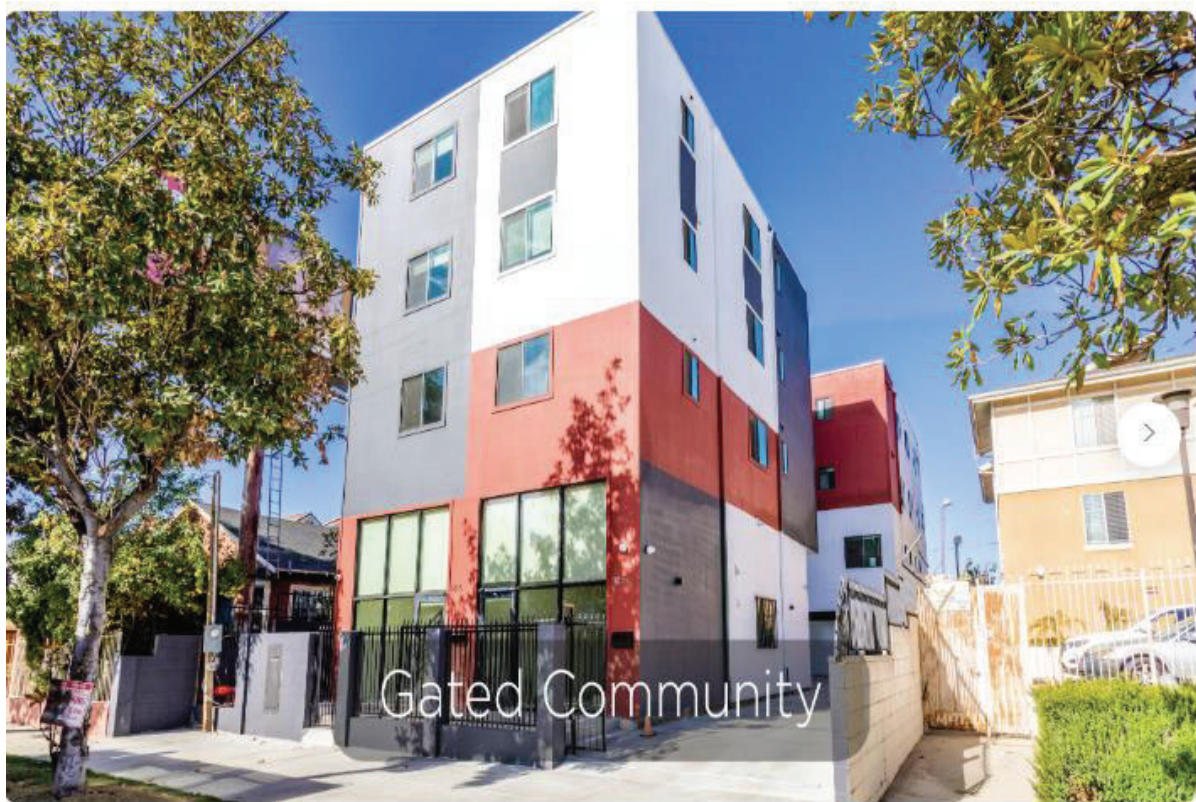
EXHIBIT A: TRIPALINK/ZIMAS PROPERTY REVIEW

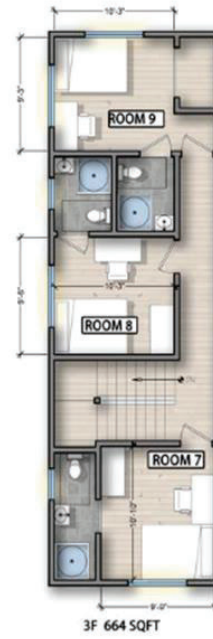
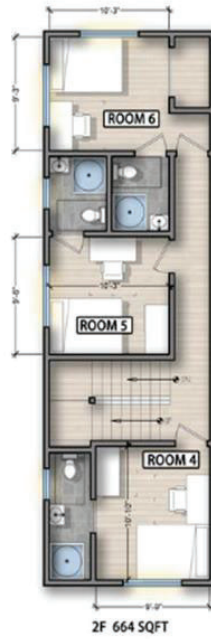
TRIPALINK WEBSITE	ZIMAS	BED	BATH	UNITS	ADDRESS	YEAR BUILT
Tripalink	ZIMAS	9	12	3	1164-76 W 24TH ST.	2017 & 2018
Tripalink	ZIMAS	10	9	3	1224 W 35TH ST.	1906/2019
Tripalink	ZIMAS	10	10	3	1225 W 37TH PL.	1904/2014
Tripalink	ZIMAS	12	12	4	1231 W 36TH PL.	2019
Tripalink	ZIMAS	12	13	4	1369 W. 36TH ST.	2018
Tripalink	ZIMAS	16	16	2	1451 W. 36TH PL.	2018
Tripalink	ZIMAS	12	12	4	1259 W 36TH PL.	2017
Tripalink	ZIMAS	12	12	4	1230 W. 36TH ST.	2012
Tripalink	ZIMAS	6	4	2	1374 W. 35TH PL.	2011
Tripalink	ZIMAS	8	4	2	3009 S. BUDLONG AVE.	2009
Tripalink	ZIMAS	6	6	2	1200 W 24TH ST.	2006
Tripalink	ZIMAS	9	4	2	1384 W 37TH PL.	2004
Tripalink	ZIMAS	17	15	5	1193 W 36TH PL.	2002
Tripalink	ZIMAS	17	9	9	1250 W. 37TH ST.	1964
Tripalink	ZIMAS	10	6	6	1277 W 23RD ST.	1964
Tripalink	ZIMAS	6	6	6	1324 W 36TH ST.	1962
Tripalink	ZIMAS	37	20	19	1296 W. 37TH PL.	1959
Tripalink	ZIMAS	14	13	12	1115 W. 30TH ST.	1957
Tripalink	ZIMAS	16	8	8	1580 W. 30TH ST.	1924
Tripalink	ZIMAS	6	3	3	1354 W. 24TH	1923
Tripalink	ZIMAS	8	4	4	3102 KENWOOD AVE.	1923
Tripalink	ZIMAS	8	8	2	1409 W 25 ST.	1907
Tripalink	ZIMAS	Pending			1430 W. 37TH ST.	
Tripalink	ZIMAS	Pending			1729 W ADAMS BLVD.	
Tripalink	ZIMAS	Pending			1815 W. ADAMS BLVD	
Tripalink	ZIMAS	Pending			2909 ORCHARD AVE.	



EXHIBIT B: TRIPALINK WEBSITE SCREENSHOT

(<https://tripalink.com/apartments/los-angeles/usc-off-campus-student-housing/10000219?date=2022-08-10&cityRoute=los-angeles&areaRoute=usc-off-campus-stu>)





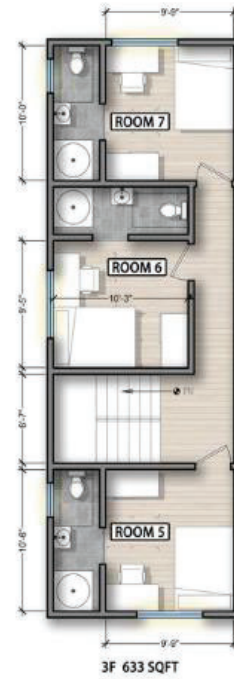
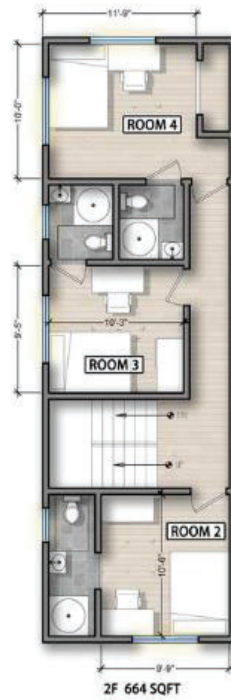
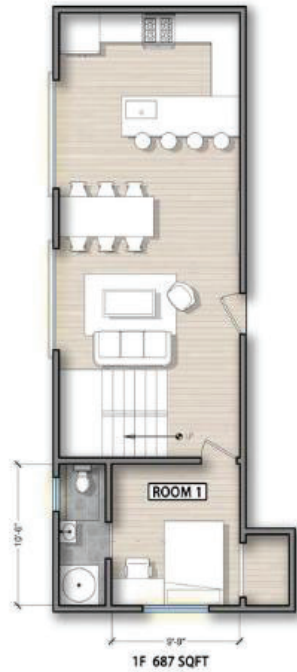
1815 W ADAMS BLVD

UNIT A

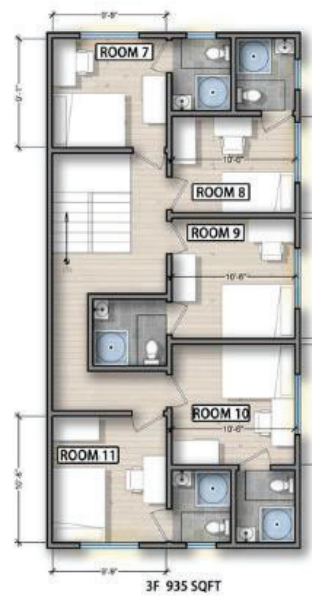
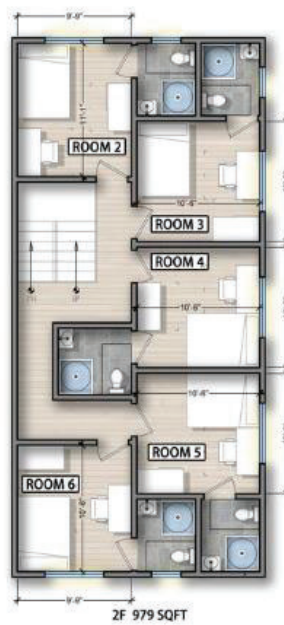


1815 W ADAMS BLVD

UNIT B



1815 W ADAMS BLVD
UNIT C



1815 W ADAMS BLVD
UNIT D